Highway to Section 14 of Township 9 South, Range 6 West.

Because Valdez is situated in an essentially undeveloped area of Alaska which has not been throughly surveyed, the coordinates of the port limits cannot be stated more precisely.

Amendment to the Regulations

To reflect this change, the table in § 101.3(b), Customs Regulations (19 CFR 101.3(b)), is amended by inserting "Valdez, including territory described in T.D. 79–201." directly below "Skagway." in the column headed "Ports of entry" in the Anchorage, Alaska, Customs district (Region VIII).

Regulation Determined to be Nonsignificant

In a directive published in the **Federal Register** on November 8, 1978 (43 FR 52120), implementing Executive Order 12044, "Improving Government Regulations", the Treasury Department stated that it considers each regulation or amendment to an existing regulation published in the **Federal Register** and codified in the Code of Federal Regulations to be "significant". However, it has been determined that this amendment does not meet the Treasury Department criteria in the directive for a "significant" regulation because it is nonsubstantive, essentially procedural, does not materially change existing or establish new policy, and does not impose substantial additional requirements or costs on, or substantially alter the legal rights or obligations of, those affected.

Drafting Information

The principal author of this document was Lawrence P. Dunham, Regulations and Legal Publications Division, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Dated: July 5, 1979.

Richard J. Davis,

Assistant Secretary of the Treasury.

[FR Doc. 79–22925 Filed 7–24–79; 8:45 am]

BILLING CODE 4810–22–M

DEPARTMENT OF JUSTICE

28 CFR Part 0

[Order No. 840–79]

Authority To Sign Indictments When U.S. Attorney Is Recused

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This order authorizes the United States Attorney to designate any Assistant United States Attorney in his office to perform any function, including the signing of indictments and any other documents and papers, when the United States Attorney has recused himself from the applicable matter. The order amends 28 CFR 0.131.

EFFECTIVE DATE: July 9, 1979.

FOR FURTHER INFORMATION CONTACT: Daniel E. Fromstein, General Litigation and Legal Advice Section, Criminal Division, United States Department of Justice, Washington, D.C. 20530 (202–724–6971).

By virtue of the authority vested in me by 28 U.S.C. 509 and 510, Title 28, Code of Federal Regulations, is amended by revising § 0.131, to provide:

§ 0.131 Designation of Acting United States Attorneys.

Each U.S. Attorney is authorized to designate any Assistant U.S. Attorney in his office to perform the functions and duties of the U.S. attorney during his absence from office, or with respect to any matter from which he has recused himself, and to sign all necessary documents and papers, including indictments, as Acting U.S. Attorney while performing such functions and duties.

Dated: July 9, 1979.

Griffin B. Bell,

Attorney General.

[FR Doc. 79–22920 Filed 7–24–79; 8:45 am]

BILLING CODE 4410–01–M

28 CFR Part 0

[Order No. 839–79]

Coercion of Abortions and Sterilizations

AGENCY: Department of Justice.

ACTION: Final Rule.

SUMMARY: Section 300a–8, Title 42, United States Code, which became effective July 1, 1976, makes it a misdemeanor for certain categories of persons to coerce or endeavor to coerce a person to undergo a sterilization or abortion by threatening loss of, or disqualification for the receipt of, any benefit of service under a program receiving federal financial assistance. Existing Department regulations assign to the Civil Rights Division the enforcement of all federal statutes affecting civil rights except those specifically assigned to the Criminal Division. This order adds the provisions of Section 300a–8 of Title 42, United States Code, to the list of federal statutes assigned to the Civil Rights Division.

EFFECTIVE DATE: July 9, 1979.

FOR FURTHER INFORMATION CONTACT: John Harmon, Assistant Attorney General, Office of Legal Counsel, United States Department of Justice, Washington, D.C. 20530 (202–633–2041).

By virtue of the authority vested in me by 28 U.S.C. 509, 510, and 5 U.S.C. 301, § 0.50(a) of Subpart J of Part 0 of Chapter I of Title 28, Code of Federal Regulations is amended by adding "abortion and sterilization" immediately after "housing."

Dated: July 9, 1979.

Griffin B. Bell,

Attorney General.

[FR Doc. 79–22921 Filed 7–24–79; 8:45 am]

BILLING CODE 4410–01–M

DEPARTMENT OF DEFENSE

Engineers Corps

33 CFR Part 222

[ER 1110–2–1802]

Engineering and Design; Reporting Earthquake Effects

AGENCY: Corps of Engineers, DOD.

ACTION: Final rule.

