

Dated: November 1, 1981.

Anne M. Gorsuch,
Administrator.

In consideration of the foregoing, Chapter 1 of Title 40 of the Code of Federal Regulations is amended as follows:

§ 65.400 Federal Delayed Compliance Orders issued under section 113(d) (1), (3) and (4) of the Act.

Source	Location	Order No.	Dated of FR proposal	SIP regulation involved	Final compliance date
The Andersons	Toledo, Ohio	EPA-5-81-A(d)-11	July 17, 1981	AP-3-07, AP-3-08, AP-3-12	April 15, 1982

[FR Doc. 81-32141 Filed 11-4-81; 8:45 am]

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40 CFR Part 180

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Atrazine Residues

CFR Correction

In the July 1, 1981 revision of Title 40, Parts 150-189 of the Code of Federal Regulations, § 180.220(a) appears incorrectly. In § 180.220(a) on pp. 211-212 the four commodity entries shown below should be deleted and inserted in paragraph (b) under "Grass, range . . . 4".

Commodity	Parts per million
Proso millet, fodder	5
Proso millet, forage	5
Proso millet, grain	0.25
Proso millet, straw	5

BILLING CODE 1505-01-M

40 CFR Part 180

[PP 0E2411/0E2412/R355; PH-FRL-1976-6]

Chlorpyrifos; Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a tolerance for the combined residues of the insecticide chlorpyrifos [O,O-diethyl

PART 65—DELAYED COMPLIANCE ORDERS

By amending the table in § 65.400 by adding the following entry in alphabetical sequence to read as follows:

O-(3,5,6-trichloro-2-pyridyl)phosphorothioate] and its metabolite 3,5,6-trichloro-2-pyridinol in or on Chinese cabbage at 2 parts per million (ppm), turnips (greens) at 1 ppm, and turnips (roots) at 3 ppm. The rule was requested by the Interregional Research Project No. 4 (IR-4). This rule establishes the maximum permissible level for residues of chlorpyrifos in or on the commodities.

EFFECTIVE DATE: Effective on November 5, 1981.

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

FOR FURTHER INFORMATION CONTACT: Donald Stubbs, Rm. 502B, CM#2, Office of Pesticide Programs, Registration Division (TS-767), Environmental Protection Agency, 401 M St. SW., Washington, DC 20460, telephone (703) 557-1123.

SUPPLEMENTARY INFORMATION: EPA issued a notice published in the *Federal Register* of August 19, 1981 (46 FR 42089) that the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, PO Box 231, Rutgers University, New Brunswick, NJ 08903, had submitted pesticide petitions numbers 0E2411 and 0E2412 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Colorado, Idaho, Michigan, New York, Oregon, Utah, Washington, and Wisconsin (0E2411) and Massachusetts (0E2412).

These petitions requested that the Administrator, pursuant to section

408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of tolerances for the combined residues of chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridyl)phosphorothioate] and its metabolite 3,5,6-trichloro-2-pyridinol in or on the raw agricultural commodities turnips (greens) at 1 ppm and turnips (roots) at 3 ppm (0E2411) and Chinese cabbage at 2 ppm (0E2412).

No comments or requests for referral were received in response to this notice of proposed rule. The data submitted in the petitions and all other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerances are sought.

It is concluded that the tolerances will protect the public health, therefore, the tolerances are established as set forth below.

Any person adversely affected by this regulation may, on or before December 7, 1981, file written objections with the Hearing Clerk (A-110), EPA, Rm. M-3708, 401 M St., SW., Washington, DC 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 and the grounds for the objections. A hearing will be granted if the objections are supported by grounds 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 regulation 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 tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the *Federal Register* of May 4, 1981 (46 FR 24950).

Effective date: November 5, 1981.

(Sec. 408(e)(2), 68 Stat. 514; (21 U.S.C. 346a(e))

Dated: October 26, 1981.

James M. Conlon,
Acting Director, Office of Pesticide Programs.

