

States Court of Appeals for the District of Columbia.

Issued in Aurora, Colo., on September 29, 1981.

Arthur Varnado,

Director, Rocky Mountain Region.

[FR Doc. 81-29099 Filed 10-9-81; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 510

Animal Drugs, Feeds, and Related Products; Endo Laboratories, Inc.; Change of Address

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect a change of address for Endo Laboratories, Inc.

EFFECTIVE DATE: October 13, 1981.

FOR FURTHER INFORMATION CONTACT: Bob G. Griffith, Bureau of Veterinary Medicine (HFV-112), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3430.

SUPPLEMENTARY INFORMATION: Endo Laboratories, Inc., has filed a supplement to each of its new animal drug applications to note a change of address for its corporate headquarters. Endo stated that its corporate headquarters were being transferred from 1000 Stewart Ave., Garden City, NY 11530, to One Rodney Square, Wilmington, DE 19898. The regulations are being amended to reflect this change. This action does not involve changes in manufacturing facilities, equipment, procedures, or personnel. Under the Bureau of Veterinary Medicine's policy regarding supplements to new animal drug applications (42 FR 64367; December 23, 1977), approval of this action does not require a reevaluation of the safety and effectiveness data in the parent applications.

The Bureau of Veterinary Medicine has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is

therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

PART 510—NEW ANIMAL DRUGS

§ 510.600. [Amended]

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), § 510.600 *Names, addresses, and drug labeler codes of sponsors of approved applications* is amended in paragraph (c)(1) for the entry "Endo Laboratories, Inc.," and (c)(2) for "000056," under the "Firm name and address" heading by revising the name and address to read "Endo Laboratories, Inc., One Rodney Square, Wilmington, DE 19898."

Effective date. This regulation becomes effective October 13, 1981.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360(i)))

Dated: October 2, 1981.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 81-29039 Filed 10-9-81; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

21 CFR Part 561

[FAP 5H5091/T74; TSH-FRL 1956-4]

Tolerances for Pesticides in Animal Feed; Amitraz

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule extends a feed additive regulation related to an experimental use permit for the insecticide amitraz (*N*-(2,4-dimethylphenyl)-*N*-[[2,4-dimethylphenyl]imino]methyl]-*N*-methylmethanimidamide and its metabolites *N*-(2,4-dimethylphenyl)-*N*-methylmethanimidamide and *N*-(2,4-dimethylphenyl)formamide in citrus pulp resulting from application of the insecticide to growing grapefruit, lemons, oranges, and tangerines in accordance with an experimental use permit issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This regulation extends a feed additive tolerance of 7 parts per million (ppm).

EFFECTIVE DATE: October 13, 1981.

ADDRESS: Written objections may be submitted to the: Hearing Clerk, Environmental Protection Agency, Rm. M-3708 (A-110), 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT:

Jay S. Ellenberger, Product Manager (PM) 12, Office of Pesticide Programs, Environmental Protection Agency, Rm. 200, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-2386).

SUPPLEMENTARY INFORMATION:

EPA issued a notice that published in the *Federal Register* of September 9, 1975 (40 FR 41773) that Upjohn Co., Kalamazoo, MI 49001 had filed a feed additive petition (FAP 5H5091) with the EPA. The petition established a feed additive regulation for residues of the insecticide amitraz (*N*-(2,4-dimethylphenyl)-*N*-[[2,4-dimethylphenyl]imino]methyl]-*N*-methylmethanimidamide and its metabolites *N*-(2,4-dimethylphenyl)-*N*-methylmethanimidamide and *N*-(2,4-dimethylphenyl)formamide in citrus pulp at 3 parts per million resulting from application of the insecticide to growing grapefruit, lemons, oranges, and tangerines in accordance with experimental use permit 1023-EUP-35.

EPA issued an amended feed additive regulation in the *Federal Register* of March 17, 1981 (46 FR 17016) increasing the tolerance to 7 parts per million.

Any person adversely affected by this regulation may, on or before November 12, 1981, file written objections with the Hearing Clerk, Environmental Protection Agency, Rm. M-3708 (A-110), 401 M St., SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are legally sufficient to justify the relief sought.

