not a natural person. In adopting Regulation D to implement the Act, the Board determined that IRA and Keogh Plan time deposits and time deposits held by trustees and other fiduciaries should be regarded as personal time deposits where the entire beneficial interest is held by natural persons, even though the funds technically may be held in the name of a trustee who is not a natural person (12 CFR § 204.2(f)). The Board has determined that time deposit accounts held pursuant to unfunded deferred compensation plans of state and local governments and certain private employers authorized by subtitle D of the Revenue Act of 1978, Pub. L. No. 95-600, 92 Stat. 2763 (1978), also should be regarded as personal time deposits for purposes of Regulation D, notwithstanding the IRS requirement that such funds remain solely the property of the sponsoring organization subject only to the claims of its general creditors. Therefore, the Board is amending Regulation D to exempt such accounts from the definition of nonpersonal time deposits. It should be noted that nontransferable time deposits of funded deferred compensation plans generally are regarded as personal time deposits under Regulation D at present as funds held by a trustee or other fiduciary.

The Board believes that this amendment will result in more even application of reserve requirements on time deposits of various types of retirement income arrangements. Consequently, the Board, for good cause, finds that the notice and public procedure provisions of 5 U.S.C. § 553(b) with regard to this action are contrary to the public interest, and that deferral of the effective date pursuant to 5 U.S.C. § 553(d) is not necessary.

Effective April 30, 1981, pursuant to the Board's authority under section 19 of the Federal Reserve Act, 12 U.S.C. 461 *et seq.*, § 204.2(f), subparagraph (2) of Regulation D (12 CFR Part 204) is revised to read as follows:

§ 204.2 Definitions.

* * * * *

(f) * * *

(2) "Nonpersonal time deposit" does not include nontransferable time deposits to the credit of or in which the entire beneficial interest is held by an individual pursuant to an Individual Retirement Account or Keogh (H.R. 10) Plan under 26 U.S.C. (I.R.C. 1954) 408, 401, or nontransferable time deposits held by an employer as part of an unfunded deferred compensation plan established pursuant to subtitle D of the Revenue Act of 1978 (Pub. L. No. 95-600, 92 Stat. 2763).

* * * * *

By order of the Board of Governors, April 10, 1981.

James McAfee,

Assistant Secretary of the Board.

[FR Doc. 81-11512 Filed 4-15-81; 8:45 am]

BILLING CODE 6210-01-M

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Share, Share Draft and Share Certificate Accounts; Correction

AGENCY: National Credit Union Administration.

ACTION: Final Rule, Correction.

SUMMARY: On April 3, 1981, the National Credit Union Administration (NCUA) Board published a final rule to reduce the period between the announcement and the effective date of the ceilings rates of dividends payable on share certificates and on 26 week money market certificates. (46 FR 20154.) The purpose of this action is to correct two inadvertent errors relating to that final rule.

EFFECTIVE DATE: April 7, 1971, the effective date of the final rule.

ADDRESS: National Credit Union Administration, 1776 G Sıreet, NW., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: James J. Engel, Assistant General Counsel, at the above address; telephone: (202) 357-1030.

SUPPLEMENTARY INFORMATION: Under the final rule published by the NCUA Board on April 3, 1981, (46 FR 20154), the ceiling rates for dividends payable on share certificates and 26 week money market certificates become effective on the day after they are announced. Because ceiling rates are generally announced on Monday, the ceiling rates for dividends will be effective on Tuesday rather than on Thursday, as under the old rule.

In issuing the final rule, the NCUA Board amended § 701.35(h), Maximum Dividend Rate, paragraphs (2) and (3). In the publication of the final rule, however, the amendment appears as a change to § 701.35(g). The purpose of this action is to correct that error. Thus, the final rule published by the NCUA Board on April 3, 1981, was an amendment to paragraphs (h) (2) and (3) of § 701.35.

Additionally, the final rule was intended to affect 26 week money market certificates subject to the maximum rate specified in § 701.35(h)(5). However, because paragraph (h)(5) did not reference a particular day—both paragraphs (h) (2) and (3) specifically referred to "Thursday"—inadvertently no change was made. It has now been brought to the NCUA Board's attention that because paragraph (h)(5) refers to the issuance of U.S. Treasury bills instead of the date of auction (bills are normally auctioned on Monday and issued on Thursday), the present wording of paragraph (h)(5) does not comply with the intent of the recently issued final rule. Therefore, it is necessary to amend paragraph (h)(5) to clearly provide that the ceiling rate for money market certificates becomes effective the day after the new U.S. Treasury bills are auctioned. This action does not constitute a new final rule, but instead carries out the purpose of the April 3, 1981, amendment. The preamble to that amendment addresses the comments applicable to this change.

Accordingly, paragraph (h)(5) of § 701.35 is amended as set forth below.

(Sec. 107, 94 Stat. 132 (12 U.S.C. sec. 1757); sec. 120, 73 Stat. 635 (12 U.S.C. sec. 1766); and sec. 209, 84 Stat. 1104 (12 U.S.C. sec. 1789))

Beatrix D. Fields,

Acting Secretary for the NCUA Board.

April 10, 1981.

Paragraph (h)(5) of § 701.35 is revised to read as follows:

§ 701.35 Share accounts and share certificate accounts.

* * * * *

(h) * * *

(5) On a share certificate account of $10,000 or more having a fixed term or qualifying period of 26 weeks, up to the greater of (i) the rate authorized in paragraph (h)(2) of this section, or (ii) one quarter of one percent above the discount rate (auction average on a discount basis) for 26 week United States Treasury bills, such rate to become effective 1 day after the Treasury bills are auctioned. The maximum dividend rate may be rounded off only by rounding down. If the dividend rate is based upon the discount rate, no compounding of dividends is permitted.

* * * * *

[FR Doc. 81-11464 Filed 4-15-81; 8:45 am]

BILLING CODE 7535-01-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. C-3061]

Owens-Corning Fiberglas Corporation; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Final order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a Toledo manufacturer of glass fiber products, including glass fiber-based asphalt roofing products, to divest to a Commission-approved buyer within 24 months from the effective date of the order, the four specified asphalt roofing plants acquired from the Lloyd A. Fry Roofing Company in 1977. Further, should the company decide to sell the Trumbull asphalt refinery located adjacent to each divested plant, during the ten-year period following the divestiture, it is required, in certain circumstances, to give the owner of the roofing plant the right of first refusal to purchase. Additionally, the firm is barred for ten years, from acquiring without prior Commission approval, any interest in an asphalt roofing plant located in the "Western Market."

DATE: Complaint and order issued March 30, 1981.*

FOR FURTHER INFORMATION CONTACT: FTC/C, E. Perry Johnson, Washington, D.C. 20580. (202) 523-3601.