SUMMARY: Engineer Regulation 1110–2–1802 pertaining to reporting earthquake effects appeared in the **Federal Register** issue of February 14, 1979 (44 FR, page 9591). Extensive changes were required because the regulation did not adequately provide for variations in effects from similar magnitude earthquakes in different parts of the United States. This document provides guidance and establishes procedures for assuring the structural integrity and operational adequacy of major Civil Works structures following a significant earthquake. A recent review of Corps practices in dam design revealed a need for updating guidance in gathering data after an earthquake occurs. Post-earthquake evaluations will detect conditions of significant structural distress and provide a basis for timely initiation of restorative and remedial measures.

EFFECTIVE DATE: 25 July 1979.

FOR FURTHER INFORMATION CONTACT: Ernest L. Dodson, Chief, Geotechnical Branch, Office, Chief of Engineers, Department of the Army, Washington, DC 20314, (202) 693–6823.

Note.—The U.S. Army Corps of Engineers 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.

In consideration of the above required changes, 33 CFR Part 222 is amended by revising § 222.6 to read as follows.

§ 222.6 Reporting earthquake effects.

(a) *Purpose.* This regulation states policy, defines objectives, assigns functions, and establishes procedures for assuring the structural integrity and operational adequacy of major Civil Works structures following the occurrence of significant earthquakes. It primarily concerns damage surveys following the occurrences of earthquakes.

(b) *Applicability.* This regulation is applicable to all field operating agencies having Civil Works responsibilities.

(c) *References.* (1) ER 1110-2-100 (§ 222.2).

(2) ER 1110-2-1806.

(3) ER 1110-2-8150.

(4) ER 1130-2-419.

(5) State-of-the-Art for Assessing Earthquake Hazards in the United States—WES Miscellaneous Papers S-73-1—Reports 1 thru 14. Available from U.S. Army Engineer Waterways Experiment Station, P.O. Box 631, Vicksburg, Mississippi 39180.

(d) *Policy.* Civil Works structures which could be caused to fail or partially fail by an earthquake and whose failure or partial failure would endanger the lives of the public and/or cause substantial property damage, will be evaluated following potentially damaging earthquakes to insure their continued structural stability, safety and operational adequacy. These structures include dams, navigation locks, powerhouses, and appurtenant structures, (intakes, outlet works, buildings, tunnels, paved spillways) which are operated by the Corps of Engineers and for which the Corps is fully responsible. Also included are major levees, floodwalls, and similar facilities designed and constructed by the Corps of Engineers and for whose structural safety and stability the Corps has a public obligation to be aware of although not responsible for their maintenance and operation. The evaluation of these structures will be based upon post-earthquake inspections which will be conducted to detect conditions of significant structural distress and to provide a basis for timely initiation of restorative and remedial measures.

(e) *Post-Earthquake Inspections and Evaluation Surveys.* (1) *Limitations of Present Knowledge.* The design of structures for earthquake loading is limited by the infrequent opportunity to compare actual performance with the design. Damage which would affect the function of the project is unlikely if peak accelerations are below 0.1g.; but it cannot be assumed that a structure will not be damaged from earthquake loadings below that for which it was designed. Furthermore, earthquakes have occurred in several parts of the country where significant seismic activity had not been predicted by some seismic zoning maps. This indicates the possibility that earthquake induced loads may not have been adequately considered in the design of older structures.

(2) *Types of Reportable Damage.* Many types of structural damage can be induced by ground motion from earthquakes or from large nuclear blasts (which also tend to induce ground vibrations in the more damaging lower frequency ranges). Any post-earthquake change in appearance or functional capability of a major Civil Works structure should be evaluated and reported. Examples are symptoms of induced stresses in buildings made evident by cracked plaster, windows or tile, or in binding of doors or windows; cracked or shifted bridge pier footings or other concrete structures; turbidity or changed static level of water wells; cracks in concrete dams or earth embankments; and misalignment of hydraulic control structures or gates. Induced dynamic loading on earth dams may result in loss of freeboard by settlement, or cause localized quick conditions within the embankment sections or earth foundations. Also, new seepage paths may be opened up within the foundation or through the embankment section. Ground motion induced landslides may occur in susceptible areas of the reservoir rim, causing embankment overtopping by waves and serious damage. All such unusual conditions should be evaluated and reported.

(f) *Inspection and Evaluation Programs.* (1) If the project is located in an area where the earthquake causes significant damage (Modified Mercalli Intensity VII or greater) to structures in the vicinity, the Chief, Engineering Division, should be immediately notified and an engineering evaluation and inspection team should be sent to the project.

(2) If the project is located in an area where the earthquake is felt but causes no or insignificant damage (Modified Mercalli Intensity VI or less) to structures in the vicinity of the project, project operations personnel should make an immediate inspection. This inspection should determine (1) whether there is evidence of earthquake damage or disturbance, and (2) whether seismic instrumentation, where present, has been triggered. The Chief, Engineering Division should be notified by phone of the results of the inspection. If damage is observed, which is considered to threaten the immediate safety or operational capability of the project, immediate action should be taken as covered in paragraph f(1) of this section. For other situations, the Chief of Engineering Division will determine the need for and urgency for an engineering inspection.

