§ 2852.640 Tolerances for defects.

An insignificant weight increment of defects limited to the first weight increment shall not be considered.

Table VI.—*Spears and Short Spears*

	Total [1]	Major	Severe	Critical
Grade A: AQL [2]	20.0	6.5	0.65	0.25
Grade B: AQL [2]	25.0	10.0	2.5	0.65

[1] Total = Minor + Major + Severe + Critical.
[2] AQL expressed as defects per 100 units.

Table VII.—*Cuts and Pieces*

	Total [1]	Major	Severe	Critical
Grade A: AQL [2]	6.5	2.5	1.0	0.4
Grade B: AQL [2]	15.0	5.0	1.5	1.0

[1] Total = Minor + Major + Severe + Critical.
[2] AQL expressed as defects per 100 units (50-5 g increments in 250 g).

Table VIII.—*Chopped*

	Total [1]	Major	Severe	Critical
Grade A: AQL [2]	6.5	2.5	1.0	0.25
Grade B: AQL [2]	15.0	5.0	1.5	0.65

[1] Total = Minor + Major + Severe + Critical.
[2] AQL expressed as defects per 100 units (100-2.5 g increments in 250 g).

§ 2852.641 Sample size.

The sample size to determine compliance with requirements of these standards shall be as specified in the sampling plans and procedures in the "Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products" (§§ 2852.1–2852.83), for lot inspection and on-line inspection, as applicable.

§ 2852.642 Determining proportions of head material and leaf material.

(a) *Method.* The proportions of head material and leaf material in cut and chopped broccoli may be determined as follows:

(1) Equipment needed: (i) 250 ml beaker; (ii) gram scale, or other suitable balance; (iii) laboratory tweezers, scalpel, or other suitable instrument for separating the stem material, leaf material, and head material; and (iv) flat grading tray.

(2) Procedure; (i) Thoroughly mix the sample unit to be tested if it is not the entire contents of a container;

(ii) Weigh 50 g (1.8 oz) in the case of chopped broccoli into a previously tared 250 ml beaker;

(iii) Weigh 250 g (8.8 oz) in the case of cut broccoli into a previously tared container;

(iv) Spread the weighed product out on a flat grading tray;

(v) Separate the stem material from the head and leaf material; and

(iv) Separate the leaf material from the head material. Weigh each separately and record the weight.

§ 2852.643 Compliance with style requirements.

(a) *Lot inspection.* (1) *spears and short spears.* A lot of frozen broccoli spears or short spears is considered as meeting the requirements for style if the Acceptable Quality Levels (AQL) in Table II are not exceeded.

(2) *Cut and chopped.* A lot of cut or chopped frozen broccoli is considered as meeting the style requirements for cut or chopped if:

(i) The requirements with respect to leaf material and head material in § 2852.632 are met;

(ii) No individual sample unit of cut broccoli contains less than 37.5 g (1.3 oz) of head material or more than 87.5 g (3.1 oz) of leaf material;

(iii) No individual sample unit of chopped broccoli contains less than 8.5 g (0.3 oz) of head material or more than 17.5 g (0.6 oz) of leaf material; and

(iv) The Acceptable Quality Levels (AQL) specified in Table III or Table IV, as applicable, are not exceeded.

(b) *On-line inspection.* (1) *Spears and short spears.* A portion of production of frozen broccoli spears or short spears is considered as meeting the requirements for style if the Acceptable Quality Levels (AQL) in Table II are not exceeded.

(2) *Cut and chopped.* A portion of production of frozen broccoli is considered as meeting the style requirements for cut or chopped if:

(i) The requirements with respect to leaf material and head material in § 2852.632 are met;

(ii) No individual sample unit of cut broccoli contains less than 37.5 g (1.3 oz) of head material or more than 87.5 g (3.1 oz) of leaf material;

(iii) No individual sample unit of chopped broccoli contains less than 8.5 g (0.3 oz) of head material or more than 17.5 g (0.6 oz) of leaf material; and

(iv) The Acceptable Quality Levels (AQL) specified in Table III or Table IV, as applicable, are not exceeded.

(c) *Single sample unit.* (1) *Spears and short spears.* Each unofficial sample unit of spears or short spears submitted for quality evaluation will be treated individually and is considered as meeting the requirements for style if the Acceptable Quality Levels (AQL) in Table II are not exceeded.

(2) *Cut and chopped.* Each unofficial sample unit of frozen broccoli is considered as meeting the style requirements for cut or chopped if:

(i) The requirements with respect to leaf material and head material in § 2852.632 are met; and

(ii) The Acceptable Quality Levels (AQL) specified in Table III or Table IV, as applicable, are not exceeded.

§ 2852.644 Compliance with quality requirements.

(a) *Lot inspection.* A lot of frozen broccoli is considered as meeting the requirements for quality if:

(1) The prerequisite requirements specified in § 2852.637 are met; and

(2) The Acceptable Quality Levels (AQL) in Tables VI, VII, or VIII, as applicable for the style, are not exceeded.

(b) *On-line inspection.* A portion of production is considered as meeting requirements for quality if:

(1) The prerequisite requirements specified in § 2852.637 are met; and

(2) The Acceptable Quality Levels (AQL) in Tables VI, VII, or VIII, as applicable for the style, are not exceeded.

(c) *Single sample unit.* Each unofficial sample unit submitted for quality evaluation will be treated individually and is considered as meeting the requirements for quality if:

(1) The prerequisite requirements specified in § 2852.637 are met; and

(2) The Acceptable Quality Levels (AQL) in Tables VI, VII, or VIII, as applicable for the style, are not exceeded.

(Agricultural Marketing Act of 1946, Secs. 203, 205, 60 Stat. 1087, as amended, 1090, as amended (7 U.S.C. 1622, 1624))

Note.—This final rule has been reviewed under the USDA criteria established to implement Executive Order 12044, "Improving Government Regulations." A determination has been made that this action should not be classified "significant" under those criteria. A Final Impact Statement has been prepared and is available from Mr. Thomas E. Crider, Processed Products Branch, Fruit and Vegetable Quality Division, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, DC 20250.

Done at Washington, D.C., on: January 17, 1980.

Donald L. Houston,

Administrator, Food Safety and Quality Service.

[FR Doc. 80-1997 Filed 1-21-80; 8:45 am]

BILLING CODE 3410-DM-M

---

7 CFR Part 2852

United States Standards for Grades of Canned Freestone Peaches; Final Rule; Correction

AGENCY: Food Safety and Quality Service, USDA.

ACTION: Final rule; correction.

SUMMARY: This document corrects a portion of the Department's amendment to the United States Standards for Grades of Canned Freestone Peaches appearing at pages 36363–36373 in the Federal Register of June 22, 1979, with respect to the term "brightness." An editorial change was included in several sections but was not uniformly applied throughout the original amendment as intended.