SUPPLEMENTARY INFORMATION: On Thursday, January 15, 1981, there was published in the **Federal Register**, 46 FR 3544, a proposed consent agreement with analysis In the Matter of Owens-Corning Fiberglas Corporation, a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Acquiring Corporate Stock or Assets:

*Copies of the Complaint and the Decision and Order filed with the original document.

§ 13.5 Acquiring corporate stock or assets, 13.5-20 F.T.C. Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

Carol M. Thomas,

Secretary.

[FR Doc. 81-11476 Filed 4-15-81; 8:45 am]

BILLING CODE 6750-01-M

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16 CFR Part 460

Labeling and Advertising of Home Insulation; Trade Regulation Rule

AGENCY: Federal Trade Commission.

ACTION: Partial exemption from the rule for manufacturers of perlite insulation.

SUMMARY: The Federal Trade Commission grants a conditional exemption to manufacturers of perlite insulation from one disclosure requirement of Section 460.12 of its trade regulation rule on labeling and advertising of home insulation (16 CFR Part 460). Section 460.12 requires all home insulation products to be labeled with certain information about R-value. The exemption from one of the disclosure requirements is conditioned upon making an alternative disclosure.

DATE: Effective date: April 16, 1981.

FOR FURTHER INFORMATION CONTACT: Lewis Morris, Attorney, 202-724-1394, Division of Energy and Product Information, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

SUPPLEMENTARY INFORMATION: On August 31, 1979, the Commission promulgated a trade regulation rule on the labeling and advertising of home insulation (44 FR 50218). On August 15, 1980, the Commission announced that the effective date of the rule would be September 29, 1980 (45 FR 54702).

The Perlite Institute Inc. petitioned the Commission for an exemption from one of the disclosure requirements in Sections 460.12 and 460.13 of the rule. Section 460.12(b)(2) of the rule requires that all loose-fill insulation products other than cellulose be labeled with the following coverage chart information for R-values of 11, 19 and 22: the minimum thickness, maximum net coverage area, and minimum weight per square foot. Section 460.13(c)(1) requires that the same coverage chart information be disclosed on fact sheets available to consumers through retail stores and installers.

The Perlite Institute requested that the Commission exempt manufacturers of perlite insulation from the requirement that they disclose minimum weight per square foot. The requirement in the rule was based on the fact that, for most residential insulation, as the density or weight per square foot decreases, the R-value decreases. Thus, the rule requires that coverage charts specify the minimum weight per square foot necessary to obtain the labeled R-value.

Specifically, the Perlite Institute requested that the requirement that perlite insulation labels and fact sheets disclose minimum weight per square foot to achieve each R-value be changed to require a maximum weight per square foot disclosure. In support of this request, the Institute submitted technical publications which show that, contrary to other insulations, as the density or weight per square foot of perlite insulation increases, R-value decreases. A lighter density perlite will have a higher R-value than one with a heavier density installed at the same thickness. Thus, according to the Perlite Institute, unlike other loose-fill insulations covered by the rule, if perlite insulation is installed at a density greater than the weight per square foot listed on the label, the consumer will not receive the labeled R-value.

Based on petitioners' assertions, the Commission tentatively decided to grant an exemption to manufacturers of perlite insulations which have an inverse relationship between R-value and density or weight per square foot from the requirement in §§ 460.12(b)(2) and 460.13(c)(1) of the rule that they disclose minimum weight per square foot for R-values listed on labels and fact sheets. The exemption from the rule was conditioned upon the alternative disclosure in labels and fact sheets of the maximum weight per square foot for each R-value required to be listed under the rule. The Commission invited written public comments on this tentative decision. At the same time, the Commission temporarily stayed the requirements of §§ 460.12(b)(2) and 460.13(c)(1) insofar as they required manufacturers of perlite insulation which have an inverse relationship between R-value and density or weight per square foot to disclose minimum weight per square foot on labels and fact sheets, respectively, effective September 29, 1980, pending a final Commission decision on the exemption request. The stay was conditioned upon the alternative disclosure of the maximum weight per square foot for the R-values required to be listed on labels and fact sheets. The Commission received no comments on the tentative decision to grant the exemption.

The Commission has decided to make final its tentative decision and to grant the exemption. Thus, manufacturers of perlite insulations which have an inverse relationship between R-value and density or weight per square foot are exempted from the requirement in §§ 460.12(b)(2) and 460.13(c)(1) of the rule that they disclose minimum weight per square foot for R-values listed on labels and fact sheets. This exemption is conditioned upon the alternative disclosure in labels and fact sheets of the maximum weight per square foot for each R-value required to be listed. In light of its decision granting the exemption, the Commission has lifted the stay which it previously issued pending its final decision on the exemption request.

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81-11517 Filed 4-15-81; 8:45 am]

BILLING CODE 6750-01-M

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16 CFR Part 460

Labeling and Advertising of Home Insulation; Trade Regulation Rule

AGENCY: Federal Trade Commission.

ACTION: Partial Exemption from the rule.

SUMMARY: The Federal Trade Commission grants a partial exemption from the labeling disclosure requirements of § 460.12 of its trade regulation rule on labeling and advertising of home insulation (16 CFR Part 460) to manufacturers of a type of flat roof insulation. Section 460.12 requires all home insulation products to be labeled with certain information about R-value. The Commission previously issued a temporary stay of § 460.12 insofar as it applies to this type of flat roof insulation (45 FR 68928).

DATE: Effective date: April 16, 1981.

FOR FURTHER INFORMATION CONTACT: Lewis Morris, Attorney, 202-724-1394, Division of Energy and Product Information, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

SUPPLEMENTARY INFORMATION: On August 31, 1980, the Commission announced that the effective date of the rule would be September 29, 1980 (45 FR 54702).

Two trade associations (The Society of the Plastics Industry, Inc. [SPI] and Thermal Insulation Manufacturers Association [TIMA]) and four manufacturers (Apache Building Products Company, GAF Corporation, Grefco Inc., and the Celotex Corporation) have petitioned the Commission for an exemption from the rule for rigid roof insulation which is used in flat built-up roofs. TIMA and the four manufacturers have requested an exemption from all requirements of the rule, including those requiring disclosures in advertisements (§§ 460.18 and 460.19). SPI has limited its request to an exemption from the labeling requirements of § 460.12 of the rule.

The labeling provisions of § 460.12 require all home insulation products to be labeled with basic information about the type of insulation, its R-value, and the coverage of the product. This type of information was intended to provide consumers purchasing the product directly or through installers with basic information needed to evaluate the thermal performance of the insulation product.