(3) When an engineering inspection of structures is deemed necessary following a significant earthquake, HQDA (DAEN-CWE) WASH DC 20314 will be notified of the inspection program as soon as it is established.

(4) As a general rule, the structures which would be of concern following an earthquake are also the structures which are involved in the inspection program under ER 1110-2-100. Whenever feasible, instrumentation and prototype testing programs undertaken under ER 1110-2-100 to monitor structural performance and under ER 1110-2-8150 to develop design criteria will be utilized in the post-earthquake safety evaluation programs. Additional special types of instrumentation will be incorporated in selected structures in which it may be desirable to measure forces, pressures, loads, stresses, strains, displacements, deflections, or other conditions relating to damage and structural safety and stability in case of an earthquake.

(5) Where determined necessary, a detailed, systematic engineering inspection will be made of the post-earthquake condition of each structure, taking into account its distinctive features. For structures which have incurred earthquake damage a formal technical report will be prepared in a format similar to inspection reports required under ER 1110-2-100. (Exempt from requirements control under paragraph 7-2b, AR 335-15.) The report will include summaries of the instrumentation and other observation data for each inspection, for permanent record and reference purposes. This report will be used to form a basis for major remedial work when required. Where accelerometers or other types of strong motion instruments have been installed, readings and interpretations from these instruments should also be included in the report. The report will contain recommendations for remedial work when appropriate, and will be

transmitted through the Division Engineer for review and to HQDA (DAEN–CWE) WASH DC 20314 for review and approval. For structures incurring no damage a simple statement to this effect will be all that is required in the report, unless seismic instrumentation at the project is activated. (See paragraph h(4) of this section.)

(g) *Training.* The dam safety training program covered by paragraph 6 of ER 1130–2–419 should include post-earthquake inspections and the types of damage operations personnel should look for.

(h) *Responsibilities.* (1) The Engineering Divisions of the District offices will formulate the inspection program, conduct the post-earthquake inspections, process and analyze the data of instrumental and other observations, evaluate the resulting condition of the structures, and prepare the inspection reports. The Engineering division is also responsible for planning special instrumentation felt necessary in selected structures under this program. Engineering Division is responsible for providing the training discussed in paragraph (g) of this section.

(2) The Construction Divisions of the District offices will be responsible for the installation of the earthquake instrumentation devices and for data collection if an earthquake occurs during the construction period.

(3) The Operations Division of the District offices will be responsible for the immediate assessment of earthquake damage and notifying the Chief, Engineering Division as discussed in paragraphs f (1) and (2). The Operations Division will also be responsible for earthquake data collection after the construction period in accordance with the instrumental observation programs, and will assist and participate in the post-earthquake inspections.

(4) The U.S. Geological Survey has the responsibility for servicing and collecting all data from strong motion instrumentation at Corps of Engineers dam projects following an earthquake occurrence. However, the U.S. Army Waterways Experiment Station (WES) is assigned the responsibility for analyzing and interpreting these earthquake data. Whenever a recordable earthquake record is obtained from seismic instrumentation at a Corps project, the Division will send a report of all pertinent instrumentation data to the Waterways Experiment Station, ATTN: WESGH, P.O. Box 631, Vicksburg, Mississippi 39180. The report on each project should include a complete description of the locations and types of instruments and a copy of the instrumental records from each of the strong motion machines activated. (Exempt from requirements control under paragraph 7–2v, AR 335–15).

(5) The Engineering Divisions of the Division offices will select structures for special instrumentation for earthquake effects, and will review and monitor the data collection, processing, evaluating, and inspecting activities. They will also be specifically responsible for promptly informing HQDA (DAEN–CWE) WASH DC 20314, when evaluation of the condition of the structure or analyses of the instrumentation data indicate the stability of a structure is questionable. (Exempt for requirements control under paragraph 7–2o, AR 335–15.)

(6) Division Engineers are responsible for issuing any supplementary regulations necessary to adapt the policies and instructions herein to the specific conditions within their Division.

(i) *Funding.* Funding for the evaluation and inspection program will be under the Appropriation 96X3123, Operations and Maintenance, General. Funds required for the inspections, including Travel and Per Diem costs incurred by personnel of the Division office or the Office, Chief of Engineers, will be from allocations made to the various projects for the fiscal year in which the inspection occurs.

Pub. L. 738, 74th Congress, 49 Stat. 1570 (33 U.S.C. 701b); Pub. L. 685, 75th Congress, 52 Stat. 802 (33 U.S.C. 540); Pub. L. 92–367, 86 Stat. 506 (33 U.S.C. 467 *et. seq.*))

Source: ER 1100–2–1802.
Dated: July 16, 1979.