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, 40 CFR 180.342 is amended by alphabetically inserting the raw agricultural commodities "Chinese cabbage", "turnips (roots)", and "turnips (greens)" to read as follows:

§ 180.342 Chlorpyrifos; tolerances for residues.

Commodities	Parts per million
Cabbage, Chinese	2
Turnips (greens)	1
Turnips (roots)	3

[FR Doc. 81-32085 Filed 11-4-81; 8:45 am]

BILLING CODE 6560-32-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1001, 1002, and 1116

[Ex Parte 382 (Sub-1)]

Recordation of Documents

AGENCY: Interstate Commerce Commission.

ACTION: Final rules.

SUMMARY: This document adopts final rules revising 49 CFR Part 1116, *Recordation of documents*. These rules outline requirements for submission of documents to be recorded. The administrative procedure for handling the documents have also been modified slightly. The purpose of the revision is to simplify and clarify the filing requirements.

Additionally, 49 CFR 1001.1, *Records available at the Commission's Washington office*, is amended to reflect the recodification of the Interstate Commerce Act. 49 CFR 1002.2(d), *Schedule of filing fees*, is amended by adding § 1002.2 (d)(47) and (d)(48) which list the filing fees for recordation of documents.

EFFECTIVE DATE: These rules are effective November 5, 1981.

FOR FURTHER INFORMATION CONTACT: Kathleen King 202-275-0956.

SUPPLEMENTARY INFORMATION: On February 26, 1981, the Commission instituted this proceeding by issuing a notice of proposed rulemaking (46 FR

14362, February 27, 1981) to revise its rules governing the filing of documents for recordation under 49 U.S.C. 11303.

The following persons submitted comments to our proposal: The Atchison, Topeka and Santa Fe Railroad; North American Car Corporation; Cravath, Swain, and Moore; The Association of American Railroads; and two individuals, Mr. Larry Rudolph, and Mr. Alan Harrison, on their own behalf. Most of the comments generally favored the revision of these rules. Several provided specific suggestions for clarification and modification.

A. Definitions

The definition of a primary document is revised to follow more closely the language of 49 U.S.C. 11303 to avoid confusion between the definition of a recordable document under 49 U.S.C. 11303, and the proposed rules, and to recognize current industry practice of filing assignments of leases, rather than the leases themselves, as primary documents. The definition of a secondary document is amended by adding to the list of secondary documents the term "supplement," which was inadvertently omitted from the proposed rule.

B. Requirements for Submission

Several changes were made to conform to current Commission and industry practice.

We have changed the forms of acknowledgement slightly. Section 1116.3(b) is also revised to clarify the requirement for the certification of true copies of these documents by a notary, or by affidavit executed before a notary.

The language regarding the fees for submission of assignments executed prior to the filing of a primary document which are submitted concurrently with primary documents is clarified to show that a fee of \$50 is charged for such a submission. Section 1116.3(d), which outlines the requirements for the letter of transmittal, has been revised. Specifications for the dimensions of the paper and margin size are deleted as unnecessary. A sentence is added to reflect the fact that all documents, primary or secondary, filed concurrently under the same recordation number (such as a primary document and any secondary documents filed with it), require only one letter of transmittal. Otherwise, each separately filed document must have its own letter of transmittal.

Section 1116.3(d)(2), requiring that a secondary document have a reference to the recordation number of the primary document to which it is connected, is

revised to note that a secondary document filed concurrently with a primary document would not yet have a recordation number. In this situation, the letter of transmittal need not contain the recordation number of the primary document.

Some confusion seems to exist about cross indexing. Any assignment of an interest will be recorded in our indexes by adding the assignee's name to the index, and recording the assignment under the assignor's name. Cross indexing means listing this assignment of interest in the index under the name of the party to the original agreement who is not involved in the particular assignment. For example, if parties A and B enter into an agreement, this is recorded in our index under both A's name and B's name. If A should assign his or her interest to C, we would record this assignment on the index by adding C to the index and noting the interest assigned to him or her, and by noting on the index under A's name that he or she had assigned his or her interest to C. Cross indexing means that the assignment would also be reflected in the index under B's name, so that persons researching these documents are aware that B's agreement is now with C, rather than A. Such cross indexing will be made only upon request, and no additional fee will be charged for it. The language of § 1116.3(d)(3) is revised to more clearly explain the intent of cross-indexing in the recordings index.