The trade associations and manufacturers state that more than ninety-five percent of the rigid roof insulation boards sold are used in commercial or industrial buildings, and are therefore not covered by the rule. However, some of the product is used in multi-family residential buildings, such as flat-roof apartment or condominium buildings. The trade associations and manufacturers state that they have no way of knowing which products will be used in residential applications, and which will not. If they are required to label their products which go into residential use, they would be required to assume the unnecessary expenses of labeling every package of insulation even though only a small percentage of them would be used in residential applications. Furthermore, since the product can only be used in large, multi-family, flat-roof buildings, they argue that the labeling information is unnecessary because the product generally will be selected by an architect or another professional, not the consumer.

Based on petitioners' assertions, the Commission tentatively decided to grant an exemption to manufacturers of this type of rigid flat-roof insulation board from the requirement in § 460.12 that all insulation materials which might be used in homes be labeled with R-value information. However, the Commission tentatively decided to deny the request for an exemption from any other parts of the rule.

The Commission invited written public comment on the tentative decision. At the same time, the Commission temporarily stayed § 460.12, insofar as it applied to manufacturers of this rigid flat-roof insulation board, effective September 29, 1980, pending a final Commission decision on the exemption requested. The Commission received one comment concerning the proposed exemption. The comment was submitted by the Society of the Plastics Industry, Inc. SPI supports the proposed exemption because of the small percentage of rigid roof insulation used in residential roofing.

In view of all these considerations, the Commission has decided to make its tentative decision final and to grant an exemption from the labeling requirements of § 460.12 of the rule to manufacturers of rigid roof insulation.

In view of its decision granting the exemption, the Commission has lifted the temporary stay it previously issued in this matter pending its final decision on the exemption request.

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81-11516 Filed 4-15-81; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 46 and 131

[Docket No. RM 81-26; Order No. 140]

Public Utility Filing Requirement; Order Establishing Format No. FERC 561, Annual Report of Interlocking Positions

Issued: April 9, 1981.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission (Commission) hereby amends the Commission's regulations to provide a standard format, identified as Format No. FERC 561, for the reporting of information respecting interlocking positions held by a person in both a public utility and in certain other specified entities.

This rule makes no substantive changes in the current interlocking directorate reporting requirements; instead, it merely provides a format for these reports.

Information which is uniformly submitted on Format No. FERC 561 will be utilized more efficiently by the Commission for its regulatory purposes. The use of the format will also ease respondent reporting burdens—it will be preprinted for submissions after the initial filing, and only amendments to previously reported items which have since changed—or new data items—will

have to be indicated on this preprinted format.

Immediate promulgation of this rule will allow the persons required to file this data to use the new format before the April 30, 1981 filing deadline occurs. Nevertheless, persons who have already submitted their reports in accordance with the former rule, will not be required to "refile" a report in accordance with this new format.

EFFECTIVE DATE: April 9, 1981.

FOR FURTHER INFORMATION CONTACT: Charles Harland, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 403RB, Washington, DC 20426, (202) 376-1850.

SUPPLEMENTARY INFORMATION:

I. Background and Summary

By this rule, the Federal Energy Regulatory Commission (Commission) implements a specific format for use in reporting information respecting interlocking positions which is required pursuant section 305(c) of the Federal Power Act (16 U.S.C. 792-828c).

Part 46 of the Commission's regulations implements section 305(c) of the Federal Power Act as amended by section 211 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601-2645).

Section 305(c)(2) provides that by January 31 of each calendar year, public utilities shall file, pursuant to Commission regulations, a list of their twenty largest purchasers of electric energy. A final rule to implement this provision was issued on January 11, 1980 (Order No. 67, 45 FR 3569, January 18, 1980; amended to correct technical errors on January 21 and February 4, 1980, 45 FR 6377, January 28, 1980; 45 FR 9729, February 13, 1980). That rule established §§ 46.1 through 46.3 of the Commission's regulations.

Section 305(c)(1) of the Federal Power Act authorizes the Commission to prescribe the "form and manner" of a written statement to be filed on or before April 30 of each year by any person holding interlocking positions in both a public utility and in any of certain other specified entities. Regulations to implement this provision were issued on April 2, 1980 (45 FR 23413, April 7, 1980), which established §§ 46.4 through 46.6.

Pursuant to the instant rulemaking, the contents of the written statement of a person holding such interlocking positions (prescribed in § 46.6) are now incorporated in a standardized format, designated as Format No. FERC 561. Format No. FERC 561 is set out at new § 131.31 of the Commission's regulations.

The reporting requirement itself is not altered by this rulemaking—only the form in which it is submitted.

The Commission has promulgated this format for written statements prescribed in § 46.6 because those persons who submitted the statement in 1980 (the first year the filing of this data was required) did not submit the requisite information in a uniform fashion. The Commission staff found it difficult, in some cases, to coordinate the data for use in its regulatory analyses. Therefore, the Commission has standardized the form of this report to facilitate entry into a computer system and to correspondingly reduce the time and effort necessary to review the reported information.

Not only will the establishment of Format No. FERC 561 and computerization of the reported data improve the Commission's use of this information, it will also reduce the reporting burden of the persons who respond to the requirement. The reports, once submitted to the Commission, will be preprinted and sent to respondents in subsequent year. Respondents will simply have to verify that the data is correct, or in the event of changes, alter only those data elements which have been added to or changed.

II. Effective Date

The promulgation of Format No. FERC 561 amends the Commission's regulations to provide a standard format for the reporting of information which is currently prescribed in section 305(c) of the Federal Power Act. This rulemaking does not otherwise alter the existing requirement to report information pursuant to § 46.4 of the Commission's regulations. In order that as many persons as possible who file a statement pursuant to § 46.4 may benefit from use of the new Format No. FERC 561 before the April 30, 1981 deadline for 1980 reports, the Commission makes this rulemaking effective as of April 9, 1981.

The Commission finds that notice and public procedure are unnecessary pursuant to 5 U.S.C. 553(b), and that there is good cause under 5 U.S.C. 553(d) to make the amendments in this rulemaking effective immediately.

(Department of Energy Organization Act, 42 U.S.C. 7101-7352; Federal Power Act, 16 U.S.C. 792-828c; Public Utility Regulatory Policies Act, 16 U.S.C. 2601-2645; E.O. 12009, 3 CFR 142 (1978))

In consideration of the foregoing, Title 18 of the Code of Federal Regulations is amended in Parts 46 and 131 as set forth below, effective April 9, 1981.

By the Commission.

Lois D. Cashell,

Acting Secretary.

PART 46—PUBLIC UTILITY FILING REQUIREMENT

1. Section 46.4 is amended by revising the introductory paragraph to read as follows:

§ 46.4 General rule.