Forrest T. Gay, III,
Colonel, Corps of Engineers Executive Director, Engineer Staff.

[FR Doc. 79–22612 Filed 7–24–79; 8:45 am]
BILLING CODE 3710–92–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 2740 and 2910

[Circular No. 2450]

Land Resource Management (2000); Recreation and Public Purposes Act

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rulemaking updates the Recreation and Public Purposes Act regulations to reflect the amendments of that Act made by section 212 of the Federal Land Policy and Management Act of 1976 and other changes. Section 212 requires that certain additional criteria be met prior to approving applications, makes changes in the acreage limitations and provides that patents and leases for recreational purposes be made without monetary consideration.

DATE: Effective August 24, 1979.

ADDRESS: Any comments and inquiries should be sent to: Director (320), Bureau of Land Management, 1800 C Street N.W., Washington, D.C. 20420.

FOR FURTHER INFORMATION CONTACT: Mathew Millenbach (202) 343–8731.

SUPPLEMENTARY INFORMATION: The proposed rulemaking on this subject was published in the **Federal Register** on January 12, 1979 (44 FR 2620). A 60 day comment period was provided. Ten written comments were received during the comment period and were considered in the preparation of this final rulemaking. Eight of the comments were from State governments or agencies and two comments were from Federal agencies. The comments were favorable to the rulemaking, but a number of questions were raised concerning the implementation of its provisions. Several commented that the rulemaking would carry out the intent of Congress and provide an easier process for the acquisition of Federal lands by State and local governments and agencies for the uses specified. One comment questioned whether Federal lands that had been identified because of their special values could be disposed of under the rulemaking. Any Federal lands that meet the criteria of the rulemaking can be disposed of. However, it is highly unlikely that a finding would be made during the decisionmaking process that it would be in the public interest to dispose of such lands unless they were to continue in the same important use. The final rulemaking provides adequate protection to those Federal lands having special designated uses. Further, the danger is lessened by the fact that this rulemaking covers disposals for recreational and public purposes, and only to States and their political subdivisions or nonprofit corporations and associations.

One comment asked what impact the wilderness inventory process now ongoing within the Bureau of Land Management would have on disposals under this rulemaking. Any lands included in wilderness study areas and recommended for inclusion in the Wilderness System will not be available for disposal until Congress has made a decision on the matter.

Another comment expressed the opinion that recreational pursuits connected with wildlife activities should be included in the broader definition of recreational uses and qualified to receive the 6,400 acre entitlement. Section 2741.6 is in conformance with the provisions of the Recreation and Public Purposes Act, as amended, and the suggested comment has not been adopted.

One comment suggested that the statements in the "Summary" and "Supplementary Information" sections did not fully describe the contents of the proposed rulemaking. The two sections, when read in conjunction with the proposed rulemaking, give the public full notice of what the proposed rulemaking is intended to accomplish. Another comment from the same source, questioned the imposition of additional reverter provisions in § 2741.8 of the proposed rulemaking. The reverter provisions have been carefully studied and are proper conditions under a disposal made pursuant to the Recreation and Public Purposes Act, as amended. No change has been made in the section.

A comment pointed out that § 2912.1–1(c) makes no provision for notice and hearing in connection with a revocation or suspension of "any instrument providing for use, occupancy or development of public lands," as provided in section 302(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732). This suggestion has been adopted and § 2912.1–1(c) has been amended to provide for notice and opportunity for a hearing.

Another comment questioned the provision of § 2912.4–2(a) that authorized the amendment of existing leases to comply with the provisions of this rulemaking. This provision is designed to bring existing leases into conformance with the amendments to the Recreation and Public Purposes Act, as well as, other changes made by this final rulemaking. This is a proper authority and no change has been made in the section.

One comment expressed concern that the lands that would be disposed of under this final rulemaking would not be adequately considered under procedures covering the preservation and enhancement of sites and structures of historic, architectual or archeological significance. Prior to a conveyance under the provisions of this final rulemaking, lands will be considered under either the Bureau of Land Management's land use planning system or a decision document that would result in classification of the lands for disposal, or both. These processes will include a cultural inventory to protect the cultural values.

A change made after studying the proposed rulemaking was the insertion of the word "sex" in § 2741.8. This change was made to correct an oversight in the non-discrimination provision. Another change designed to rectify an omission was the addition of the words "Aleuts, and Eskimos", after the word "Indians" in § 2741.1(a). The amended wording of the rulemaking is now the same as the wording in the definition of "public lands" in the Federal Land Policy and Management Act.

