Commodities, Class B, between the cities and towns of Helena, Winston, Townsend, Toston and White Sulphur Springs, Montana in interstate, intrastate and foreign commerce. Limitations: Transportation of the following is prohibited: (1) Heavy equipment and oilfield equipment, materials and supplies (Mercer Description Commodities); (2) Class A & B explosives; (3) Items of unusual value; (4) Commodities in bulk, in tank vehicles; (5) Household goods; and (6) Ashes, trash, waste, refuse, rubbish and garbage. Intrastate, interstate and foreign commerce authority sought. Hearing: date, time and place not yet fixed. Request for procedural information should be addressed to the Public Service Commission of The State of Montana, 1227 11th Avenue, Helena, MT 59601, and should not be directed to the Interstate Commerce Commission.

New York Docket No. T-320, filed February 2, 1981. Applicant: WATROUS MOTOR EXPRESS, INC., 300 East Molloy Road, Mattydale, NY 13211. Certificate of Public Convenience and Necessity sought to operate a freight service, as follows: Transportation of: General Commodities—Between all points in the Counties of Madison, Oneida, Onondaga and Oswego. Intrastate, interstate and foreign commerce authority sought. Hearing: date, time and place not yet fixed. Request for procedural information should be addressed to Department of Transportation, 1220 Washington Avenue, State Campus, Albany, NY 12232, and should not be directed to the Interstate Commerce Commission.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-14197 Filed 5-11-81; 8:45 am]

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[Permanent Authority Decisions Volume No. 77]

Restriction Removals; Decision-Notice

Decided: May 6, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR 1137. Part 1137 was published in the Federal Register of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,

Secretary.

MC 10397 (Sub-6)X, filed April 29, 1981. Applicant: FRED STOCK, INC., P.O. Box 367, Jersey City, NJ 07303. Representative: Robert B. Pepper, 168-Woodbridge Avenue, Highland Park, NJ 08904. Applicant seeks to remove restrictions in its lead permit to (1) broaden the commodity descriptions from (a) meat and packinghouse products, and (b) meat, meat products, meat by products, dairy products, and articles distributed by meat packinghouses as described in Appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766 to "food and related products" and (2) broaden the territorial descriptions to between points in the U.S. under continuing contract(s) with named shippers.

MC 47171 (Sub-215)X, filed April 30, 1981. Applicant: COOPER MOTOR LINES, INC., P.O. Box 2820, Greenville, SC 29602. Representative: Harris G. Andrew (same address as applicant). Applicant seeks to remove all exceptions in its general commodity authority except classes A and B explosives from its lead and Sub-Nos. 85, 87, 89, 90, 99, 108, 110, 114, 118, 128, 139F, 146F, 149F, 161F, 162F, 163F, 167F, 168F, 169F, 170F, 171F, 172F, 173F, 175F, 178F, 181F, 182F, 183F, 184F, 185F, 186F, 190F, and 192F certificates.

MC 66140 (Sub-8)X, filed April 17, 1981. Applicant: FYOCK MOTOR LINES, INC., 2700 E. Main St., Columbus, OH 43209. Representative: John P. McMahon, 100 E. Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions in its lead and Sub-Nos. 4, 6F, and 7F certificates to (1) broaden the commodity descriptions as follows: (a) in its lead, from brick and tile to "clay, concrete, glass or stone products", from petroleum and petroleum products to "petroleum, natural gas and their products", from empty containers for petroleum and petroleum products to "containers", from fertilizer to "chemicals and related products", from grain to "farm products", from coal to "coal and coal products", from canned foods, sugar and canned fruits and vegetables to "food and related products", from machinery for canneries to "machinery", from lumber to "lumber and wood products"; (b) in Sub-No. 4, from canned fruit and vegetable juices, except flowing syrup or fruit syrup to "food and related products"; (c) in Sub-No. 6F, from sugar (except liquid sugar) to "food and related products"; and (d) in Sub-No. 7F, from sugar (except in bulk), sugar and sugar products (except in bulk), and individual servings of condiments, dressings, spices, sauces, food flavoring, and individual servings of packaged food items to "food and related products"; (2) remove the container restriction in the lead and except in bulk restrictions in Sub-No. 7F; (3) replace authority to serve named points with country-wide authority as follows: (a) in the lead, Thornton, WV to Taylor County, WV; Mount Savage, MD to Allegany County, MD; Mountain Lake Park, MD, to Garrett County, MD; Friendsville, MD, to Garrett County, MD; Elkins, WV to Randolph County, WV; Frederick, MD to Frederick County, MD; Front Royal, VA, to Warren County, VA; Warrenton, VA, to Fauquier County, VA; Martinsburg, WV, to Berkeley County, WV; Mt. Airy, MD to Carroll County, MD; York, PA, to York County, PA; Reading, PA to Berks County, PA; Clarksburg, WV to Harrison County, WV; Bellaire, OH to Belmont County, OH; Butler, PA, to Butler County, PA; Chambersburg, PA, to Franklin County, PA; Uniontown, PA, to Fayette County, PA; (4) remove the facilities restrictions: at Baltimore, MD in Sub-No. 6F; and at Brooklyn, NY, Philadelphia, PA, and Pitman, NJ, in Sub-No. 7F; (5) remove the originating at and destined to restriction in Sub-No. 7F; and (6) authorize two-way service in place of one-way service in all the above certificates between various combinations of points in MD, WV, PA, OH, VA, MI, IN, IL, KY, NY, NJ, and DC.