A person must file with the Office of the Secretary of the Commission a written statement in accordance with § 46.6, and in the form specified in § 131.31 of this chapter (except that with respect to calendar year 1980, no filings in the form specified in § 131.31 is required if such person has previously filed the statement required for calendar year 1980 in a different form than specified in § 131.31), if such person:

* * * * *

PART 131—FORMS

2. Part 131 is amended by adding a new § 131.31, to read as follows:

§ 131.31 Format No. FERC 562, Annual report of interlocking positions.

(See § 46.4 of this chapter.)

[To be followed, first: by the actual format, and second: by the instructions to the format.]

BILLING CODE 6450-85-M

U.S. DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

Form Approved
OMB No. 1902-0099
(Expires 3-31-83)

ANNUAL REPORT OF INTERLOCKING POSITIONS

This report is mandatory under Section 305(c)(1) of the Federal Power Act. Failure to report may result in criminal fines, civil penalties, and other sanctions as provided by law. The Federal Energy Regulatory Commission does not consider this report to be of a confidential nature. PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE BEFORE COMPLETING THIS FORM.

IDENTIFICATION

1. Full Name (Last, First, and Middle Initial) (35)

2. Business Address (Street, City, State, and Zip Code) (3 lines by 35)

3. Report Year
December 31, 1 9 __ __

PUBLIC UTILITY DATA

Line No.	DOE USE ONLY	Name of Public Utility (35) (02)	Position Code (03)	DOE USE ONLY	FERC Docket Number, if Applicable (05)	Date Authorized by FERC (06)	DOE USE ONLY
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							

OTHER INTERLOCKING ENTITY DATA

Line No.	DOE USE ONLY	Name of Entity (35) (02)	Type Code (03)	Position Code (04)	FERC Docket Number, if Applicable (05)	Date Authorized by FERC (06)	Total Revenues (nearest $100,000) (07)
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							

CERTIFICATION

State of ______________ County of ______________

Sworn to me and subscribed before me, a notary public, in said state and county, this ________ day of ____________, ____________. My commission expires ______________. Signature:

The undersigned, being duly sworn, states that all of the statements combined therein are true and correct to the best of his/her knowledge and belief.

Signature:

Format Number FERC 561 (REVISED 3-81)

INSTRUCTIONS FOR COMPLETING ANNUAL REPORT OF INTERLOCKING POSITIONS

GENERAL INFORMATION

Purpose of Report

The data collected by this report will be used by the Federal Energy Regulatory Commission's staff for review and oversight purposes.

Who Must Submit

This report must be completed by all persons holding interlocking positions between public utilities and certain other entities (described in the specific instructions) during any portion of the calendar year.

When to Submit

Submit this report on or before April 30 of each year for the preceding calendar year. (For example, the report for the year 1980 would be filed on or before April 30, 1981.)

What and Where to Submit

Submit an original and two (2) copies of this report to:

Federal Energy Regulatory Commission
Office of the Secretary
Room 3110
Attention: FERC-561
825 North Capitol Street, N.E.
Washington, D.C. 20426

Sanctions

This report is prescribed by Section 305(c)(1) of the Federal Power Act and 18 CFR 46.4. Failure to report may result in certain penalties and other sanctions as provided by law.

GENERAL INSTRUCTIONS

1. Prepare this report in conformity with the requirements prescribed in 18 CFR 46.4.
2. Leave blank any columns that are not applicable.

SPECIFIC INSTRUCTIONS

Item	Instruction
1 and 2	Enter your full name and business address.
3	Enter the last two digits of the calendar year for which this report is filed.
4 thru 14 Col (02) and (03)	Enter in Column (02) the name of each public utility in which you hold an executive position. In Column (03), enter the appropriate code for each such position, according to the list below:

Code	Name
DIR	Director
CEO	Chief Executive Officer
PRES	President
VP	Vice President
SEC	Secretary
TREA	Treasurer
GM	General Manager
COMP	Comptroller
PURA	Chief Purchasing Agent
OEP	Other Executive Position

Item	Instruction
4 thru 14 Col (05) and (06)	If you are authorized by the Commission to hold the position of officer or director in accordance with Part 45 of the Commission's regulations, enter in Column (05) the complete FERC docket number of such authorization. In Column (06), enter the date of such authorization. Otherwise, leave these columns blank.
15 thru 25 Col (02) and (03)	Enter in Column (02) the name of each entity in which you hold an interlocking position. In Column (03), enter the appropriate code type for each entity, using the list below.

Code	Name
FIN	Investment bank; bank holding company; foreign bank or subsidiary thereof doing business in the United States; other organization primarily engaged in the business of providing financial services or credit; mutual savings bank; or savings and loan association
FINI	Insurance company
SECU	Entity authorized by law to underwrite or participate in the marketing of securities of a public utility
ELEQ	Entity which produces/supplies electric equipment for the use of any public utility
FUEL	Entity which produces/supplies coal, natural gas, nuclear fuel, or other fuel for the use of any public utility
20CL	Entity specified in 18 CFR 46.3 (one of the 20 largest purchasers of electric energy from a utility)
CNEN	Entity which is controlled by any one of the above named entities
305B	Entity referred to in Section 305(b) of the Federal Power Act (not otherwise identified above)

Item	Instruction
15 thru 25 Col (04)	Enter the appropriate code for each executive position you hold in the entity named in Column (02), using the list below.

Code	Name
DIR	Director
CEO	Chief Executive Officer
PRES	President
VP	Vice President
SEC	Secretary
TREA	Treasurer
GM	General Manager
COMP	Comptroller
PURA	Chief Purchasing Agent
PART	Partner
APPT	Appointee
REP	Representative
OEP	Other Executive Position

Item	Instruction
15 thru 25 Col (05) and (06)	If you are authorized by the Commission to hold the position of officer or director in accordance with Part 45 of the Commission's regulations, enter in Column (05) the complete FERC docket number of such authorization. In Column (06), enter the date of such authorization. Otherwise, leave these columns blank.
15 thru 25 Col (07)	For each entity that supplies electric equipment (ELEQ) named in Items 15 thru 25, Column (02), enter the aggregate amount of revenues from producing or supplying electrical equipment to any public utility named in Items 4 thru 14, Column (02) in the subject calendar year, rounded to the nearest $100,000. Otherwise, leave this column blank.
Certification	The original of this report must be dated, signed and verified under oath in accordance with 18 CFR 131.60. Each copy must bear the date that appeared on the original. The signature may be stamped or typed on the copy, and the notarial seal may be omitted. Title 18, USC 1001, makes it a crime for any person knowingly and willingly to make to any Agency or Department of the United States any false, fictitious, or fraudulent statements as to any matter within its jurisdiction.