As required by Executive Order 12291, EPA has determined that this rule is not a "Major" rule and therefore does not require a Regulatory Impact Analysis. In addition, the Office of Management and Budget (OMB) has exempted this rule from the OMB review requirements of Executive Order 12291, pursuant to section 8(b) of that Order.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new food and feed additive levels, or conditions for safe use of additives, or raising such

food and feed additive levels do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect published in the Federal Register of May 4, 1981 (46 FR 24945).

Effective on: October 13, 1981.

(Sec. 409(c)(1), 72 Stat. 1786, [21 U.S.C. 348(c)(1)])

Dated: October 1, 1981.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

PART 561—TOLERANCES FOR PESTICIDES IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

Therefore, 21 CFR Part 561 is amended by revising § 561.195 to read as follows:

§ 561.195 Amitraz.

A temporary tolerance is established for residues of the insecticide amitraz (*N*-(2,4-dimethylphenyl)-*N*-[[[2,4-dimethylphenyl]imino]methyl]-*N*-methylmethanimidamide and its metabolites *N*-(2,4-dimethylphenyl)-*N*-methylmethanimidamide and *N*-(2,4-dimethylphenyl)formamide in citrus pulp at 7 parts per million resulting from application of the insecticide to grapefruit, lemons, oranges, and tangerines. Such residues may be present therein only as a result of application of the insecticide in an experimental use program that expires July 29, 1982. Residues not in excess of this tolerance remaining after the expiration of this experimental use program will not be considered actionable if the pesticide is legally applied during the term and in accordance with the provisions of the experimental use permit and the feed additive tolerance.

[FR Doc. 81-29580 Filed 10-9-81; 8:45 am]

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DEPARTMENT OF JUSTICE

28 CFR Part 41

Nondiscrimination on the Basis of Handicap in Federally Assisted Programs—Suspension of Guidelines With Respect to Transportation; Correction

AGENCY: Department of Justice.

ACTION: Change of address and telephone.

SUMMARY: On August 11, 1981, (46 FR 40687) the Department of Justice suspended application of its guidelines

for prohibiting discrimination on the basis of handicap in transportation programs and activities receiving Federal financial assistance and requested comments on whether it should be replaced by a revised guideline. Comments were to be available for public inspection at the Office of the Coordination and Review Section, Civil Rights Division, Department of Justice.

The Coordination and Review Section moved to a different building on September 14. This document gives the address at which comments will be available for inspection after September 14, and the telephone number at which further information may be obtained. The address to which comments are to be mailed will not change.

DATE: This change of address and telephone was effective on September 14, 1981.

ADDRESS: On and after September 14, 1981, comments received on the suspension of guidelines published August 11, 1981 at 46 FR 40687, may be inspected at 320 1st Street, N.W., Room 854, Washington, D.C. between 9:00 A.M. and 5:30 P.M. Monday through Friday, except on Federal holidays.

FOR FURTHER INFORMATION CONTACT: Stewart B. Oneglia, Chief, Coordination and Review Section, Civil Rights Division, United States Department of Justice, Washington, D.C. 20530, phone: (after September 14) (202) 724-2222. (This is not a toll-free number.)

Stewart B. Oneglia,

Chief, Coordination & Review Section, Civil Rights Division.

[FR Doc. 81-29587 Filed 10-9-81; 8:45 am]

BILLING CODE 4410-01-M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1601

Procedural Regulations; State and Local Fair Employment Practices Agencies

AGENCY: Equal Employment Opportunity Commission.

ACTION: Final rulemaking.

SUMMARY: The Equal Employment Opportunity Commission is revising its procedural regulations by the addition of §§ 1601.75, 1601.76, 1601.77, 1601.78, 1601.79 and 1601.80 to 29 CFR Part 1601. These sections set forth procedures whereby the Commission and certain State and local fair employment practices agencies (706 agencies) are relieved of the present Commission individual, case-by-case review of cases

processed by these agencies under contract with the Commission, as provided in section 709(b) of Title VII of the Civil Rights Act of 1964, by certification of the 706 agencies. Certification of a 706 State or local agency means that the Commission will accept the findings and resolutions in cases processed under contract with EEOC by those agencies, with certain exceptions, without conducting an individual, case-by-case review of those findings and resolutions.

EFFECTIVE DATE: These regulations are effective on October 19, 1981.

FOR FURTHER INFORMATION CONTACT:

Nicholas M. Inzeo, Legal Counsel Division, Office of General Counsel, Equal Employment Opportunity Commission, 2401 E Street, N.W., Washington, D.C. 20506. (202) 634-6595.