EFFECTIVE DATE: January 22, 1980.

FOR FURTHER INFORMATION CONTACT: Howard W. Schutz, Processed Products Branch, Fruit and Vegetable Quality Division, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447–6248.

SUPPLEMENTARY INFORMATION: This document corrects a portion of the Department's amendment to the United States Standards for Grades of Canned Freestone Peaches appearing at pages 36363–36373 in the Federal Register of June 22, 1979, with respect to the term "brightness." An editorial change was made in several sections but was not uniformly applied throughout the original amendment.

Accordingly, the United States Standards for Grades of Canned Freestone Peaches, § 2852.2610 (a)(iii) and (b)(iii) (7 CFR 2852.2610) are corrected to read as follows:

§ 2852.2610 [Amended]

1. In § 2852.2610(a)(iii), the words "are not" are amended to read "may be slightly".
2. In § 2852.2610(b)(iii), the words "are not" are amended to read "may be slightly".

(Agricultural Marketing Act of 1946, Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; (7 U.S.C. 1622, 1624))

Since these changes are made only to correct inadvertent errors in the original amendment, Dr. Donald L. Houston has determined that additional relevant information would not be made available by public participation in rulemaking proceedings on these amendments and good cause is found, under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to these amendments are impracticable and unnecessary. Furthermore, good cause is found for making these amendments effective less than 30 days after publication in the Federal Register.

Done at Washington, DC, on: January 17, 1980.

Donald L. Houston,

Administrator, Food Safety and Quality Service.

[FR Doc. 80–1996 Filed 1–21–80; 8:45 am]

FEDERAL RESERVE SYSTEM

12 CFR Part 226

Truth in Lending; Calculation and Disclosure of Annual Percentage Rates; Correction

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Correction notice.

SUMMARY: The Federal Reserve is clarifying the effective dates and correcting the amendatory language used in the final rules published at 44 FR 77139, December 31, 1979, concerning calculation and disclosure of the annual percentage rate (FR Docket No. 79–39811).

FOR FURTHER INFORMATION CONTACT: Dolores S. Smith, Section Chief (202–452–2412), Ellen Maland, Senior Attorney (202–452–3867), or Margaret Stewart, Senior Attorney (202–452–2412), Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

SUPPLEMENTARY INFORMATION: The final rules contained in FR Docket No. 79–39811 are corrected as follows:

In the Federal Register of December 31, 1979 on page 77144 in the second column, the heading "§ 226.5 [Amended]" is deleted and the paragraphs numbered 1 and 2 immediately below it are revoked and the following paragraphs are added:

Effective January 10, 1980:

a. Section 226.5 is amended by revising the title and first sentence of paragraph (a), revising paragraphs (b) and (c) in their entirety, and rescinding paragraphs (d) and (e).

b. Section 226.8 is amended by adding paragraphs (r) and (s).

c. Sections 226.502, 226.503 and 226.503 are rescinded.

Compliance with these amendments is optional until October 1, 1980. However, if the amended regulations are not complied with, the regulations as they existed prior to January 10, 1980 must be complied with.

Effective October 1, 1980, the amendments mentioned above will be enforced and there will no longer be an option of complying with the regulations as they existed prior to January 10, 1980.

Board of Governors, January 15, 1980.

Theodore E. Allison,

Secretary of the Board.

[FR Doc. 80–1897 Filed 1–21–80; 8:45 am]

BILLING CODE 6210–01–M

---

12 CFR Part 226

Truth in Lending; Technical Amendments

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Technical amendments.

SUMMARY: The Board is making technical amendments to its final rules published at 44 FR 77139, December 31, 1979, concerning the calculation and disclosure of the annual percentage rate (FR Docket No. 79–39811).

FOR FURTHER INFORMATION CONTACT: Dolores S. Smith, Section Chief (202–452–2412), Ellen Maland, Senior Attorney (202–452–3867) or Margaret Stewart, Senior Attorney (202–452–2412), Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

SUPPLEMENTARY INFORMATION: The final rules contained in FR Docket No. 79–39811 are amended as follows:

In the Federal Register of December 31, 1979 on page 77144 in the second and third columns, the last sentence of § 226.5(b)(1) is amended by deleting the phrase "which is incorporated in this Part by reference" and the comma which precedes it.

The Board is republishing Supplement I (44 FR 77145), to incorporate certain numbering and format changes required for it to be published as § 226.40 of Regulation Z in the CFR and to make several technical corrections to the document as it was previously published. No substantive changes has been made to this supplement. Supplement I (§ 226.40 of Regulation Z) is amended to read as follows:

§ 226.40 Rules for Determining the Annual Percentage Rate for Other than Open End Credit Transactions Pursuant to § 226.5(b) of Regulation Z. (Supplement I)

(a) *Introduction.* (1) Section 226.5(b) of Regulation Z provides that the annual percentage rate for other than open end credit transactions shall be determined in accordance with either the actuarial method or the United States Rule method. This supplement contains an explanation of the actuarial method as well as equations, instructions and examples of how this method applies to single advance and multiple advance transactions and transactions involving required deposit balances (as defined in § 226.8(e) of the regulation).

(2) Under the actuarial method, at the end of each unit-period (or fractional unit-period) the unpaid balance of the amount financed is increased by the finance charge earned during that period and is decreased by the total payment (if any) made at the end of that period. The determination of unit-periods and fractional unit-periods shall be consistent with the definitions and rules in paragraphs (b) (3), (4) and (5) of this section and the general equation in paragraph (b)(8) of this section.

(3) In contrast, under the United States Rule method, at the end of each payment period, the unpaid balance of the amount financed is increased by the finance charge earned during that payment period and is decreased by the payment made at the end of that payment period. If the payment is less than the finance charge earned, the adjustment of the unpaid balance of the amount financed is postponed until the end of the next payment period. If at that time the sum of the two payments is still less than the total earned finance charge for the two payment periods, the adjustment of the unpaid balance of the amount financed is postponed still another payment period, and so forth.

(b) *Instructions and equations for the actuarial method.* (1) *General rule.* The annual percentage rate shall be the nominal annual percentage rate determined by multiplying the unit-period rate by the number of unit-periods in a year.

(2) *Term of the transaction.* The term of the transaction begins on the date of its consummation, except that if the finance charge or any portion of it is earned beginning on some other date, the term begins on that other date. The term ends on the date the last payment is due, except that if an advance is scheduled after that date, the term ends on the later date. For computation purposes, the length of the term shall be equal to the time interval between any point in time on the beginning date to the same point in time on the ending date.

(3) *Definitions of time intervals.* (i) A period is the interval of time between advances or between payments and includes the interval of time between the date the finance charge begins to be earned and the date of the first advance thereafter or the date of the first payment thereafter, as applicable.

(ii) A common period is any period that occurs more than once in a transaction.