[FR Doc. 81-11391 Filed 4-15-81; 8:45 am]
BILLING CODE 6450-85-C

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 240

Additional Charges (Interest) on Overdue Reclamations and Double Payment Refunds

AGENCY: Bureau of Government Financial Operations, Treasury.

ACTION: Final rule.

SUMMARY: This Final Rule states Treasury's right to assess additional charges on amounts of refunds owed it by payees and presenting banks when such refunds are not timely made. This action is taken because Treasury has experienced increasing difficulty in collecting refunds owed it. The assessment of additional charges is intended to improve collection.

EFFECTIVE DATE: May 18, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. John O. Turner, Assistant Commissioner, Disbursement and Claims, Room 632, Annex Building, Pennsylvania Avenue and Madison Place, NW., Washington, D.C. 20226, (202) 566-2392.

SUPPLEMENTARY INFORMATION: Treasury has experienced increasing reluctance on the part of some banks and other debtors to repay amounts owed to Treasury in connection with negotiation of U.S. Treasury checks. This problem is manifested in two contexts.

First, checks are presented to Treasury and paid bearing indorsements later learned to be forged or otherwise unauthorized. Treasury requests refunds of the amount of a check from a presenting bank, based on the breach by the bank of warranty of genuineness of prior indorsements required of it under existing regulations, 31 CFR 240.4. As of the end of February 1981, Treasury had on hand in its On-Line Automated Reclamation System 60,695 open cases in which refund had been requested and not received. This is an increase of 7,545 since June 1980.

In the second context, a payee of a Treasury check alleges non-receipt or loss, and is issued a second check. Ultimately, the payee negotiates and receives payment on both the original check and the substitute or settlement check. Delays of up to a year or more are encountered by the Treasury in recovering these double payments from payees. Some individual amounts of double payments are in the thousands of dollars. The total amount outstanding is in the millions of dollars.

There is no justification for withholding a refund owed Treasury after it has been requested by the Treasury.

Among the comments received in response to the proposed rule, published in the **Federal Register** on September 16, 1980 (Vol. 45, No. 181, page 61318), was the opinion, voiced by nearly all respondents, that more time should be granted before additional charges are assessed. As a result of this response, Treasury has decided that no additional charges will be assessed against amounts owed if the refund has been received and processed by Treasury within 60 days of the date of the refund request. Treasury recognizes the banks' need for this grace period to investigate the facts and determine their rights and liabilities.

In order to clarify an additional point, Treasury emphasizes that a presenting bank will not be requested to refund the amount of a double payment made to a customer of the bank unless a claim of forgery or unauthorized endorsement has been presented. The bank, however, may be requested to furnish information concerning the negotiation of the checks which caused a double payment.

Treasury has formulated procedures for assessing additional charges against banks for late payment of refund of checks cashed on forged or otherwise unauthorized endorsements. Treasury has not yet formulated procedures for assessing additional charges against payees for late refund of double payments because of unique administrative problems involved. In 80% to 90% of such double payment cases, the overpayment will be obtained from the agency which authorized the initial payment, and collection from the payee will be effected by that agency. The remaining double payments must be identified and the determination must be made as to the effectiveness of collection activities regarding debtors whom Treasury may not be able to find, or who may be judgment proof. Most individual amounts will be small. Treasury will examine the situation involving payees, and, where feasible, and cost effective, additional charges will be assessed.

The collection of additional charges will be made in accordance with the provisions of the Federal Claims Collection Standards (4 CFR Part 102). Charges for late payments will be based on the rate used for purposes of Public Law 95-147, 91 Stat. 1227.

Accordingly, Part 240, Title 31 of the Code of Federal Regulations is amended as follows:

By designating the existing text in 31 CFR 240.5 as paragraph (a), and by adding a new paragraph (b) as follows:

§ 240.5 Reclamation of amounts of paid checks.

(a) * * *

(b) Treasury shall have the right to additional charges, at the rate set from time to time for purposes of Pub. L. 95-147, 91 Stat. 1227 (1977), for late refund of the amount of a Treasury check presented and paid bearing a forged or otherwise unauthorized endorsement, and for late repayment by a payee of an overpayment resulting from the payee's negotiation of both an original check, and a substitute or settlement check issued for the same underlying obligation.

((5 U.S.C. 301); R.S. 3646, 23 Stat. 306, *as amended* (31 U.S.C. 528); Act of Nov. 21, 1941, 55 Stat. 777 *as amended* (31 U.S.C. 561 *et seq.*); sec. 3, Pub. L. 89-508, 80 Stat. 309 (31 U.S.C. 952))

Dated: April 13, 1981.

W. E. Douglas,

Commissioner, Bureau of Government Financial Operations.

[FR Doc. 81-11465 Filed 4-15-81; 8:45 am]

BILLING CODE 4810-35-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-4-FRL 1795-3]

Approval and Promulgation of Implementation Plans; North Carolina: Approval of Air Surveillance Revision

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA today announces its approval of the air quality surveillance plan revision submitted by the State of North Carolina on August 19, 1980. The revision updates North Carolina's state implementation plan (SIP) to meet EPA requirements set forth in 40 CFR Part 58, Subpart C. It includes a commitment to update the monitoring network annually and to utilize all required quality assurance methods to ensure data accuracy.

EFFECTIVE DATE: This action is effective May 18, 1981.

ADDRESSES: Copies of the material submitted by North Carolina may be examined during normal business hours at the following locations:

Public Information Reference Unit, Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460

Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20005

Air Programs Branch, EPA Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365

Air Planning and Environmental Standards Branch, Division of Environmental Management, North Carolina Department of Natural Resources and Community Development, Archdale Building, 512 N. Salisbury Street, Raleigh, North Carolina 27611

FOR FURTHER INFORMATION CONTACT: Walter Bishop, Air Programs Branch, EPA Region IV, 345 Courtland Street, Atlanta, Georgia 30365, 404/881-3286 or FTS 257-3286.

SUPPLEMENTARY INFORMATION: On May 10, 1979 (44 FR 27558), EPA promulgated ambient air quality monitoring and data reporting regulations. These regulations satisfy the requirements of section 110(a)(2)(C) of the Clean Air Act by requiring ambient air quality monitoring and data reporting for purposes of state implementation plans (SIP). At the same time, EPA published guidance to the States regarding the information which must be adopted and submitted to EPA as a SIP revision providing for the establishment of an air quality surveillance system that consists of a network of monitoring stations designated as State and Local Air Monitoring Stations (SLAMS) to measure ambient concentrations of those pollutants for which standards have been established in 40 CFR Part 50.