SUPPLEMENTARY INFORMATION: On July 21, 1981, the Commission published for comments a notice of proposed rulemaking to amend its procedural regulations to add provisions for certification of State and local fair employment practices agencies (706 agencies). Such certification would mean that the resolution of those 706 agencies which meet certain criteria will be accepted by the Commission without individual case-by-case review. The proposed regulation provides that the current substantial weight review will continue where charges are closed by the 706 agency for lack of jurisdiction or failure of conciliation, and that either party to a charge can request a substantial weight review.

The Commission received four comments on the proposed regulation. One commentator felt that the provision for public comment prior to certification was important in order for the Commission to receive feedback on the efficacy of 706 agencies. The Commission reexamined this provision and decided that it should invite such comment throughout the process and thus changed § 1601.79 accordingly. The provision was deleted from § 1601.75(c) because it was felt it was too cumbersome at that stage in the certification process. A related comment was that the criteria established in § 1601.75(b) (1) and (3) should be deleted. The Commission feels that it must keep high standards for certification to protect the right of all parties. Since the criteria for certification are so high, it was felt that public comment would not be as beneficial at the initial certification, but that public comment throughout the certification period should be encouraged.

Another commentator questioned whether the audit system would be too cumbersome. The Commission agrees that it does not want to create an unwieldy process, so has changed §§ 1601.78 and 1601.79 to delete the reference to audit. Evaluation is now used in these sections to reflect a less cumbersome Commission review process. An additional exception to the certification process, where the decision on the merits of a charge involves an issue for which there is no existing Commission Decision Precedent, has been added.

With these changes the Commission adopts the proposed certification regulations (46 FR 37523) in final form. This regulation has been reviewed pursuant to Executive Order 12291 (46 FR 13193; February 19, 1981), and has been determined not to be a major rule.

Signed at Washington, D.C. this 22nd day of September 1981. For the Commission.

J. Clay Smith, Jr.,
Acting Chairman.

BILLING CODE 6570-06-M

In 29 CFR Part 1601, §§ 1601.75, 1601.76, 1601.77, 1601.78, 1601.79 and 1601.80 are added to read as follows:

PART 1601—PROCEDURAL REGULATIONS

Subpart H—706 Agency Designation Procedures

Sec.

- 1601.75 Certification of designated 706 agencies.
- 1601.76 Right of party to request review.
- 1601.77 Review by the Commission.
- 1601.78 Evaluation of designated 706 agencies certified by the Commission.
- 1601.79 Revocation of certification.
- 1601.80 Certified designated 706 agencies.

Authority: 42 U.S.C. 2000e-8 and 2000e-12.

Subpart H—706 Agency Designation Procedures

§ 1601.75 Certification of designated 706 agencies.

(a) The Commission may certify designated 706 agencies based upon the past, satisfactory performance of those agencies. The effect of such certification is that the Commission shall accept the findings and resolutions of designated 706 agencies in regard to cases processed under contracts with those agencies, as provided in section 709(b) of Title VII, without individual, case-by-case substantial weight review by the Commission except as provided in §§ 1601.76 and 1601.77 of this part.

(b) Eligibility criteria for certification of a designated 706 agency are as follows:

(1) That the State or local agency has been a designated 706 agency for 4 years;

(2) That the State or local designated 706 agency's work product has been evaluated within the past 12 months by the operations Evaluation Division, Office of Field Services, and found to be in conformance with the Commission's Substantial Weight Review Procedures (EEOC Order 916); and

(3) That the State or local designated 706 agency's findings and resolutions pursuant to its contract with the Commission, as provided in section 709(b) of Title VII, have been accepted by the Commission in at least 95% of the cases processed by the 706 agency in the past 12 months.

(c) Upon Commission approval of a designated 706 agency for certification, it shall notify the agency of its certification and shall effect such certification by issuance and publication of an amendment to § 1601.80 of this part.

§ 1601.76 Right of party to request review.

The Commission shall notify the parties whose cases are to be processed by the designated, certified 706 agency of their right, if aggrieved by the agency's final action, to request review by the Commission within 15 days of that action. The Commission, on receipt of a request for review, shall conduct such review in accord with the procedures set forth in the Substantial Weight Review Procedures (EEOC Order 916).

§ 1601.77 Review by the Commission.