The phrasing of the equipment descriptions in the requirements for the transmittal letter is revised as several comments noted that the language of the existing rules is a more accurate description.

As current industry practice is to have the attorney handling the matter for the parties to sign the transmittal letter, we have revised our regulations to permit this.

Finally, language in the note following paragraph (d) pertaining to mortgages and deeds of trust that cover "hereinafter acquired" equipment is amended to conform more closely to language in 49 U.S.C. 11303.

C. Administrative Procedure

A sentence is being added to paragraph (a) of § 1116.5 to show the method of assigning numbers for secondary documents. We have revised paragraph (b) of § 1116.5

D. Other Matters

Section 1001.1, *Inspection of records*, Records available at the Commission's Washington office, will be changed to

remove references to the old Interstate Commerce Act and replace them with the appropriate sections of recodified Subtitle IV of Title 49 of the U.S. Code.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

In our notice of proposed rulemaking, we stated that our action did not significantly affect small entities. We affirm that finding here. These regulations govern the procedure for filing and recording security interests in railroad cars, locomotives and other types of rolling stock and vessels subject to the Interstate Commerce Commission's jurisdiction. The parties to such agreements normally are railroads and financial or lending institutions. Small entities, as defined by Section 3 of the Small Business Act, small organizations and small governmental jurisdictions generally are not involved in such financial arrangements. Therefore, the Commission certifies that the regulations will not have a significant economic impact on a substantial number of small entities.

We adopt the rules set forth in the appendix. This action is taken under the authority of 5 U.S.C. 553 and 49 U.S.C. 10301, 10303.

Decided: October 23, 1981.

By the Commission, Chairman Taylor, Vice Chairman Clapp, Commissioners Gresham and Gilliam. Commissioner Gresham did not participate.

Agatha L. Mergenovich,
Secretary.

Appendix

1. Title 49 CFR Chapter X Subchapter B, Part 1116, Recordation of Documents, shall be revised as follows:

PART 1116—RECORDATION OF DOCUMENTS

Sec.

1116.1 Definitions and classifications of documents.

1116.2 To whom documents should be submitted for recordation.

1116.3 Requirements for submission.

1116.4 Sample forms.

1116.5 Administrative procedure.

Authority: 49 U.S.C. 10301 and 11303 and 5 U.S.C. 553.

§ 1116.11 Definitions and classifications of documents.

(a) A "primary document" is a mortgage (excluding those under the Ship Mortgage Act of 1920, as amended—46 U.S.C. et seq.), lease, equipment trust agreement, conditional sales agreement, assignment of a lease or leases which have not previously

been filed, or other instrument evidencing the mortgage, lease, conditional sale, or bailment of one or more vessels operated subject to Interstate Commerce Commission jurisdiction, railroad cars, locomotives, or other rolling stock for a use related to interstate commerce.

(b) A "secondary document" is any assignment of rights or interest, supplement, or amendment to any primary or other secondary document. These include releases, discharges, or satisfactions, either total or partial.

§ 1116.2 To whom documents should be submitted for recordation.

Documents to be recorded shall be submitted in person or by mail addressed to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423. All documents submitted by mail should clearly state "Documents for Recordation" on the envelope.

§ 1116.3 Requirements for submission.

In order to be accepted for recordation, an original of any primary or secondary document must: (a) Be in writing and executed by the parties to the document, and acknowledged or verified either in a form

(1) Authorized by the law of the state, territory, district or possession where executed for the acknowledgement or verification of deeds of land or

(2) Substantially as follows:

Individual Form of Acknowledgement

State of _____

County of _____, ss:

On this _____ day of _____, 19____, before me, personally appeared (name of signor), to me known to be the person described in and who executed the foregoing instrument and (s)he acknowledged that (s)he executed the same as his/her free act and deed.