(iii) A standard interval of time is a day, week, semimonth, month, or a multiple of a week or a month up to, but not exceeding, 1 year.

(iv) All months shall be considered equal. Full months shall be measured from any point in time on a given date of a given month to the same point in time on the same date of another month. If a series of payments (or advances) is scheduled for the last day of each month, months shall be measured from the last day of the given month to the last day of another month. If payments (or advances) are scheduled for the 29th or 30th of each month, the last day of February shall be used when applicable.

(4) *Unit-period.* (i) In all transactions other than a single advance, single payment transaction, the unit-period shall be that common period, not to exceed 1 year, that occurs most frequently in the transaction, except that

(A) If 2 or more common periods occur with equal frequency, the smaller of such common periods shall be the unit-period; or

(B) If there is no common period in the transaction, the unit-period shall be that period which is the average of all periods rounded to the nearest whole standard interval of time. If the average is equally near 2 standard intervals of time, the lower shall be the unit-period.

(ii) In a single advance, single payment transaction, the unit-period shall be the term of the transaction, but shall not exceed 1 year.

(5) *Number of unit-periods between 2 given dates.* (i) The number of days between 2 dates shall be the number of 24-hour intervals between any point in time on the first date to the same point in time on the second date.

(ii) If the unit-period is a month, the number of full unit-periods between 2 dates shall be the number of months measured back from the later date. The remaining fraction of a unit-period shall be the number of days measured forward from the earlier date to the beginning of the first full unit-period, divided by 30. If the unit-period is a month, there are 12 unit-periods per year.

(iii) If the unit-period is a semimonth or a multiple of a month not exceeding 11 months, the number of days between 2 dates shall be 30-time the number of full months measured back from the later date, plus the number of remaining days. The number of full unit-periods and the remaining fraction of a unit-period shall be determined by dividing such number of days by 15 in the case of a semimonthly unit-period or by the appropriate mutliple of 30 in the case of a multimonthly unit-period. If the unit-period is a semimonth, the number of unit-periods per year shall be 24. If the number of unit-periods is a multiple of a month, the number of unit-periods per year shall be 12 divided by the number of months per unit-period.

(iv) If the unit-period is a day, a week, or a multiple of a week, the number of full unit-periods and the remaining fraction of a unit-period shall be determined by dividing the number of days between the 2 given dates by the number of days per unit-period. If the unit-period is a day, the number of unit-periods per year shall be 365. If the unit-period is a week or a multiple of a week, the number of unit-periods per year shall be 52 divided by the number of weeks per unit-period.

(v) If the unit-period is a year, the number of full unit-periods between 2 dates shall be the number of full years (each equal to 12 months) measured back from the later date. The remaining fraction of a unit-period shall be

(A) The remaining number of months divided by 12 if the remaining interval is equal to a whole number of months, or

(B) The remaining number of days divided by 365 if the remaining interval is *not* equal to a whole number of months.

(vi) In a single advance, single payment transaction in which the term is less than a year and is equal to a whole number of months, the number of unit-periods in the term shall be 1, and the number of unit-periods per year shall be 12 divided by the number of months in the terms.

(vii) In a single advance, single payment transaction in which the term is less than a year and is *not* equal to a whole number of months, the number of unit-periods in the term shall be 1, and the number of unit-periods per year shall be 365 divided by the number of days in the term.

(6) *Percentage rate for a fraction of a unit-period.* The percentage rate of finance charge for a fraction (less than 1) of a unit-period shall be equal to such fraction multiplied by the percentage rate of finance charge per unit-period.

BILLING CODE 6210-01-M

(7) Symbols. The symbols used to express the terms of a transaction in the equation set forth in paragraph (b)(8) of this section are defined as follows:

A_k = The amount of the kth advance.

q_k = The number of full unit-periods from the beginning of the term of the transaction to the kth advance.

e_k = The fraction of a unit-period in the time interval from the beginning of the term of the transaction to the kth advance.

m = The number of advances.

P_j = The amount of the jth payment.

t_j = The number of full unit-periods from the beginning of the term of the transaction to the jth payment.

f_j = The fraction of a unit-period in the time interval from the beginning of the term of the transaction to the jth payment.

n = The number of payments.

i = The percentage rate of finance charge per unit-period, expressed as a decimal equivalent.

Symbols used in the examples shown in this supplement are defined as follows:

$\ddot{a}_{\overline{x}|}$ = The present value of 1 per unit-period for x unit-periods, first payment due immediately.

$$= 1 + \frac{1}{(1+i)} + \frac{1}{(1+i)^2} + \cdots\cdots + \frac{1}{(1+i)^{x-1}}$$

w = The number of unit-periods per year.

I = $wi \times 100$ = The nominal annual percentage rate.

(8) General equation. The following equation sets forth the relationship among the terms of a transaction:

$$\frac{A_1}{(1+e_1 i)(1+i)^{q_1}} + \frac{A_2}{(1+e_2 i)(1+i)^{q_2}} + \cdots + \frac{A_m}{(1+e_m i)(1+i)^{q_m}} =$$

$$\frac{P_1}{(1+f_1 i)(1+i)^{t_1}} + \frac{P_2}{(1+f_2 i)(1+i)^{t_2}} + \cdots + \frac{P_n}{(1+f_n i)(1+i)^{t_n}}$$

(9) Solution of general equation by iteration process. (i) The general equation in paragraph (b)(8) of this section, when applied to a simple transaction in which a loan of $1000 is repaid by 36 monthly payments of $33.61 each, takes the special form:

$$A = \frac{33.61\,\ddot{a}_{\overline{36}|}}{(1+i)}$$

Step 1: Let I_1 = estimated annual percentage rate = 12.50 %

Evaluate expression for A, letting $i = I_1/(100w)$ = .010416667

Result (referred to as A')= 1004.674391

Step 2: Let $I_2 = I_1 + .1$ = 12.60 %

Evaluate expression for A, letting $i = I_2/(100w)$ = .010500000

Result (referred to as A'') = 1003.235366

Step 3: Interpolate for I (annual percentage rate):

$$I = I_1 + .1\left[\frac{(A - A')}{(A'' - A')}\right]$$

$$= 12.50 + .1\left[\frac{(1000.000000 - 1004.674391)}{(1003.235366 - 1004.674391)}\right] = 12.82483042\ \%$$

Step 4: First iteration, let I_1 = 12.82483042 % and repeat Steps 1, 2, and 3 obtaining a new I = 12.82557859 %

Second iteration, let I_1 = 12.82557859 % and repeat Steps 1, 2, and 3 obtaining a new I = 12.82557529 %

In this case, no further iterations are required to obtain the annual percentage rate correct to two decimal places, 12.83%.