Finally, a change was made in § 2912.1–1(d) to make it clear that leases, as well as conveyances, issued to a State, county, or other State or Federal instrumentality or political subdivision for recreational or historic-monument purposes shall be made without monetary consideration. This amendment is in accord with section 212 of the Federal Land Policy and Management Act, and was inadvertently omitted from the proposed rulemaking.

Editorial and language changes needed to clarify the final rulemaking have been made.

The principal author of this final rulemaking is Mathew Millenbach, Division of Lands and Realty, assisted by the staff of the Division of Legislation and Regulatory Management, Bureau of Land Management.

The Department of the Interior has determined that this document is not a significant regulatory action requiring the preparation of a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

Under the authority of the Recreation and Public Purposes Act, as amended, (43 U.S.C. 865 et seq.), Parts 2740 and 2910, Groups 2700 and 2900, Subchapter B, Chapter II, Title 43 of the Code of Federal Regulations are revised as set forth below.

Guy R. Martin,

Assistant Secretary of the Interior.

July 19, 1979.

1. Part 2740 is revised to read as follows:

PART 2740—RECREATION AND PUBLIC PURPOSES ACT

Subpart 2740—Recreation and Public Purposes Act: General

Sec.

2740.0–1 Purpose.
2740.0–2 Objective.
2740.0–3 Authority.
2740.0–5 Definitions.
2740.0–6 Policy.
2740.0–7 Cross reference.

Subpart 2741—Recreation and Public Purposes Act: Requirements

Sec.

2741.1 Lands subject to disposition.
2741.2 Qualified applicants.
2741.3 Applications.
2741.4 Guidelines for conveyances and leases under the act.
2741.5 Applications for transfer of title or change of use.
2741.6 Acreage limitations and general conditions.
2741.7 Price.
2741.8 Patent provisions.

Authority: Recreation and Public Purposes Act, as amended (43 U.S.C. 869 et seq.).

Subpart 2740—Recreation and Public Purposes Act: General

§ 2740.0–1 Purpose.

These regulations provide guidelines and procedures for transfer of certain public lands under the Recreation and Public Purposes Act as amended (43 U.S.C. 869 et seq.), to States or their political subdivisions, and to nonprofit corporations and associations, for recreational and public purposes.

§ 2740.0–2 Objective.

The objective is to meet the needs of certain State and local governmental agencies and other qualified organizations for public lands required for recreational and public purposes.

§ 2740.0–3 Authority.

(a) The Act of June 14, 1926, as amended (43 U.S.C. 869 et seq.), commonly known as the Recreation and Public Purposes Act, authorizes the Secretary of the Interior to lease or convey public lands for recreational and public purposes under specified conditions.

(b) Section 211 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1721), authorizes the Secretary of the Interior to convey to States or their political subdivisions unsurveyed islands determined by the Secretary to be public lands of the United States and "omitted lands" under the Recreation and Public Purposes Act without regard to acreage limitations contained in the Act.

§ 2740.0–5 Definitions.

As used in this part, the term:

(a) "Act" means the Recreation and Public Purposes Act as amended by section 212 of the Federal Land Policy and Management Act of 1976.

(b) "Authorized officer" means any employee of the Bureau of Land Management who has been delegated

the authority to perform the duties described in this part.

(c) "Public lands" means any lands and interest in lands administered by the Bureau of Land Management, except lands located on the Outer Continental Shelf and lands held for the benefit of Indians, Aleuts and Eskimos.

§ 2470.0-6 Policy.

(a) To assure development of public lands in accordance with a development plan and compliance with an approved management plan, the authorized officer may require that public lands first be leased under the provisions of subpart 2912 of this title for a period of time prior to issuance of a patent.

(b) Municipal corporations may not secure public lands under this act which are not within convenient access to the municipality and within the same State as the municipality. Other qualified governmental applicants may not secure public lands outside their political boundaries or other area of jurisdiction.

§ 2740.0-7 Cross references.

(a) Requirements and procedures for conveyance of land under the Recreation and Public Purposes Act are contained in Subpart 2741 of this chapter.

(b) Requirements and procedures for leasing of land under the Recreation and Public Purposes Act are contained in Subpart 2912 of this title.

(c) Requirements and procedures for conveyance of unsurveyed islands and omitted lands under Section 211 of the Federal Land Policy and Management Act are contained in Subpart 2742 of this chapter.

Subpart 2741—Recreation and Public Purposes Act: Requirements

§ 2741.1 Lands subject to disposition.

(a) The act is applicable to any public lands except (1) lands withdrawn or reserved for national forests, national parks and monuments, and national wildlife refuges, (2) Indian lands and lands set aside or held for use by or for the benefit of Indians, Aleuts and Eskimos, and (3) lands which have been acquired for specific purposes.

(b) Revested Oregon and California Railroad grant lands and reconveyed Coos Bay Wagon Road grant lands may only be leased to States and counties and to State and Federal instrumentalities and political subdivisions and to municipal corporations.