[Seal]

Signature of notary public

My commission expires _____

Corporate Form of Acknowledgement

State of _____

County of _____, ss:

On this _____ day of _____, 19____, before me personally appeared, (name of signor), to me personally known, who being by me duly sworn, says that (s)he is the (title of office) of (name of corporation), that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and (s)he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

[Seal]

Signature of notary public

My Commission expires _____

(b) Be accompanied by at least one fully executed and acknowledged or verified counterpart, or if no counterpart has been executed and acknowledged by the parties, one certified true copy. A certified true copy of an original document is a complete and identical copy in all respects to the original, attached with a certificate executed by a notary public, stating that he or she has compared the copy with the original and has found the copy to be complete and identical in all respects to the original document. Alternatively, there may be attached to the copy affidavits, wherein the affiant states that he or she has compared the copy with the original document and found the copy to be complete and identical in all respects to the original documents.

(c) Be accompanied by a fee in the appropriate amount. For each of the primary documents described under § 1116.1(a), a fee of \$50 will be assessed. For each separate secondary document described in § 1116.1(b), a fee of \$10 will be assessed. However, assignments which are executed prior to the filing of the primary document and which are submitted concurrently with the primary document will be treated along with the primary document as one for fee purposes, and will be assessed a fee of \$50. A lease and agreement (Philadelphia Plan) shall be similarly treated.

(d) Be accompanied by a letter of transmittal requesting the recording of the document. For a sample of a letter, see § 1116.4 Documents submitted concurrently under the same recordation number may be included in a single transmittal letter. Otherwise, each document must have its own letter of transmittal. The letter should be addressed to the Secretary and include the following information:

(1) *Type of Agreement*. (equipment trust, mortgage, assignment, etc.).

(2) *Whether document is a primary document or a secondary document* (see § 1116.1). If the document is a secondary document, it must contain the recordation number of the primary document to which it is connected, unless it is being filed concurrently with a primary document to which a recordation number has not yet been assigned.

(3) *A request for cross-indexing*. If the document is an assignment, parties may request the listing of the assignment in the index under the name(s) of parties

with continuing interest not involved in this particular assignment.

(4) *A description of the equipment covered in the document.* (i) *For railway equipment*—the type of equipment; whether locomotives, cars, or other rolling stock; with any A.A.R. mechanical designation; the number of each type; any identifying marks such as the name or initials of the lessee, mortgagee, or vendee, and the road or serial number, or if more than one for each type of equipment, the first and last inclusive numbers.

(ii) *For water carrier equipment*—whether tow boats, barges or other vessels; type of equipment; description as contained in the United States Coast Guard certificate of enrollment; number of each type of equipment; and any identifying marks such as the name or initial of the lessee, mortgagee, or vendee.

(5) Parties to the agreement, as follows:

(i) Conditional sale-vendor, purchaser, guarantor.

(ii) Mortgage—mortgagor, mortgagee, guarantor.

(iii) Equipment Trust—vendor, trustee, lessor, lessee, guarantor of lease.

(iv) Lease—lessee, lessor, guarantor.

(v) Bailment—bailor, bailee, guarantor.

(vi) Other transactions—principal debtor, trustee, guarantor, and other parties.

(6) Parties to whom original document should be returned.

(7) The amount of the enclosed fee.

(8) A short summary (1 or 2 sentences) of the type of document and a very brief description of the equipment and identifying numbers. This summary will be entered into the index as an aid to researching the encumbrances to title. (For a sample of a summary, see § 1116.4).

(9) The letter must be signed by an executive officer of one of the parties having knowledge of the matters described in the letter, or their attorney or representative in fact.

Note.—If the document is a mortgage or deed of trust which contains a "hereafter acquired" or similar clause, the following statement may be included in the letter of transmittal in lieu of the equipment description above:

"Included in the property covered by the aforesaid mortgage (or deed of trust) are (here identify generally the equipment such as "barges, tow boats, or other vessels, railroad cars, locomotives and other rolling stock") intended for use related to interstate commerce, or interests therein, owned by (name of mortgagor) at the date of said mortgage or thereafter acquired by it or its successors as owners of the water carriers or

the lines of railway covered by the mortgage."