(ii) When the iteration approach is used, it is expected that calculators or computers will be programmed to carry all available decimals throughout the calculation and that enough iterations will be performed to make virtually certain that the annual percentage rate obtained, when rounded to 2 decimals, is correct. Annual percentage rates in the examples below were obtained by using a 10 digit programmable calculator and the iteration procedure described above.

(c) Examples for the actuarial method. (1) Single advance transaction, with or without an odd first period, and otherwise regular. The general equation in paragraph (b)(8) of this section can be put in the following special form for this type of transaction:

$$A = \frac{1}{(1+fi)(1+i)^{t}} \left(P\,\ddot{a}_{\overline{n|}} \right)$$

Example (i): Monthly payments (regular first period)

Amount advanced (A) = $5000. Payment (P) = $230.
Number of payments (n) = 24.
Unit-period = 1 month. Unit-periods per year (w) = 12.
Advance, 1-10-78. First payment, 2-10-78.
From 1-10-78 through 2-10-78 = 1 unit-period. (t = 1; f= 0)
Annual percentage rate (I) = wi = .0969 = 9.69 %

Example (ii): Monthly payments (long first period)

Amount advanced (A) = $6000. Payment (P) = $200.
Number of payments (n) = 36.
Unit-period = 1 month. Unit-periods per year (w) = 12.
Advance, 2-10-78. First payment, 4-1-78.
From 3-1-78 through 4-1-78 = 1 unit-period. (t = 1)
From 2-10-78 through 3-1-78 = 19 days. (f = 19/30)
Annual percentage rate (I) = wi = .1182 = 11.82%

Example (iii): Semimonthly payments (short first period)

Amount advanced (A) = $5000. Payment (P) = $219.17.
Number of payments (n) = 24.
Unit-period = 1/2 month. Unit-periods per year (w) = 24.
Advance, 2-23-78. First payment, 3-1-78. Payments made on 1st and 16th of each month.
From 2-23-78 through 3-1-78 = 6 days. (t = 0; f = 6/15)
Annual percentage rate (I) = wi = .1034 = 10.34 %

Example (iv): Quarterly payments (long first period)

Amount advanced (A) = $10,000. Payment (P) = $385.
Number of payments (n) = 40.
Unit-period = 3 months. Unit-periods per year (w) = 4.
Advance, 5-23-78. First payment, 10-1-78.
From 7-1-78 through 10-1-78 = 1 unit-period. (t = 1)
From 6-1-78 through 7-1-78 = 1 month = 30 days. From 5-23-78 through 6-1-78 = 9 days. (f = 39/90)
Annual percentage rate (I) = wi = .0897 = 8.97 %

Example (v): Weekly payments (long first period)

Amount advanced (A) = $500. Payment (P) = $17.60.
Number of payments (n) = 30.
Unit-period = 1 week. Unit-periods per year (w) = 52.
Advance, 3-20-78. First payment, 4-21-78.
From 3-24-78 through 4-21-78 = 4 unit-periods. (t = 4)
From 3-20-78 through 3-24-78 = 4 days. (f = 4/7)
Annual percentage rate (I) = wi = .1496 = 14.96 %

(2) Single advance transaction, with an odd first payment, with or without an odd first period, and otherwise regular. The general equation in paragraph (b)(8) of this section can be put in the following special form for this type of transaction:

$$A = \frac{1}{(1+fi)(1+i)^{t}} \left[P_1 + \frac{P\,\ddot{a}_{\overline{n-1|}}}{(1+i)} \right]$$

Example (i): Monthly payments (regular first period and irregular first payment)

Amount advanced (A) = $5000. First payment (P_1) = $250.

Regular payment (P) = $230. Number of payments (n) = 24.
Unit-period = 1 month. Unit-periods per year (w) = 12.
Advance, 1-10-78. First payment, 2-10-78.
From 1-10-78 through 2-10-78 = 1 unit-period. (t = 1; f = 0)
Annual percentage rate (I) = wi = .1008 = 10.08%

Example (ii): Payments every 4 weeks (long first period and irregular first payment)

Amount advanced (A) = $400. First payment (P_1) = $39.50.

Regular payment (P) = $38.31. Number of payments (n) = 12.
Unit-period = 4 weeks. Unit-periods per year (w) = 52/4 = 13.
Advance, 3-18-78. First payment, 4-20-78.
From 3-23-78 through 4-20-78 = 1 unit-period. (t = 1)
From 3-18-78 through 3-23-78 = 5 days. (f = 5/28)
Annual percentage rate (I) = wi = .2850 = 28.50%

(3) Single advance transaction, with an odd final payment, with or without an odd first period, and otherwise regular. The general equation in paragraph (b)(8) of this section can be put in the following special form for this type of transaction:

$$A = \frac{1}{(1+fi)(1+i)^{t}} \left[P\,\ddot{a}_{\overline{n-1|}} + \frac{P_n}{(1+i)^{n-1}} \right]$$

Example (i): Monthly payments (regular first period and irregular final payment)

Amount advanced (A) = $5000. Regular payment (P) = $230.
Final payment (P_n) = $280. Number of payments (n) = 24.
Unit-period = 1 month. Unit-periods per year (w) = 12.
Advance, 1-10-78. First payment, 2-10-78.
From 1-10-78 through 2-10-78 = 1 unit-period. (t = 1; f = 0)
Annual percentage rate (I) = wi = .1050 = 10.50%

Example (ii): Payments every 2 weeks (short first period and irregular final payment)

Amount advanced (A) = $200. Regular payment (P) = $9.50.
Final payment (P_n) = $30. Number of payments (n) = 20.
Unit-period = 2 weeks. Unit-periods per year (w) = 52/2 = 26.
Advance, 4-3-78. First payment, 4-11-78.
From 4-3-78 through 4-11-78 = 8 days. (t = 0; f = 8/14)
Annual percentage rate (I) = wi = .1222 = 12.22%

(4) Single advance transaction, with an odd first payment, odd final payment, with or without an odd first period, and otherwise regular. The general equation in paragraph (b)(8) of this section can be put in the following special form for this type of transaction:

$$A = \frac{1}{(1+fi)(1+i)^t}\left[P_1 + \frac{P\ddot{a}_{\overline{n-2}|}}{(1+i)} + \frac{P_n}{(1+i)^{n-1}}\right]$$

Example (i): Monthly payments (regular first period, irregular first payment, and irregular final payment)

Amount advanced (A) = $5000. First payment (P_1) = $250.
Regular payment (P) = $230. Final payment (P_n) = $280.
Number of payments (n) = 24. Unit-period = 1 month.
Unit-periods per year (w) = 12.
Advance, 1-10-78. First payment, 2-10-78.
From 1-10-78 through 2-10-78 = 1 unit-period. (t = 1; f = 0)
Annual percentage rate (I) = wi = .1090 = 10.90%

Example (ii): Payments every two months (short first period, irregular first payment, and irregular final payment)

Amount advanced (A) = $8000. First payment (P_1) = $449.36.
Regular payment (P) = $465. Final payment (P_n) = $200.
Number of payments (n) = 20. Unit-period = 2 months.
Unit-periods per year (w) = 12/2 = 6.
Advance, 1-10-78. First payment, 3-1-78.
From 2-1-78 through 3-1-78 = 1 month. From 1-10-78 through 2-1-78 = 22 days. (t = 0; f = 52/60)
Annual percentage rate (I) = wi = .0730 = 7.30%

(5) Single advance, single payment transaction. The general equation in paragraph (b)(8) of this section can be put in the special forms below for single advance, single payment transactions. Forms 1 through 3 are for the direct determination of the annual percentage rate under special conditions. Form 4 requires the use of the iteration procedure of paragraph (b)(9) of this section and can be used for all single advance, single payment transactions regardless of term.