After a designated 706 agency has been certified, the Commission shall accept the findings and resolutions of that agency as final in regard to all cases processed under contract with the Commission, as provided in section 709(b) of Title VII, except that the Commission shall review charges closed by the certified 706 agency for lack of jurisdiction, as a result of unsuccessful conciliation, or where no previously issued Commission decision serves as precedent for the determination in the charge.

§ 1601.78 Evaluation of designated 706 agencies certified by the Commission.

To assure that designated 706 agencies certified by the Commission, as provided in § 1601.75 of this part, continue to maintain performance consistent with the Commission's Substantial Weight Review Procedures (EEOC Order 916), the Commission shall

provide for the evaluation of such agencies as follows:

(a) Each designated 706 agency certified by the Commission shall be evaluated at least once every 3 years; and

(b) Each designated 706 agency certified by the Commission shall be evaluated when, as a result of a substantial weight review requested as provided in § 1601.76 of this part or required in regard to cases closed as a result of unsuccessful conciliation or for lack of jurisdiction as provided in § 1601.77 of this part, the Commission rejects more than 5% of a designated 706 agency's findings at the end of the year or 20% or more of its findings for two consecutive quarters. When the Commission rejects 20% or more of a designated 706 agency's findings during any quarter, the Commission shall initiate an inquiry and may conduct an evaluation.

(c) The Commission may, on its own motion, require an evaluation at any time.

§ 1601.79 Revocation of certification.

Certification of a designated 706 agency is discretionary with the Commission and the Commission may, upon its own motion, withdraw such certification as a result of an evaluation conducted pursuant to § 1601.78 or for any reason which leads the Commission to believe that such certification no longer serves the interest of effective enforcement of Title VII. The Commission will accept comments from any individual or organization concerning the efficacy of the certification of any designated 706 agency. The revocation shall be effected by the issuance and publication of an amendment to § 1601.80 of this part.

§ 1601.80 Certified designated 706 agencies.

The designated 706 agencies receiving certification by the Commission are as follows:

Alaska Commission for Human Rights
Alexandria (Va.) Human Rights Office
Arizona Civil Rights Division
Baltimore (Md.) Community Relations Commission
California Department of Fair Employment and Housing
Colorado Civil Rights Commission
Connecticut Commission on Human Rights and Opportunity
Dade County (Fla.) Fair Housing and Employment Commission
District of Columbia Office of Human Rights
East Chicago (Ind.) Human Rights Commission
Fairfax County (Va.) Human Rights Commission

Fort Wayne (Ind.) Metropolitan Human Relations Commission
 Fort Worth (Tex.) Human Relations Commission
 Gary (Ind.) Human Relations Commission
 Hawaii Department of Labor and Industrial Relations
 Idaho Human Rights Commission
 Indiana Civil Rights Commission
 Iowa Civil Rights Commission
 Lexington-Fayette (Ky.) Urban County Human Rights Commission
 Maine Human Rights Commission
 Maryland Commission on Human Relations
 Massachusetts Commission Against Discrimination
 Michigan Department of Civil Rights
 Minneapolis (Minn.) Department of Civil Rights
 Minnesota Department of Human Rights
 Montana Human Rights Division
 Nebraska Equal Opportunity Commission
 Nevada Commission on Equal Rights of Citizens
 New Hampshire Commission for Human Rights
 New York City (N.Y.) Commission on Human Rights
 New York State Division on Human Rights
 Ohio Civil Rights Commission
 Oklahoma Human Rights Commission
 Omaha (Neb.) Human Relations Department
 Oregon Bureau of Labor
 Orlando (Fla.) Human Relations Department
 Pittsburgh (Pa.) Human Relations Department
 Pittsburgh (Pa.) Commission on Human Rights
 Rhode Island Commission for Human Rights
 Seattle (Wash.) Human Rights Commission
 South Bend (Ind.) Human Rights Commission
 South Dakota Division of Human Rights
 Tacoma (Wash.) Human Relations Division
 Utah Industrial Commission, Anti-Discrimination Division
 Vermont Attorney General's Office, Civil Rights Division
 Virgin Islands Department of Labor
 Washington Human Rights Commission
 Wisconsin Equal Rights Division Department of Industry, Labor and Human Relations
 Wyoming Fair Employment Practices Commission

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 100, 110, and 117

[CGD 5-81-07R]

Marine Event; Yorktown Bicentennial Celebration, York River, Yorktown and Gloucester Point, Va.