When such a mortgage or deed of trust is filed, it is not necessary to refile the document whenever additional rolling stock is acquired in order to perfect the lien of the document upon the addition of vessels or rolling stock.

§ 1116.4 Sample forms.

(a) Sample short summary for the Index.

(1) *Primary documents.* [Type of document] between [name and address of lessor, mortgagor, bailor, etc.] and [name and address of lessee, mortgagee, bailee, etc.] dated [date], and covering [briefly list amount and types of equipment].

(2) *Secondary documents.* (i) If an assignment—Assignment between [name and address of assignor] and [name and address of assignee] dated [date of assignment] and covering [list amount and types of equipment], and connected to [type of document primary document is] with Recordation No. [recordation number of the primary document if known, at time recorded].

(ii) Other secondary documents—[Type of document] to [type of primary document] with Recordation No. [Recordation number of the primary document], dated [date of amendment, supplement, release, etc.] and covering [list amount and types of equipment].

(b) *Sample Letter of Transmittal.*

[Secretary's Name] Secretary, Interstate Commerce Commission, Washington, D.C.

Dear Secretary: I have enclosed an original and one copy/counterpart of the document(s) described below, to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code.

This document is a [mortgage, lease, equipment trust, supplement, etc.], a [primary or secondary] document, dated [date].

(If a secondary document)—The primary document to which this is connected is recorded under Recordation No. —.

(If an assignment)—We request that this assignment be cross-indexed.

The names and addresses of the parties to the documents are as follows:

Vendor, Lessor, Mortgagor, etc: [name and address]

Vendee, Lessee, Mortgagee, etc: [name and address].

A description of the equipment covered by the document follows:

[Type of equipment, amount of each, AAR designation if any, identifying marks, road or serial numbers, etc., as outlined in 1116.3(d)(4).]

A fee of — is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to [party to whom documents should be returned].

A short summary of the document to appear in the index follows: [a short summary as described in 1116.4(a).]

Very truly yours,

[signature of an executive officer of one of the parties, their attorney, or representative in fact.]

§ 1116.5 Administrative procedure.

(a) At the time of filing of a document with the Commission for recordation, a consecutive number will be stamped upon the original document and upon the copies or the counterparts, with the date and hour of the filing. A notation acknowledging that the document has been filed pursuant to 49 U.S.C. 11303 will be made. The original document, along with the notation, will be returned to the party named in the transmittal letter and a copy or counterpart will be retained by the Commission. For a secondary document, the number assigned will be the recordation number of the primary document plus the next available letter suffix.

(b) The Commission will maintain an index for public use as required by 49 U.S.C. 11303(b). There will be an index of parties to documents recorded at the Commission in alphabetical order by the party's name. If requested by the letter of transmittal, this index will also be amended to reflect an assignment under the name of the party other than the assignor or assignee to the document. There will also be an index of documents by number, which will list secondary documents referenced to the primary ones. The indexes will contain the pertinent information furnished by the parties in the transmittal letter.

(c) The Commission cannot judge the validity of documents, nor judge the status of encumbrances to property as reflected by documents recorded at the Commission. The public is welcome to research the records or use an agent or attorney to do so, provided that Commission rules concerning handling of the documents are respected.

(d) The public should note that filing documents with the Commission is discretionary and encumbrances exist which are not on file with the Commission.

PART 1002—FEES

2. In Part 1002, § 1002.2, is amended by adding paragraphs (d)(47) and (48) to Part IV, Other Proceedings, as follows:

§ 1002.2 Filing fees.

* * * * *

(d) * * *

PART IV: OTHER PROCEEDINGS

* * * * *

(47) Filing of any primary document as defined in 49 CFR 1116.1(a) for recordation under 49 U.S.C. 11303 and 49 CFR 1116.3(c) . . . \$50 per document.

(48) Filing of any secondary document as defined in 49 CFR 1116.1(b) for recordation under 49 U.S.C. 11303 and 49 CFR 1116.3(c) . . . \$10 per document.