The State of North Carolina responded by submitting to EPA on August 19, 1980, a revised version of the air quality surveillance section of their SIP (Section VI). This now provides for the establishment of a SLAMS network such that the monitors will be properly sited and the data quality assured. The network will be reviewed annually for needed modifications and descriptions containing information such as location, operating schedule, and sampling and analysis methods will be available for public inspection.

EPA proposed approval of this revision in the **Federal Register** of December 4, 1980 (45 FR 80314). No comments were received on the proposal.

Since the air quality surveillance revision submitted by North Carolina meets all the requirements of 40 CFR Part 58, it is hereby approved. This action is effective May 18, 1981.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this action is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

Under Executive Order 12291, EPA must judge whether a regulation is major and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because it merely ratifies State actions and imposes no new burden on sources.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291. Any comments from OMB to EPA and any response to those comments are available for public inspection at the EPA Region IV office (see address above).

Incorporation by reference of the State implementation plan for the State of North Carolina was approved by the Director of the Federal Register on July 1, 1980.

(Sec. 110, Clean Air Act (42 U.S.C. 7410))

Dated: April 9, 1981.

Walter C. Barber,

Acting Administrator.

Part 52 of Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

Subpart II—North Carolina

In § 52.1770, paragraph (c) is amended by adding subparagraph (26) as follows:

§ 52.1770 Identification of plan.

* * * * *

(c) The plan revisions listed below were submitted on the dates specified.

* * *

(26) Revisions of Section VI, Air Quality Surveillance, of the plan, submitted on August 19, 1980, by the North Carolina Department of Natural Resources and Community Development.

[FR Doc. 81-11459 Filed 4-15-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 52

[A-3-FRL 1791-1]

Commonwealth of Virginia; Approval of Deadlines for Correcting Deficiencies in Virginia's SIP Revision for Nonattainment Areas

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA conditionally approved the Virginia State Implementation Plan (SIP), on August 19, 1980 (45 FR 55180), in instances where the plan is deficient and the State has assured EPA that it will submit corrections.

EPA proposed rulemaking on the deadlines and conditions on August 19, 1980 (45 FR 55228). Conditional approvals mean that restrictions under Sections 110, 176, and 316 of the Clean Air Act will not apply unless Virginia fails to submit the necessary corrections or EPA fails to approve them. A discussion of conditional approval and its practical effects appears in the July 2, 1979 **Federal Register** (44 FR 38583) and the November 23, 1979 **Federal Register** (44 FR 67182). This notice announces final rulemaking approving the deadlines by which the Commonwealth of Virginia has committed itself to remedy the conditionally approved portions of its SIP.

EFFECTIVE DATE: This final rulemaking is effective as of April 16, 1981.

ADDRESSES: Copies of the materials submitted by the Commonwealth of Virginia are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency, Region III, Curtis Building, Tenth Floor, Sixth and Walnut Streets, Philadelphia, PA 19106, Attn.: Patricia Sheridan

Public Information Reference Unit, EPA Library, Room 2922, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460

FOR FURTHER INFORMATION CONTACT: Ms. Eileen M. Glen (3AH11), Air Programs Branch, U.S. Environmental Protection Agency, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, PA 19106, Telephone: (215) 597-8187.

SUPPLEMENTARY INFORMATION: The Virginia SIP revision was developed and submitted to EPA in response to the requirements of Part D of the Clean Air Act, as amended in 1977. In general, the SIP is required to provide for attainment and maintenance of the national ambient air quality standards (NAAQS) for all areas which have been designated "nonattainment" pursuant to section 107 of the Clean Air Act. Specific requirements for an approvable SIP are discussed in detail in the April 4, 1979, **Federal Register** (44 FR 20372); as amended by 44 FR 38583, July 2, 1979; 44 FR 50371, August 28, 1979; 44 FR 53761, September 17, 1979; and 44 FR 67182, November 23, 1979.

EPA proposed the schedules and conditions to correct deficiencies of the revision to the Virginia SIP on August 19, 1980. The public was invited to comment on the proposal during the 30-day public comment period. EPA received comments only from the Commonwealth of Virginia.

These were submitted by W. R. Meyer, Executive Director, State Air Pollution Control Board, on October 15, 1980. The Commonwealth of Virginia requested a new deadline schedule because Virginia needed more time to satisfy State procedural requirements for submitting the required information. EPA does not plan to repropose the schedule, including the revised dates, for the following reasons:

1. The Commonwealth is the party responsible for meeting the deadlines and Virginia has agreed to the revised dates.

2. The public has had an opportunity to comment generally on the schedule and deficiencies [45 FR 55228 (1980)].

The conditions and deadlines established for correcting the deficiencies in this revision, are:

1. Margin for Growth.

The August 19, 1980 **Federal Register** notice (45 FR 55228) proposed that a system for tracking emission growth be submitted by September 30, 1980. At the time that Notice was prepared, EPA had not had an opportunity to fully review the Commonwealth's December 17, 1979 submittal and, therefore, the August 19, 1980 Notice does not discuss the tracking system submitted on December 17, 1979. We have now reviewed this submittal and have found the tracking system acceptable. Therefore, the proposed condition has now been satisfied. This item as well as the entire December 1979 submittal is discussed in detail in a separate rulemaking to be published shortly. (See Docket AH300a/bVA).

2. RACT as expeditiously as practicable.

The RACT deficiencies must be remedied according to the following schedule:

Not later than April 30, 1981, except where noted, adequate justification for deviating from the RACT recommendations or final regulations, where applicable, must be submitted.

The above date was requested by the Commonwealth of Virginia. EPA agrees to this change from originally proposed dates. The new date will give the Commonwealth an appropriate time period to hold public hearings and to make the necessary regulatory changes.

The following regulations contain deviations from RACT that must be remedied:

a. The emission limitation on automobile and light duty truck coating in § 4.55(e)(2). Either a revised regulation or adequate justification for deviating from RACT must be submitted by August 18, 1981.

b. The exemption from Stage I vapor controls for gasoline service stations with a throughput of less than 20,000 gallons per month, contained in § 4.56(d)(3)(ii) (For Richmond only).

c. The general exemption for sources of VOC emissions contained in § 4.54(a)(4)(i), as it applies to § 4.54(c) dealing with Solvent Metal Cleaning (For Richmond and Northern Virginia only).

d. The regulations covering cutback asphalt paving in § 4.57(b) must be remedied to correct two deficiencies:

(i) The maximum allowable solvent content of emulsified asphalt of 15% is not RACT.

(ii) Allowing the use of cutback asphalt as a tack coat is not RACT.