(c) Section 211 of the Federal Land Policy and Management Act of 1976 does not apply to public lands within the National Forest System, defined in the Act of August 17, 1974 (16 U.S.C. 1601), the National Park System, the National Wildlife Refuge System and the National Wild and Scenic Rivers System.

§ 2741.2 Qualified applicants.

Applications for any recreational or public purpose may be filed by States, Federal and State instrumentalities and political subdivisions, including counties and municipalities, and nonprofit associations and nonprofit corporations that, by their articles of incorporation or other authority, are authorized to acquire land.

§ 2741.3 Applications.

(a) Applications shall be submitted on forms approved by the Director, Bureau of Land Management.

(b) Each application shall be accompanied by three copies of a statement describing the proposed use of the land. The statement shall show that there is an established or definitely proposed project for such use of the land, present detailed plan and schedule for development of the project and a management plan which includes a description of how any revenues will be used. The provisions of § 1821.2 of this title apply to filings pursuant to this section.

§ 2741.4 Guidelines for conveyances and leases under the act.

(a) Public lands shall be conveyed or leased under the act only for an established or definitely proposed project for which there is a reasonable timetable of development and satisfactory development and management plans.

(b) No public lands having national significance shall be conveyed pursuant to the act.

(c) No more public lands than are reasonably necessary for the proposed use shall be conveyed pursuant to the act.

(d) For proposals involving over 640 acres, public lands shall not be sold or leased pursuant to this act until:

(i) Comprehensive land use plans and zoning regulations for the area in which the lands are located have been adopted by the appropriate State or local authorities.

(ii) The authorized officer has held at least one public meeting on the proposal.

(e) Applications shall not be approved unless and until it has been determined that disposal under the act would serve the national interest following the planning requirements of section 202 of the Federal Land Policy and Management Act (43 U.S.C. 1712).

(f) Public lands may be determined to be suitable for lease or sale under the act by the authorized officer on his own motion as a result of demonstrated public needs for public lands for recreational or public purposes during the planning process described in section 202 of the Federal Land Policy and Management Act. Potential applicants should contact the authorized officer and furnish him with conceptual plans of the proposed use early in the planning process so that he can plan for the proposed use of the public lands.

(g) lands under the jurisdiction of another agency shall not be determined to be suitable for lease or sale without that agency's approval.

(h) the issuance of a notice that public lands are suitable for sale or lease under the act and are classified as such shall segregate such public lands from all other appropriations, including locations under the mining laws, except as provided in the notice of an amendment thereof. If no application is filed within 18 months after issuance of the notice, the segregation shall be automatically vacated and the public lands restored to their former status.

(i) Patents shall not be issued for sanitary landfill sites, unless it can be shown that when the usefulness of the lands for landfill purposes ends, the land shall be used for recreation or other public purposes as provided in the approved development plan. The land shall be leased until the sanitary landfill has been filled and the subsequent development has been completed.

(j) The act shall not be used to provide sites for the disposal of permanent or long-term hazardous wastes.

§ 2741.5 Applications for transfer or change of use.

(a) Applications under the act for permission to add to or change the use specified in a patent or applications to transfer title to a third party shall be filed as prescribed in § 2741.3 of this title.

(b) Applications for transfer of title are subject to the acreage limitations as prescribed in § 2741.6(a) of this title.

(c) Prior to approval of an application filed under this section, the public lands may be reappraised in accordance with § 2741.7 of this title and the beneficiary required to make such payments as are found justified by the reappraisal.

2741.6 Acreage limitations and general conditions.

(a) Conveyances under the act to any applicant in any one calendar year shall be limited as follows:

(1) Any State or State agency having jurisdiction over the State park system may acquire not more than 6,400 acres for recreational purposes and such additional acreage as may be needed for small roadside parks and rest sites of 10 acres or less each.

(2) Any State or agency or instrumentality of such State may acquire not more than 640 acres for each of its programs involving public purposes other than recreation.

(3) Any politicial subdivision of a State may acquire for recreational purposes not more than 6,400 acres, and for public purposes other than recreation an additional 640 acres. In addition, any political subdivision of a State may acquire such additional acreage as may be needed for roadside parks and rest sites of not more than 10 acres each.

(4) If a State or political subdivision has failed in any one calendar year to receive 6,400 acres (not counting public lands for small roadside parks and rest sites) and had an application on file on the last day of that year, the State, State park agency or political subdivision may receive additional public lands to the extent that the conveyances would not have exceeded the limitations for that year.

(5) Any nonprofit corporation or nonprofit association may acquire for recreational purposes not more than 640 acres and for public purposes other than recreation an additional 640 acres.

(6) Acreage limitations described in this section do not apply to conveyances made under section 211 of the Federal Land Policy and Management Act of 1976.