Form 1 - Term less than 1 year:

$$I = 100w\left(\frac{P}{A} - 1\right)$$

Form 2 - Term more than 1 year but less than 2 years:

$$I = \frac{50}{f}\left\{\left[(1+f)^2 + 4f\left(\frac{P}{A} - 1\right)\right]^{1/2} - (1+f)\right\}$$

Form 3 - Term equal to exactly a year or exact multiple of a year:

$$I = 100\left[\left(\frac{P}{A}\right)^{1/t} - 1\right]$$

Form 4 - Special form for iteration procedure (no restriction on term):

$$A = \frac{P}{(1+fi)(1+i)^t}$$

Example (i): Single advance, single payment (term of less than 1 year, measured in days)

Amount advanced (A) = $1000. Payment (P) = $1080.
Unit-period = 255 days. Unit-periods per year (w) = 365/255.
Advance, 1-3-78. Payment, 9-15-78.
From 1-3-78 through 9-15-78 = 255 days. (t = 1; f = 0)
Annual percentage rate (I) = wi = .1145 = 11.45%. (Use Form 1 or 4.)

Example (ii): Single advance, single payment (term of less than 1 year, measured in exact calendar months)

Amount advanced (A) = $1000. Payment (P) = $1044.
Unit-period = 6 months. Unit-periods per year (w) = 2.
Advance, 7-15-78. Payment, 1-15-79.
From 7-15-78 through 1-15-79 = 6 mos. (t = 1; f = 0)
Annual percentage rate (I) = wi = .0880 = 8.80%. (Use Form 1 or 4.)

Example (iii): Single advance, single payment (term of more than 1 year but less than 2 years, fraction measured in exact months)

Amount advanced (A) = $1000. Payment (P) = $1135.19.
Unit-period = 1 year. Unit-periods per year (w) = 1.
Advance, 7-17-78. Payment, 1-17-80.
From 1-17-79 through 1-17-80 = 1 unit-period. (t = 1)
From 7-17-78 through 1-17-79 = 6 mos. (f = 6/12)
Annual percentage rate (I) = wi = .0876 = 8.76%. (Use Form 2 or 4.)

Example (iv): Single advance, single payment (term of exactly 2 years)

Amount advanced (A) = \$1000. Payment (P) = \$1240.
Unit-period = 1 year. Unit-periods per year (w) = 1.
Advance, 1-3-78. Payment, 1-3-80.
From 1-3-78 through 1-3-79 = 1 unit-period. (t = 2; f = 0)
Annual percentage rate (I) = wi = .1136 = 11.36%. (Use Form 3 or 4.)

(6) Complex single advance transaction.

Example (i): Skipped payment loan (payments every 4 weeks)

A loan of \$2135 is advanced on 1-25-78. It is to be repaid by 24 payments of \$100 each. Payments are due every 4 weeks beginning 2-20-78. However, in those months in which 2 payments would be due, only the first of the 2 payments is made and the following payment is delayed by 2 weeks to place it in the next month.
Unit-period = 4 weeks. Unit-periods per year (w) = 52/4 = 13.
First series of payments begins 26 days after 1-25-78. $(t_1 = 0; f_1 = 26/28)$

Second series of payments begins 9 unit-periods plus 2 weeks after start of first series. $(t_2 = 10; f_2 = 12/28)$

Third series of payments begins 6 unit-periods plus 2 weeks after start of second series. $(t_3 = 16; f_3 = 26/28)$

Last series of payments begins 6 unit-periods plus 2 weeks after start of third series. $(t_4 = 23; f_4 = 12/28)$

The general equation in paragraph (b)(8) of this section can be written in the special form:

$$2135 = \frac{100\,\ddot{a}_{\overline{9}|}}{(1+(26/28)i)} + \frac{100\,\ddot{a}_{\overline{6}|}}{(1+(12/28)i)(1+i)^{10}} + \frac{100\,\ddot{a}_{\overline{6}|}}{(1+(26/28)i)(1+i)^{16}} + \frac{100\,\ddot{a}_{\overline{3}|}}{(1+(12/28)i)(1+i)^{23}}$$

Annual percentage rate (I) = wi = .1200 = 12.00%

Example (ii): Skipped payment loan plus single payments

A loan of \$7350 on 3-3-78 is to be repaid by 3 monthly payments of \$1000 each beginning 9-15-78, plus a single payment of \$2000 on 3-15-79, plus 3 more monthly payments of \$750 each beginning 9-15-79, plus a final payment of \$1000 on 2-1-80.
Unit-period = 1 month. Unit-periods per year (w) = 12.
First series of payments begins 6 unit-periods plus 12 days after 3-3-78. $(t_1 = 6; f_1 = 12/30)$

Second series of payments (single payment) occurs 12 unit-periods plus 12 days after 3-3-78. $(t_2 = 12; f_2 = 12/30)$

Third series of payments begins 18 unit-periods plus 12 days after 3-3-78. $(t_3 = 18; f_3 = 12/30)$

Final payment occurs 22 unit-periods plus 29 days after 3-3-78. $(t_4 = 22; f_4 = 29/30)$

The general equation in paragraph (b)(8) of this section can be written in the special form:

$$7350 = \frac{1000\,\ddot{a}_{\overline{3}|}}{(1+(12/30)i)(1+i)^{6}} + \frac{2000}{(1+(12/30)i)(1+i)^{12}} + \frac{750\,\ddot{a}_{\overline{3}|}}{(1+(12/30)i)(1+i)^{18}} + \frac{1000}{(1+(29/30)i)(1+i)^{22}}$$

Annual percentage rate (I) = wi = .1022 = 10.22%

Example (iii): Mortgage with varying payments

A loan of \$39,688.56 (net) on 4-10-78 is to be repaid by 360 monthly payments beginning 6-1-78. Payments are the same for 12 months at a time as follows:

Year	Monthly payment	Year	Monthly payment	Year	Monthly payment
1	$291.81	11	$385.76	21	$380.43
2	300.18	12	385.42	22	379.60
3	308.78	13	385.03	23	378.68
4	317.61	14	384.62	24	377.69
5	326.65	15	384.17	25	376.60
6	335.92	16	383.67	26	375.42
7	345.42	17	383.13	27	374.13
8	355.15	18	382.54	28	372.72
9	365.12	19	381.90	29	371.18
10	375.33	20	381.20	30	369.50

Unit-period = 1 month. Unit-periods per year (w) = 12.
From 5-1-78 through 6-1-78 = 1 unit-period. (t = 1)
From 4-10-78 through 5-1-78 = 21 days. (f = 21/30)

The general equation in paragraph (b)(8) of this section can be written in the special form:

$$39{,}688.56 = \frac{\ddot{a}_{\overline{12}|}}{(1+(21/30)i)(1+i)}\left[291.81 + \frac{300.18}{(1+i)^{12}} + \frac{308.78}{(1+i)^{24}} + \cdots + \frac{369.50}{(1+i)^{348}}\right]$$

Annual percentage rate (I) = wi = .0980 = 9.80%

(7) Multiple advance transactions.

Example (i): Construction loan

Three advances of $20,000 each are made on 4-10-79, 6-12-79, and 9-18-79. Repayment is by 240 monthly payments of $612.36 each beginning 12-10-79.
Unit-period = 1 month. Unit-periods per year (w) = 12.
From 4-10-79 through 6-12-79 = (2+2/30) unit-periods.
From 4-10-79 through 9-18-79 = (5+8/30) unit-periods.
From 4-10-79 through 12-10-79 = (8) unit-periods.

The general equation in paragraph (b)(8) of this section is changed to the single advance mode by treating the 2nd and 3rd advances as negative payments:

$$20{,}000 = \frac{612.36\,\ddot{a}_{\overline{240}|}}{(1+i)^{8}} - \frac{20{,}000}{(1+(2/30)i)(1+i)^{2}} - \frac{20{,}000}{(1+(8/30)i)(1+i)^{5}}$$

Annual percentage rate (I) = wi = .1025 = 10.25%

Example (ii): Student loan

A student loan consists of 8 advances: $1800 on 9-5-78, 9-5-79, 9-5-80, and 9-5-81; plus $1000 on 1-5-79, 1-5-80, 1-5-81, and 1-5-82. The borrower is to make 50 monthly payments of $240 each beginning 7-1-78 (prior to first advance).
Unit-period = 1 month. Unit-periods per year (w) = 12.
Zero point is date of first payment since it precedes first advance.
From 7-1-78 to 9-5-78 = (2 + 4/30) unit-periods.

" " " 9-5-79 = (14 + 4/30) "

" " " 9-5-80 = (26 + 4/30) "

" " " 9-5-81 = (38 + 4/30) "

" " " 1-5-79 = (6 + 4/30) "

" " " 1-5-80 = (18 + 4/30) "

" " " 1-5-81 = (30 + 4/30) "

" " " 1-5-82 = (42 + 4/30) "

Since the zero point is date of first payment, the general equation in paragraph (b)(8) of this section is written in the single advance form below by treating the first payment as a negative advance and the 8 advances as negative payments:

$$-240 = \frac{240\,\ddot{a}_{\overline{49}|}}{(1+i)} - \frac{1800}{(1+(4/30)i)}\left[\frac{1}{(1+i)^{2}} + \frac{1}{(1+i)^{14}} + \frac{1}{(1+i)^{26}} + \frac{1}{(1+i)^{38}}\right]$$

$$- \frac{1000}{(1+(4/30)i)}\left[\frac{1}{(1+i)^{6}} + \frac{1}{(1+i)^{18}} + \frac{1}{(1+i)^{30}} + \frac{1}{(1+i)^{42}}\right]$$

Annual percentage rate (I) = wi = .3204 = 32.04%

(8) Transaction involving required deposit balance.

Example (i): Required constant deposit balance

Creditor advances $1000 on 4-12-79 and requires borrower to maintain a deposit balance of $200 throughout the 12 month loan. The loan is to be repaid by 12 equal monthly payments of $90 each beginning 5-12-79. The deposit balance will be released on 4-12-80.
Unit-period = 1 month. Unit-periods per year (w) = 12.
From 4-12-79 through 5-12-79 = 1 unit-period.
From 4-12-79 through 4-12-80 = 12 unit-periods.

The general equation in paragraph (b)(8) of this section can be written as:

$$800 + \frac{200}{(1+i)^{12}} = \frac{90\,\ddot{a}_{\overline{12|}}}{(1+i)}$$

or for iteration solution as:

$$800 = \frac{90\,\ddot{a}_{\overline{12|}}}{(1+i)} - \frac{200}{(1+i)^{12}}$$

Annual percentage rate (I) = wi = .2223 = 22.23%

Example (ii): Required periodic deposits into a restricted account

Creditor advances $1000 on 6-15-79. Borrower is required to make 12 monthly payments of $110 each beginning 7-15-79, of which $20 is to be deposited into an account. The account will be released to the borrower at time of final payment on 6-15-80.
Unit-period = 1 month. Unit-periods per year (w) = 12.
From 6-15-79 through 7-15-79 = 1 unit-period.

The general equation in paragraph (b)(8) of this section can be written as:

$$1000 + \frac{240}{(1+i)^{12}} = \frac{110\,\ddot{a}_{\overline{12|}}}{(1+i)}$$

or for iteration solution as:

$$1000 = \frac{110\,\ddot{a}_{\overline{12|}}}{(1+i)} - \frac{240}{(1+i)^{12}}$$

Annual percentage rate (I) = wi = .1779 = 17.79%

Board of Governors, January 15, 1980.

Theodore E. Allison,

Secretary of the Board.

[FR Doc. 80-1898 Filed 1-21-80; 8:45 am]

BILLING CODE 6210-01-C

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

21 CFR Part 14

Panel on Review of Oral Cavity Drug Products; Termination

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) announces the termination of the Panel on Review of Oral Cavity Drug Products and amends the regulations to delete it from the list of standing advisory committees. The Panel was terminated because it had completed its work.

EFFECTIVE DATE: January 22, 1980.

FOR FURTHER INFORMATION CONTACT: John T. McElroy, Bureau of Drugs (HFD-513), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1430.

SUPPLEMENTARY INFORMATION: The Panel's functions were to review the data and information submitted as part of the over-the-counter (OTC) drug review under § 330.10 (21 CFR 330.10) on OTC oral cavity drug products for human use. The Panel has submitted its conclusions and recommendations on the safety, effectiveness, and labeling of these products to the Commissioner of Food and Drugs. These conclusions and recommendations will be published in a future issue of the **Federal Register**.