3. Inspection and Maintenance (I/M).

The August 19, 1980 **Federal Register** notice stated that although I/M legislation had been submitted by the Commonwealth, no action was being taken by EPA because an additional submittal was due on or before July 1, 1980. This submittal was to include a schedule for implementation of the I/M program and a clear commitment to implement and enforce the I/M program and to reduce emissions by 25 percent by 1987.

After a comprehensive review of the May 15, 1980 submittal from the Commonwealth, it appears all of the above-mentioned concerns have been satisfied. However, this submittal will be the subject of a separate **Federal Register** notice (Reference Docket No. AH300bVA) and need not be addressed further in the Conditional Approval schedule.

4. Enforceability.

a. Acceptable test methods and procedures for determining compliance with §§ 4.54, 4.55 4.56 and 4.57 must be submitted by April 30, 1981. Virginia requested the deadline be changed from the proposed date of September 30, 1980. This is satisfactory to EPA and is approved.

b. An acceptable definition of "reasonable further progress" must be submitted by April 30, 1981. EPA is approving this change in accordance with the Commonwealth's request.

5. Conformity Requirement.

Commitments must be adopted by each lead agency and Metropolitan Planning Organization (MPO) in the Northern Virginia, Richmond, Peninsula, and Southeastern Virginia areas that no project, program, or plan will be approved that does not conform with the SIP. These commitments must be adopted by the designated lead agencies and MPOs, be endorsed by the State, and be submitted to EPA by April 30, 1981. EPA agrees with this deadline change, as requested by Virginia, from the proposed date of September 30, 1980.

6. Carbon Monoxide.

A "hot spot" analysis for carbon monoxide in the carbon monoxide nonattainment portions of the National Capital Interstate AQCR, as well as a line of reasonable further progress for carbon monoxide, must be submitted by April 30, 1981. Virginia requested this deadline and it is satisfactory to EPA.

The above conditions apply to all ozone nonattainment areas unless indicated otherwise. "Richmond" refers to the Richmond City, Henrico County and Chesterfield County portions of the State Capital Intrastate AQCR. "Northern Virginia" refers to the Virginia portions of the National Capital Interstate AQCR.

The Commonwealth of Virginia has requested that the boundary of the urbanized area in Northern Virginia be modified to exclude Loudoun County, since this is primarily a rural area which accounts for only five percent of the light duty vehicle registrations in the Northern Virginia Region. The effect of this modification, if approved, would be to exclude Loudoun County from the requirement to implement I/M. It would not change Loudoun County's designation, under section 107 of the Clean Air Act, as nonattainment for ozone. In addition, if the modification were approved, Loudoun County would no longer be eligible to receive funds under section 175 of the Act. This modification was proposed for approval on August 19, 1980 (45 Fed. Reg. 55180); a final decision will be made shortly and is addressed in the rulemaking pertaining to Docket No. AH300a/bVA.

EPA Actions

Based on the above discussion, the Administrator approves the following schedule dates and conditions.

1. RACT as expeditiously as practicable.

The RACT deficiencies must be remedied according to the following schedule: Not later than April 30, 1981, except where noted, adequate justification for deviation from RACT recommendations or final regulations, where applicable, must be submitted.

The following regulations contain RACT deficiencies that must be remedied:

a. The emission limitation on automobile and light duty truck coating in § 4.55(e)(2) must be revised or an adequate justification for deviating from RACT must be submitted by August 18, 1981.

b. The exemption from Stage I vapor controls for gasoline service stations with a throughput of less than 20,000 gallons per month, contained in § 4.56(d)(3)(ii) (For Richmond only).

c. The general exemption for sources of VOC emissions contained in § 4.54(a)(4)(i), as it applies to Section 4.54(c) dealing with Solvent Metal Cleaning (For Richmond and Northern Virginia only).

d. The regulations covering cutback asphalt paving in § 4.57(b) must be remedied to correct two deficiencies:

(i) The maximum allowable solvent content of emulsified asphalt of 15% is not RACT.

(ii) Allowing the use of cutback asphalt as a tack coat is not RACT.

2. Enforceability.

a. Acceptable test methods and procedures for determining compliance with §§ 4.54, 4.55, 4.56 and 4.57 must be submitted by April 30, 1981.

b. An acceptable definition of "reasonable further progress" must be submitted by April 30, 1981.

3. Conformity Requirement.

Commitments must be adopted by each lead agency and Metropolitan Planning Organization (MPO) in the Northern Virginia, Richmond, Peninsula, and Southeastern Virginia areas that no project, program, or plan will be approved that does not conform with the SIP. These commitments must be adopted by the designated lead agencies and MPOs, be endorsed by the State, and be submitted to EPA by April 30, 1981.

4. Carbon Monoxide.

A "hot spot" analysis for carbon monoxide in the carbon monoxide nonattainment portions of the National Capital Interstate AQCR, as well as a line of reasonable further progress for carbon monoxide, must be submitted by April 30, 1981.

In conjunction with the Administrator's conditional approval, 40 CFR 52.2431 (Control Strategy: Carbon Monoxide and Ozone) of Subpart VV (Virginia) should be revised to incorporate these amendments. This notice is effective immediately so the deadlines contained herein are immediately effective. EPA finds that good cause exists for making this action immediately effective. EPA has a responsibility to take final action on this schedule as soon as possible in order to lift growth restrictions in those areas for which the Commonwealth has submitted adequate plans in accordance with Part D requirements.

Under section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals or the appropriate circuit within 60 days of today. Under section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

EPA finds that good cause exists for making this action immediately effective. EPA has a responsibility to take final action on this schedule as soon as possible in order to lift growth restrictions in those areas for which the Commonwealth has submitted adequate plans in accordance with Part D requirements.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because it only approves state actions. It imposes no new requirements.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA responses to these comments are available for public inspection at EPA Region III, Curtis Building, Tenth Floor, Sixth and Walnut Streets, Philadelphia PA 19106.

(42 U.S.C. §§ 7401–7642)

Dated: April 8, 1981.

Walter C. Barber,

Acting Administrator.

Part 52 of Title 40, Code of Federal Regulations is revised to read as follows:

Subpart VV—Virginia

1. Section 52.2431(e)(1)–(4) are revised to read as follows:

§ 52.2431 Control Strategy: Carbon monoxide and ozone.

* * * * *

(e) * * *

(1) RACT as expeditiously as practicable.

The RACT deficiencies must be remedied according to the following schedule: Not later than April 30, 1981, except where noted, adequate justification for deviating from RACT recommendations or final regulations, where applicable, must be submitted. The following regulations contain RACT deficiencies that must be remedied:

(i) The emission limitation on automobile and light duty truck coating in § 4.55(e)(2) must be revised or an adequate justification for deviating from RACT must be submitted by August 18, 1981.