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: These rules are designed to (1) Manage vessel traffic from near the mouth of the York River to the Coleman Memorial Bridge (U.S. HWY 17), (2)

establish anchorage grounds for participating and spectator vessels and, (3) restrict the opening to marine traffic of the Coleman Memorial Bridge during the Yorktown Bicentennial Celebration. Due to the confined nature of the waterway, the presence of six or more large U.S. and foreign naval vessels, numerous spectator craft, several waterborne activities, and expected high volume vehicle traffic, it is necessary to manage vessel traffic in this portion of the York River, establish temporary anchorage grounds, and restrict openings of the Coleman Memorial Bridge to marine traffic for reasons of safety and public interest during the celebration.

EFFECTIVE DATE: These regulations shall be effective from 9:00 a.m. EDT, on October 15, 1981 until 3:00 p.m. EDT on October 20, 1981.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Ronald T. VIA, Chief, Boating Affairs Branch, Fifth Coast Guard District, Portsmouth, Virginia (804-398-6202).

SUPPLEMENTARY INFORMATION: On August 6, 1981, the Coast Guard published a proposed rule (46 FR 40057) concerning this amendment. The Commander, Fifth Coast Guard District, also published this proposed rule in Public Notice 5-487 dated September 10, 1981, which was included in Local Notice to Mariners No. 37 dated September 15, 1981. Interested persons were requested to submit comments and one comment was received.

Drafting Information

The principal persons involved in drafting these rules are Lieutenant Commander Ronald T. VIA, Asst. Project Officer, Fifth Coast Guard District, Boating Affairs Branch, and Lieutenant Commander David J. KANTOR, Project Attorney, Assistant Legal Officer, Fifth Coast Guard District.

Discussion of Rules

The Yorktown Bicentennial Celebration marks the 200th anniversary of the defeat of Lord Cornwallis at Yorktown and the end of the American Revolution. The celebration, which is scheduled to run for four (4) days beginning on October 16, 1981, is expected to be attended by numerous U.S. and foreign dignitaries and is also expected to attract hundreds of thousands of spectators. Also, it is anticipated that several hundred spectator craft will anchor in the York River during the celebration. Among the waterborne events scheduled to take place during this celebration are: open house aboard several U.S. and foreign

naval vessels, a sailing regatta, a visit by several large sailing vessels, a U.S. Navy hydrofoil demonstration, and several other marine events. Due to the number and variety of waterborne activities, the presence of large naval vessels and spectator craft, and the anticipated large crowds, it will be necessary to (1) restrict navigation on the York River by designating a portion of the river a "regulated area" to promote the safety of life during this event, (2) establish anchorage grounds for participating and spectator vessels to enhance the safety of both categories of vessels, and (3) restrict the opening of the Coleman Memorial Bridge (U.S. HWY 17) to marine traffic to facilitate vehicle traffic in and out of Yorktown. While restrictions on the Coleman Memorial Bridge will help alleviate vehicle congestion in and around the celebration area, no adverse economic impacts are expected as the U.S. Navy historically has been the only entity regularly requiring a bridge opening. Discussion with the U.S. Navy reveals their concurrence to the bridge restrictions. In addition, the regulated area will not create adverse economic impacts as there is minimal commercial vessel traffic in this area.

One comment was received requesting the exact starting point of the line beginning at the Amoco dock and constituting the eastern boundary of the regulated area. The west end of the Amoco dock will be the starting point for the line running across the York River to the Gloucester County shoreline.

There are no substantive differences between the proposed rules and the final rules. However, the demonstration area discussed in § 100.35-05.02(b)(2)(iv) has been labeled "Demonstration Area B" in § 100.35-05.02(b)(2)(iv) of the final rule. The coordinates remain the same. Anchorage B discussed in § 110.166-05(a)(3)(i) of the proposed rule has been redesignated "Anchorage D" and is now described in § 110.166-05(a)(3)(ii) of the final rule. The coordinates remain the same. In addition, § 110.166-05(c) has been revised to reflect that spectator craft may only anchor in anchorages C and D. These changes will make the final rule conform to a map of the area distributed with Fifth District Public Notice 5-487 and several Fifth District Notice to Mariners diagramming Anchorages A, C, and D and Demonstration area B.

Because of the need to have these regulations in effect for the Bicentennial Celebration, these regulations will take effect less than thirty (30) days after publication. This was necessitated by