Accordingly, the purpose of the Panel has been served, and the Panel is no longer needed. On December 31, 1979, the charter for the Panel expired.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 701(a)), 52 Stat. 1055 (21 U.S.C. 371(a)) and under authority delegated to the Commissioner (21 CFR 5.1), Part 14 is amended in § 14.100 *List of standing advisory committees* by deleting paragraph (c)(20)(i)(*k*) *Oral Cavity Panel* and marking it "reserved."

Effective date. Because this is a technical conforming amendment to Part 14, the Commissioner finds that there is good cause for the rule to be effective January 22, 1980.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)).)

Dated: January 15, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80-1912 Filed 1-21-80; 8:45 am]

BILLING CODE 4110-03-M

ADVISORY COUNCIL ON HISTORIC PRESERVATION

36 CFR Part 805

National Environmental Policy Act Implementation Procedures

AGENCY: Advisory Council on Historic Preservation.

ACTION: Final rule.

SUMMARY: These procedures implement Council responsibilities under the National Environmental Policy Act and regulations of the Council on Environmental Quality. These NEPA procedures have been drafted in recognition of the secondary, advisory role played by the Council in the bulk of its activities regarding Federal actions that may significantly affect the human environment. Primary emphasis for Council compliance with NEPA requirements has therefore been placed upon those Council activities that do not involve other agencies with primary NEPA responsibilities.

EFFECTIVE DATE: January 22, 1980.

FOR FURTHER INFORMATION CONTACT: John M. Fowler, General Counsel, Advisory Council on Historic Preservation, 1522 K Street NW., Washington, D.C. 20005, 202-254-3967.

SUPPLEMENTARY INFORMATION: The Council was established by the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and consists of the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of Commerce, the Administrator of the General Services Administration, the Secretary of the Treasury, the Attorney General, the Secretary of Agriculture, the Secretary of Transportation, the Secretary of State, the Secretary of Defense, the Secretary of Health, Education, and Welfare, the Chairman of the Council on Environmental Quality, the Chairman of the Federal Council on the Arts and Humanities, the Architect of the Capitol, the Secretary of the Smithsonian Institution, the Chairman of the National Trust for Historic Preservation, the President of the National Conference of State Historic Preservation Officers, and twelve appointed by the President from outside the Federal Government. The Act generally charges the Council with advising the President and the Congress on historic preservation matters. More specifically it directs the Council to recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation and advise on the dissemination of information pertaining to such activities; encourage public interest and participation in historic preservation; recommend the conduct of studies in such areas as the adequacy of State and local historic preservation statutes and regulations and the effects of tax policies on historic preservation; advise as to guidelines for the assistance of State and local governments in drafting historic preservation legislation; and encourage training and education in the field of historic preservation.

Pursuant to section 106 of the Act, the Council comments upon Federal, federally assisted and federally licensed undertakings that affect properties in or eligible for the National Register of Historic Places. Under the Public Buildings Cooperative Use Act (Pub. L. 95-541), the Council makes recommendations on the use of historic buildings by the General Services Administration for Federal office space. The Council has similar advisory roles under several other statutes. In virtually all of these situations, the Council makes recommendations or provides advice to assist another Federal agency in reaching a final decision on an action or activity. In those cases, the Federal agency carrying out the action or activity undertakes the required compliance with the National Environmental Policy Act (NEPA). These NEPA procedures have been drafted in recognition of the secondary, advisory role played by the Council in the bulk of its activities regarding Federal actions that may significantly affect the human environment. Primary emphasis for Council compliance with NEPA requirements has therefore been placed upon those Council activities that do not involve other agencies with primary NEPA responsibilities.

These procedures were published for comment in the **Federal Register** of July 12, 1979 (44 FR 40653). No comments were received. On November 8, 1979, the Council membership voted unanimously to adopt the procedures as published. Accordingly, these procedures are now being published for effect.

36 CFR is amended by adding Part 805 to read as follows:

PART 805—PROCEDURES FOR IMPLEMENTATION OF NATIONAL ENVIRONMENTAL POLICY ACT

Sec.
805.1 Background.
805.2 Purpose.
805.3 Applicability.
805.4 Ensuring environmental documents are actually considered in Council decisionmaking.
805.5 Typical classes of action.
805.6 Interagency cooperation.
805.7 Environmental information.

Authority: Pub. L. 89-665, 80 Stat. 915 (16 U.S.C. 470), as amended, 84 Stat. 204 (1970), 87 Stat. 139 (1973), 90 Stat. 1320 (1976), 92 Stat. 3467 (1978); E.O. 11593, 3 CFR 1971 Comp., p. 154; President's Memorandum on Environmental Quality and Water Resources Management, July 12, 1978.

§ 805.1 Background.

(a) The National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*) establishes national policies and goals for the protection of the environment. Section 102(2) of NEPA contains certain procedural requirements directed toward the attainment of such goals. In particular, all Federal agencies are required to give appropriate consideration to the environmental effects of their proposed actions in their decisionmaking and to prepare detailed environmental statements on recommendations or reports on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment.

(b) Executive Order 11991 of May 24, 1977, directed the Council on Environmental Quality (CEQ) to issue regulations to implement the procedural provisions of NEPA. Accordingly, CEQ issued final NEPA regulations (40 CFR Part 1500-1508) on November 29, 1978, which are binding on all Federal agencies as of July 30, 1979. These regulations provide that each Federal agency shall as necessary adopt implementing procedures to supplement the regulations. Section 1507.3(b) of the NEPA regulations identifies those sections of the regulations which must be addressed in agency procedures.

§ 805.2 Purpose.

The purpose of this Part is to establish Council procedures that supplement the NEPA regulations and provide for the implementation of those provisions identified in § 1507.3(b) of the regulations (40 CFR 1507.3(b)).

§ 805.3 Applicability.

(a) These procedures apply to actions of the full Council and the Council staff acting on behalf of the full Council.

(b) The following actions are covered by these procedures:

(1) Recommendations for legislation.

(2) Regulations implementing Section 106 of the National Historic Preservation Act (NHPA).

(3) Procedures implementing other authorities.

(4) Policy recommendations that do not require implementation by another Federal agency.

(c) In accordance with § 1508.4 of the NEPA regulations (40 CFR 1508.4), Council comments on Federal, federally assisted and federally licensed undertakings provided pursuant to Section 106 of the NHPA and 36 CFR Part 800 are categorically excluded from these procedures. This exclusion is justified because Federal agencies seeking the Council's comments under Section 106 have the responsibility for complying with NEPA on the action they propose. The Council's role is advisory and its comments are to be considered in the agency decisionmaking process. Coordination between the Section 106 and the NEPA processes is set forth in 36 CFR Section 800.9.

§ 805.4 Ensuring environmental documents are actually considered in Council decisionmaking.