(ii) The exemption from Stage I vapor controls for gasoline service stations with a throughput of less than 20,000 gallons per month, contained in § 4.56(d)(3)(ii) (For Richmond only).

(iii) The general exemption for sources of VOC emissions contained in § 4.54(a)(4)(i), as it applies to § 4.54(c) dealing with Solvent Metal Cleaning (For Richmond and Northern Virginia only).

(iv) The regulations covering cutback asphalt paving in § 4.57(b) must be remedied to correct two deficiencies:

(A) The maximum allowable solvent content of emulsified asphalt of 15% is not RACT.

(B) Allowing the use of cutback asphalt as a tack coat is not RACT.

(2) Enforceability.

(i) Acceptable test methods and procedures for determining compliance with §§ 4.54, 4.55, 4.56 and 4.57 must be submitted by April 30, 1981.

(ii) An acceptable definition of "reasonable further progress" must be submitted by April 30, 1981.

(3) *Conformity Requirements.* Commitments must be adopted by each lead agency and Metropolitan Planning Organization (MPO) in the Northern Virginia, Richmond, Peninsula, and Southeastern Virginia areas that no project, program, or plan will be approved that does not conform with the SIP. These commitments must be adopted by the designated lead agencies and MPOs, be endorsed by the State, and be submitted to EPA by April 30, 1981.

(4) *Carbon Monoxide.* A "hot spot" analysis for carbon monoxide in the carbon monoxide nonattainment portions of the National Capital Interstate AQCR, as well as a line of reasonable further progress for carbon monoxide, must be submitted by April 30, 1981.

[FR Doc. 81-11458 Filed 4-15-81; 8:45 am]

BILLING CODE 6560-38-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 80-247; RM-3413]

FM Broadcast Station in Edenton, North Carolina; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns Channel 272A to Edenton, North Carolina, in response to a petition filed by Albemarle Radio Corporation. The assignment could provide a second local FM service to Edenton.

EFFECTIVE DATE: June 2, 1981.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION: In the matter of Amendment of § 73.202(b), table of assignments, FM Broadcast Stations (Edenton, North Carolina), BC Docket No. 80-247 RM-3413. *Report and order* (Proceeding Terminated).

Adopted: April 3, 1981.

Released: April 10, 1981.

By the Chief, Policy and Rules Division:

1. The Commission has before it for consideration a *Notice of Proposed Rule Making*, 45 Fed. Reg. 40186, published June 13, 1980, inviting comments on a proposal to assign Channel 272A to Edenton, North Carolina, as its second FM channel. This proceeding was instituted on the basis of a petition filed by Albemarle Radio Corporation ("petitioner"). Supporting comments were filed by petitioner in which it restated its intent to apply for the channel, if assigned.

2. Edenton (pop. 4,766),[1] seat of Chowan County (pop. 10,764), is located approximately 184 kilometers (115 miles) northeast of Raleigh, North Carolina. Edenton is currently served by daytime-only AM Station WCDJ (licensed to petitioner) and by FM Station WBXB.

3. The channel can be assigned to Edenton provided the transmitter is located approximately 3.2 kilometers (2 miles) north of the community.

4. The *Notice* indicated that no community greater than 1,000 population and without alternative channels available would be affected. In view of the insignificant preclusion and the fact that the assignment would provide a second FM service to Edenton, the Commission finds it to be in the public interest to assign Channel 272A to Edenton, North Carolina.

5. Accordingly, it is ordered, That effective June 2, 1981, Section 73.202(b) of the Commission's Rules, the FM Table of Assignments, is amended for the community listed below, as follows:

City	Channel No.
Edenton, North Carolina	261A, 272A

6. Authority for the action taken herein is contained in Sections 4(i), 5(d)(l), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

7. It is Further Ordered, that this proceeding is terminated.

8. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303).

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-11460 Filed 4-15-81; 8:45 am]

BILLING CODE 6712-01-M

[1] Population figures are taken from the 1970 U.S. Census.

47 CFR Part 73

[BC Docket No. 80-278; RM-3409]

FM Broadcast Station in Hanover, New Hampshire; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns Channel 221A to Hanover, New Hampshire, in response to a petition filed by James M. Canto. The assignment would provide Hanover with a second FM service.

EFFECTIVE DATE: June 2, 1981.

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION: In the matter of amendment of § 73.202(b), table of assignments, FM broadcast stations (Hanover, New Hampshire). Docket 80-278 RM-3409. Report and order (Proceeding Terminated).

Adopted: April 3, 1981.

Released: April 10, 1981.

By the Chief, Policy and Rules Division:

1. The Commission has before it for consideration a *Notice of Proposed Rule Making*, 45 Fed. Reg. 42751, published June 25, 1980, proposing the assignment of Channel 221A to Hanover, New Hampshire, in response to a petition filed by James M. Canto ("petitioner"). Supporting comments were filed by petitioner in which he restated his intent to apply for the channel, if assigned. Comments were also filed by Masterpeace Communications Corporation ("MCC"), petitioner for the use of Channel 276A at Waterbury, Vermont, in RM-3792.

2. Hanover (population 8,494),[1] is located in Grafton County (population 54,914) approximately 80 kilometers (50 miles) northwest of Concord, New Hampshire. Hanover is presently served by full-time AM Station WDCR and Station WTSL and FM Station WFRD (FM) (Channel 257A).

3. MCC, in comments, pointed out that it has proposed to substitute Channel 221A for 292A at Moriah, New York, in order to resolve its conflict with a proposed assignment to Vergennes (RM-3693). However, the Moriah substitute assignment would affect the site selection of the Hanover assignment. A staff study has determined that locating the Hanover transmitter at least 7.2 kilometers (4.5 miles) northeast of the community would avoid short-spacing.

4. Petitioner has failed to provide alternative assignments for the precluded communities set forth in the *Notice*.[2] Thus we must assume there are no such alternatives. However, no other interest has been expressed in any of the precluded communities and we do not believe we should reserve the channel for future use at these relatively small communities.

5. Accordingly, in view of the fact that the assignment would provide Hanover with a second FM assignment and that the preclusion impact is not an obstacle, the Commission finds it to be in the public interest to assign Channel 221A to Hanover, New Hampshire.

6. Canadian concurrence in the proposal has been obtained.

7. Accordingly, it is ordered, that effective June 2, 1981, § 73.202(b) of the Commission's Rules, the FM table of Assignments, is amended for the community listed below, as follows:

[1] Population figures are taken from the 1970 U.S. Census.

[2] The precluded communities without an FM assignment and over 1,000 population are: Fair Haven, Vt. (population 2,779); Whitehall, N.Y. (population 3,764) and Granville, N.Y. (population 2,784).