PART 1001—INSPECTION OF RECORDS

3. In Part 1001, § 1001.1, *Records available at the Commission's Washington Office*, is revised to read as follows:

§ 1001.1 Records available at the Commission's Washington office.

The following specific files and records in the custody of the Secretary are available to the public under 49 U.S.C. 10303 and may be inspected at the Commission's Washington office upon reasonable request during business hours between 8:30 a.m. and 5:00 p.m., Monday through Friday.

(a) Copies of tariffs, rate schedules, quotations or tenders under 49 U.S.C. 10721(b)(2); classifications, powers of attorney, concurrences, and contracts filed with the Commission pursuant to 49 U.S.C. 10762, 10764, 10765, 10766, 10721.

(b) Annual and other periodic reports filed with the Commission pursuant to 49 U.S.C. 11145.

(c) Annual and other periodic reports, maps, profiles, and other data filed with the Commission pursuant to 49 U.S.C. 10783.

(d) All docket files, including pleadings, depositions, exhibits, transcripts of testimony, recommended and proposed reports, exceptions, briefs, and reports and decisions of the Commission in any proceeding and carrier operating authorities granted in such proceedings. This does not apply to matters arising under 49 U.S.C. 10928, Temporary Authority for Motor and Water Carriers, which are filed in a Regional Office until a petition for reconsideration is ripe for decision.

(e) File and index of instruments or documents recorded pursuant to 49 U.S.C. 11303.

(f) ICC Manual—Administration.

[FR Doc. 81-32195 Filed 11-4-81; 8:45 am]

BILLING CODE 7035-01-M

49 CFR Part 1034

[Third Revised Service Order No. 1344]

Rerouting of Traffic; Appointment of Agents

AGENCY: Interstate Commerce Commission.

ACTION: Third revised service order No. 1344.

SUMMARY: Third Revised Service Order No. 1344 revises the appointment of agents of the Commission, vested with the authority to authorize diversion and rerouting of loaded and empty freight cars from and to any point in the United States whenever, in their opinion, an emergency exists whereby any railroad is unable to move traffic currently over its lines.

EFFECTIVE DATES: 12:01 a.m., November 2, 1981, continuing in effect until 11:59 p.m., May 18, 1982.

FOR FURTHER INFORMATION CONTACT: M. F. Clemens, Jr., (202) 275-7840.

SUPPLEMENTARY INFORMATION:

Decided: October 30, 1981.

When, for any reason, a carrier by railroad, subject to Section 10501 of the Recodified Interstate Commerce Act, is unable to transport traffic offered, car service will be promoted in the interest of the public and the commerce of the people by the appointment of agents with authority to reroute and divert such traffic. Notice and public procedure are impracticable and contrary to the public interest, and good cause exists for making this order effective upon less than thirty days' notice.

PART 1034—ROUTING OF TRAFFIC

It is ordered.

§ 1034.1344 Rerouting of Traffic—Appointment of Agents.

(a) J. Warren McFarland, Director, and Bernard Gaillard, Associate Director, Office of Consumer Protection, Interstate Commerce Commission, Washington, D.C., are hereby appointed Agents of the Interstate Commerce Commission, Washington, D.C., are hereby appointed Agents of the Interstate Commerce Commission and vested with authority to authorize diversion and rerouting of loaded and empty freight cars from and to any point in the United States whenever, in their opinion, an emergency exists whereby any railroad is unable to move traffic currently over its lines.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(c) *Effective date.* This order shall become effective at 12:01 a.m., November 2, 1981.¹

(d) *Expiration date.* This order shall expire 11:59 p.m., May 18, 1982, unless otherwise modified, amended or vacated by order of this Commission.

This action is taken under the authority of 49 U.S.C. 10304-10305 and 11124.

This order shall be served upon the Association of American Railroads, Transportation, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association. Notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission, at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Chairman Taylor, Vice Chairman Clapp, Commissioners Gresham and Gilliam.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-32195 Filed 11-4-81; 8:45 am]

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¹ Change in agent and effective date.