(b) Conveyances within any State shall not exceed 25,600 acres for recreational purposes per calendar year, except that should any State park agency or political subdivision fail in one calendar year to receive 6,400 acres other than small roadside parks and rest sites, additional conveyances may be made thereafter to that State park agency or political subdivision pursuant to any application on file on the last day of said year to the extent that the conveyances would not have exceeded the limitations of said year.

(c) No patents shall be issued under the act unless and until the public lands are officially surveyed. This requirement does not apply to islands patented under the authority of section 211(a) of the Federal Land Policy and Management Act of 1976.

(d) All leases and patents issued under the act shall reserve to the United States all minerals together with the right to mine and remove the same under applicable laws and regulations to be established by the Secretary of the Interior.

§ 2741.7 Price.

(a) Conveyances for recreational or historic-monument purposes to a State, county, or other State or Federal instrumentality or political subdivision shall be issued without monetary consideration.

(b) All other conveyances shall be made at prices established by the Secretary of the Interior through appraisal or otherwise, taking into consideration the purpose for which the land is to be used.

(c) Patents shall be issued only after payment of the full purchase price by a patent applicant.

§ 2741.8 Patent provisions.

(a) All patents under the act shall provide that title shall revert upon a finding, after notice and opportunity for a hearing, that, without the approval of the authorized officer:

(i) The patentee or its approved successor attempts to transfer title to or control over the lands to another;

(ii) The lands have been devoted to a use other than that for which the lands were conveyed;

(iii) The lands have not been used for the purpose for which they were conveyed for a 5-year period; or

(iv) The patentee has failed to follow the approved development plan or management plan.

(b) Patents shall also provide that the Secretary of the Interior may take action to revest title in the United States if the patentee directly or indirectly permits his agents, employees, contractors, or subcontractors (including without limitation lessees, sublessees, and permittees) to prohibit or restrict the use of any part of the patented lands or any of the facilities thereon by any person because of such person's race, creed, color, sex or national origin.

PART 2910—LEASES

2. Subpart 2912 is revised to read as follows:

Subpart 2912—Recreation and Public Purposes Act

Sec.
2912.0–7 Cross reference.
2912.1 Nature of Interest.
2912.1–1 Terms and conditions of lease.
2912.2 Renewal of leases.
2912.3 Substitution of new lease.
2912.4 Leases for solid waste disposal sites.
2912.4–1 Requirement.
2912.4–2 Procedures.

Authority: Recreation and Public Purposes Act, as amended (43 U.S.C. 869 et seq.)

Subpart 2912—Recreation and Public Purposes Act

§ 2912.0–7 Cross reference.

The general requirements and procedures under the Recreation and Public Purposes Act are contained in part 2740 of this title.

§ 2912.1 Nature of interest.

§ 2912.1–1 Terms and conditions of lease.

(a) The term of leases under the Recreation and Public Purposes Act, hereafter referred to as "the Act," shall be fixed by the authorized officer but shall not exceed 20 years for nonprofit associations and nonprofit corporations, and 25 years for Federal, State, and local governmental entities. A lease may contain, at the discretion of the authorized officer, a provision giving the lessee the privilege of renewing the lease for a like period.

(b) Leases shall be issued on a form approved by the Director, Bureau of Land Management and shall contain terms and conditions required by law, and public policy, and which the authorized officer considers necessary for the proper development of the land, for the protection of Federal property, and for the protection of the public interest.

(c) Leases shall be terminable by the authorized officer upon failure of the lessee to comply with the terms of the lease, upon a finding, after notice and opportunity for hearing, that all or part of the land is being devoted to a use other than the use authorized by the lease, or upon a finding that the land has not been used by the lessee for the purpose specified in the lease for any consecutive period specified by the authorized officer. The specified period of non-use or unauthorized use shall not be less than 2 years nor more than 5 years.

(d) Reasonable annual rentals shall be established by the Secretary of the Interior and shall be payable in advance. Upon notification of the amount of the yearly rental, a lease applicant shall be required to pay at least the first year's rental before the lease shall be issued. Upon the voluntary relinquishment of a lease before the expiration of its term, any rental paid for the unexpired portion of the term shall be returned to the lessee

upon a proper application for repayment to the extent that the amount paid covers a full lease year or years of the remainder of the term of the original lease. Leases for recreational or historic-monument purposes to a State, county or other State or Federal instrumentality or political subdivision shall be issued without monetary consideration.

(e) Leases are not transferable except with the consent of the authorized officer. Transferees shall have all the qualifications of applicants under the Act and shall be subject to all the terms and conditions of the regulations in this part.

(f) A lessee shall not be permitted to cut timber from the leased lands without prior permission from the authorized officer.