(a) Section 1505.1 of the NEPA regulations (40 CFR 1505.1) contains requirements to ensure adequate consideration of environmental documents in agency decisionmaking. To implement these requirements the Council shall:

(1) Consider all relevant environmental documents in evaluating proposals for action;

(2) Ensure that all relevant environmental documents, comments, and responses accompany the proposal through internal Council review processes;

(3) Consider only those alternatives encompassed by the range of alternatives discussed in the relevant environmental documents when evaluating proposals for the Council action; and,

(4) Where an environmental impact statement (EIS) has been prepared consider the specific alternative analyzed in the EIS when evaluating the proposal which is the subject of the EIS.

(b) For each of the Council's principal activities covered by NEPA, the following chart identifies the point at which the NEPA process begins, the point at which it ends, and the key officials required to consider environmental documents in their decisionmaking.

Activity	Start of NEPA process	Completion of NEPA process	Key officials required to consider environmental documents
Recommendations for legislation	During staff formulation of proposal	Prior to submission to Congress or OMB	Executive Director and full Council, as appropriate.
Regulations and procedures	Prior to publication of draft regulations in FEDERAL REGISTER.	Prior to publication of final regulations in FEDERAL REGISTER.	Executive Director and full Council as appropriate.
Policy recommendations	During staff formulation of proposal	Prior to adoption by full Council or Executive Director	Executive Director and full Council, as appropriate.

§ 805.5 Typical classes of action.

(a) Section 1507.3(c)(2) (40 CFR 1507.3(c)(2)) in conjunction with Section 1508.4 requires agencies to establish three typical classes of action for similar treatment under NEPA: actions normally requiring EIS; actions normally requiring assessments but not necessarily EISs; and actions normally not requiring assessments or EISs. Each of the covered categories of Council actions generally falls within the second category, normally requiring an assessment but not necessarily an EIS.

(b) The Council shall independently determine whether an EIS or an environmental assessment is required where:

(1) A proposal for Council action is not covered by one of the typical classes of action above; or

(2) For actions which are covered, the presence of extraordinary circumstances indicates that some other level of environmental review may be appropriate.

§ 805.6 Interagency cooperation.

The Council shall consult with appropriate Federal and non-Federal agencies and with interested private persons and organizations when it is considering actions involving such parties and requiring environmental assessments. Where other Federal agencies are involved in the proposed action, the Council shall cooperate in the required environmental assessment and the preparation of necessary environmental documents. Where appropriate as determined by the nature and extent of Council involvement in the proposed action, the Council shall assume the status of lead agency.

§ 805.7 Environmental information.

Interested persons may contact the Executive Director for information regarding the Council's compliance with NEPA.

Robert R. Garvey, Jr.,
Executive Director.

[FR Doc. 80-1936 Filed 1-21-80; 8:45 am]

BILLING CODE 4310-10-M

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service

36 CFR Part 1202

National Register of Historic Places; Amendment of Effective Date of Rule

AGENCY: Heritage Conservation and Recreation Service, Department of the Interior.

ACTION: Amendment of Effective Date of Rule.

SUMMARY: An interim amendment to the procedures by which owners are notified of proposals to nominate properties to the National Register of Historic Places was published in the November 7, 1979, "Federal Register", effective as of that date. This amendment to the interim regulations changes the effective date in certain respects so as to provide a transition period for certain of the notice requirements.

EFFECTIVE DATE: November 7, 1979.

ADDRESS: Written comments should be addressed to the Acting Keeper of the National Register of Historic Places, Heritage Conservation and Recreation Service, Department of the Interior, Washington, D.C. 20243.

FOR FURTHER INFORMATION CONTACT: Ms. Carol D. Shull, Acting Keeper of the National Register, United States Department of the Interior, Heritage Conservation and Recreation Service, Washington, D.C. 20243 (202-343-6401).

SUPPLEMENTARY INFORMATION: By publication in the "Federal Register" on November 7, 1979, the owner notification requirements of the National Register nomination process, 36 CFR Part 1202, were amended effective immediately on an interim basis. In order for nominations in process as of November 7, 1979, to be permitted to proceed, this amendment provides for a transition period whereby States may continue to notify property owners under the previous regulations until the States' new notices are approved by the National Register. However, nominations processed under the previous regulations will not be accepted by the National Register after March 1, 1980. This amendment is developed under the authority of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 460 *et seq.* Because these interim amendments have to do with procedural aspects of the National Register program and have no impact upon the environment, an environmental impact statement is not necessary. The Department of the Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

The originator of these procedures is Carol Shull, Acting Keeper of the National Register of Historic Places (202-343-6401).

Dated: January 16, 1980.

Chris Therral Delaporte,
Director, Heritage Conservation and Recreation Service.

(National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470-470t, Pub. L. 89-665, 80 Stat. 1915-1919).

Accordingly, a new paragraph (g) is added to § 1202.12 (as published November 7, 1979), as follows:

§ 1202.12 Notification.

* * * * *

(g) States may continue to notify property owners under the regulations in effect prior to November 7, 1979, until the State has its notices approved by the National Register. However, all nominations processed under the previous regulations must be received in the National Register by March 1, 1980. The National Register will notify property owners in accord with the previous procedures for nominations received in the National Register by March 1, 1980, provided the State requests that the National Register process the nominations in accord with the previous procedures.

[FR Doc. 80-1924 Filed 1-21-80; 8:45 am]

BILLING CODE 4310-03-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1394-1]

Missouri; Approval of State-Issued Variances Submitted as Revisions to the Missouri State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Correction of final rulemaking.

SUMMARY: On December 13, 1979, at 44 FR 72116 a Final Rule was published approving variance orders for Pilot Knob Pellet Company and Associated Electric Company, Thomas Hill Station, Unit No. 2. The Final Compliance date shown for each source is in error. The Final Compliance Date for Pilot Knob Pelleting is shown to be December 31, 1979. The correct date is December 31, 1982. The Final Compliance Date for Associated Electric Company is shown to be December 31, 1982. The correct date is December 1, 1979. This notice is to correct those errors.

FOR FURTHER INFORMATION CONTACT: Mr. Henry F. Rompage, Enforcement Division, Environmental Protection Agency, Region VII, 324 East 11th Street, Kansas City, Missouri 64106, telephone 816/374-2576.

Signed at Washington, D.C., on January 16, 1980.

Douglas M. Costle,
Administrator.

[FR Doc. 80-2055 Filed 1-21-80; 8:45 am]

BILLING CODE 6560-01-M

---

40 CFR Part 65

[FRL 1392-2]

Delayed Compliance Order for American Can Co.

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: By this rule, the Administrator of U.S. EPA issues a Delayed Compliance Order to American Can Company. The Order requires the Company to bring air emissions from its three gravure printing press drying ovens at Cleveland, Ohio into compliance with certain regulations contained in the federally approved Ohio State Implementation Plan (SIP).