(g) All leases shall reserve to the United States all minerals together with the right to mine and remove the same under applicable laws and regulations to be established by the Secretary of the Interior.

§ 2912.2 Renewal of leases.

A lessee with a privilege of renewal must notify the authorized officer at least 180 days before the end of the lease period that it will exercise the privilege.

§ 2912.3 Substitution of a new lease.

A lessee may apply for a new lease at any time. Applications for new leases shall be accompanied by consent of the lessee to cancellation of the existing lease upon the issuance of the new lease and by three copies of a statement showing (a) the need for a new lease and (b) any changes in the use or management of the lands or the terms and conditions of the lease which the applicant desires.

§ 2912.4 Leases for solid waste disposal sites.

§ 2912.4-1 Requirement.

Compliance with *Guidelines for the Thermal Processing of Solid Wastes* (40 CFR Part 240). *Guidelines for the Land Disposal of Solid Waste* (40 CFR Part 241), and *Regulations for the Acceptance of Certain Pesticides and Recommended Procedures for the Disposal and Storage of Pesticides and Pesticide Containers* (40 CFR Part 165), and any other regulations or guidelines promulgated pursuant to the Resource Conservation and Recovery Act of 1976 (43 U.S.C. Chapter 82) is required under leases issued for purposes involving disposal of solid waste.

§ 2912.4-2 Procedures.

(a) All new leases shall contain stipulations requiring compliance with the above-referenced regulations and guidelines. Leases and respective plans of development and management already in existence without such specific stipulations shall be amended to require compliance with the above guidelines be lessees. In all cases, the lease must stipulate that failure to comply with the regulations and guidelines shall constitute sufficient grounds for cancellation of the lease.

(b) Lease applications shall include in the plan of development and management detailed description of the methods and procedures that will be employed to achieve compliance with the above regulations and guidelines. The regulations and guidelines delineate minimum standards of performance that must be followed. The recommended methods and procedures in the guidelines are means whereby the requirements may be met. Alternate methods and procedures may be used in meeting the requirements when approved by the authorized officer.

[FR Doc. 79-22923 Filed 7-24-79; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5670

[U-36534]

Utah; Powersite Restoration No. 752; Partial Revocation of Powersite Reserves No. 42 and No. 732

AGENCY: Bureau of Land Management (Interior).

ACTION: Final rule.

SUMMARY: This order partially revokes Powersite Reserves No. 42 and No. 732. The lands to be revoked remain withdrawn under the jurisdiction of the Bureau of Reclamation. The purpose of this order is to clear the official public land status records.

EFFECTIVE DATE: July 25, 1979.

FOR FURTHER INFORMATION CONTACT: Keith Corrigall, 202-343-8731.

By virtue of the authority contained in section 204 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2751; 43 U.S.C. 1714), it is ordered as follows:

1. The Secretary's Order of August 27, 1909, creating temporary Powersite Reserve No. 42, and the Executive Order of December 27, 1919, creating Powersite Reserve No. 732 are hereby revoked so far as they affect the following described lands:

Salt Lake Meridian

T. 5 S., R. 23 E.,
Sec. 11, lot 1, NW¼NE¼, S½NE¼, NE¼SE¼;
Sec. 12, lots 3, 10 to 13, inclusive, 16, SW¼SW¼;
Sec. 13, N½NE¼, NE¼NW¼.

The areas described aggregate approximately 448.61 acres in Uintah County.

2. All of the above described lands are presently withdrawn by the Secretary's Order of May 6, 1942, for use of the Bureau of Reclamation.

July 18, 1979.

Guy R. Martin,

Assistant Secretary of the Interior.

[FR Doc. 79-22891 Filed 7-24-79; 8:45 am]

BILLING CODE 4310-84-M

Fish and Wildlife Service

50 CFR Part 32

Hunting; Certain National Wildlife Refuges in Nevada

AGENCY: U.S. Fish and Wildlife Service, Interior .

ACTION: Special regulations.

SUMMARY: The Director has determined that the opening of hunting of certain National Wildlife Refuges in Nevada is compatible with the objectives for which these areas were established, will utilize a renewable national resource, and will provide additional recreational opportunity to the public. This document establishes special regulations effective for the upcoming hunting seasons for migratory birds, upland game and big game.

EFFECTIVE DATES: August 18, 1979, through June 30, 1980.

FOR FURTHER INFORMATION CONTACT: The Refuge Manager at the address or telephone number listed below in the body of Special Regulations.

General Conditions

Hunting on portions of the following refuges shall be in accordance with applicable State and Federal regulations, subject to additional Special Regulations and conditions as indicated. Portions of refuges which are open to hunting are designated by signs and/or delineated on maps. Special conditions applying to individual refuges are listed on the reverse side of maps available at refuge headquarters No vehicle travel is permitted except on designated roads and trails.