MC 71652 (Sub-52)X, filed April 21, 1981. Applicant: BYRNE TRUCKING, INC., 4669 Crater Lake Highway, P.O. Box 280, Medford, OR 97501. Representative: James Hardy (same as applicant). Applicant seeks to remove restrictions from its Sub-Nos. 9, 10, 11,

12, 13, 14, 15, 19F, 20F, 21F, 22F, 25F, 27F, 28F, 29F, 30F, 31F, 32F, 35F, 36F, 37F, 38F, 40F, 43F, 44F, 46F, 48F, 49F, and 50F certificates to (1) broaden the commodity to (a) "clay, concrete, glass or stone products" from gypsum wallboard and materials used in the installation of gypsum wallboard in Sub-No. 9, flat glass in Sub-No. 12, fiberglass materials, fiberglass products, fibrous glass mineral wool products, fibrous glass textile materials, fibrous glass textile products in Sub-No. 21F, and buildings, complete, knocked down, or in sections, building sections and building panels, parts and accessories used in the completion of those commodities in Sub-No. 37F; (b) "metal products" from chain link fencing in Sub-No. 10, steel wire rope in Sub-No. 13, fencing, poultry, netting, wire and wire products in Sub-No. 19, iron and steel articles in Sub-Nos. 25F and 31F, aluminum and aluminum articles in Sub-No. 30F, metal prefabricated strctural components in Sub-No. 37F, aluminum and aluminum products in Sub-No. 40F, iron and steel pipe, fence posts, and conduits in Sub-No. 46; and steel articles in Sub-No. 50F; (c) "building materials" from roofing and roofing materials in Sub-Nos. 15, and 22F; roofing materials in Sub-Nos. 21F and 36F, and building board in Sub-Nos. 27F and 43F; (d) "lumber and wood products" from compressed wood fiberboard in Sub-No. 20F, and composition board and wood fibre products in Sub-No. 38F; (e) "pulp, paper and related products" from building, roofing and sheathing paper in Sub-No. 19F; (f) "rubber and plastic products" from plastic pipe in Sub-No. 26F, and plastic sheet in Sub-Nos. 35F and 44F; (g) "construction materials and supplies" from structural building components in Sub-No. 28F; and (h) "lumber and wood products" from building, complete, knocked down, or in section in Sub-No. 37F; (2) replace authority to serve plantsites or cities with county-wide authority as follows: in Sub-No. 9, Contra Costa County, CA for facilities in Antioch, CA, in Sub-No. 10, Los Angeles County, CA for facilities at Whittier, CA; in Sub-No. 12, Fresno County, CA for facilities at Kingsburg, CA; in Sub-No. 14, San Joaquin County, CA for facilities at Stockton, CA; in Sub-No. 15, Constra Costa County, CA for facilities at Richmond, CA; in Sub-No. 19F, Los Angeles County, CA for facilities City of Commerce, CA, and City of Industry, CA, Alameda County, CA for facilities at Hayward, CA, and Riverside County, CA for facilities at Riverside, CA; and King County, WA for facilities at Kent, WA; in Sub-No. 20F, Columbia County, OR for facilities at St. Helens, OR; in Sub-No. 21F, Santa Clara County, CA for facilities of Santa Clara, CA; in Sub-No. 22F, Contra Costa County, CA for facilities at Pittsburg, CA, and Los Angeles County, CA for facilities at Los Angeles, CA; in Sub-No. 25F, Yamhill County, OR for facilities at McMinnville, OR; in Sub-No. 26F; Umatilla County, OR for McNary, OR; in Sub-No. 27F, Mendocino County, CA for facilities at Ukiah, CA; in Sub-No. 28F, Santa Clara County, CA for facilities at San Jose, CA; in Sub-No. 29F, Kenn County, CA for facilities at Bakersfield, CA; in Sub-No. 30F, Spokane County, WA for facilities at Spokane, WA; in Sub-No. 32F, Yakima County, WA for Yakima, WA; in Sub-No. 35F, San Diego County, CA for facilities at San Diego, CA, and King County, WA for facilities at Seattle, WA; in Sub-No. 36F, Thruston County, WA for facilities at Tumwater, WA; in Sub-No. 37F, Kings County, CA for facilities at Tumwater, WA; in Sub-No. 37F, Kings County, CA for facilities at Hanford, CA; in Sub-No. 38F, Umatilla County, OK for facilities at Pilot Rock, OR; in Sub-No. 40F, Multnomah County, OR for facilities at Troutdale, OR and Cowlitz County, WA for facilities at Longview, WA; in Sub-No. 43F, Mendocino County, CA for facilities at Ukiah, CA; in Sub-No. 44F, San Diego County, CA for facilities at San Diego, CA; in Sub-No. 48F, Fresno County, CA for facilities at Kingsburg, CA; and, in Sub-No. 49F, Ada County, ID for Boise, ID; (3) remove plantsite restrictions in Sub-Nos. 9, 10, 12, 13, 14, 15, 19F, 20F, 21F, 22F, 25F, 26F, 27F, 28F, 29F, 30F, 31F, 32F, 35F, 36F, 37F, 38F, 40F, 43F, 44F and 48F; and (4) authorize radial service in place of existing one-way authority in Sub-Nos. 9, 10, 11, 12, 13, 14, 15, 19F, 20F, 21F, 22F, 25F, 27F, 28F, 29F, 30F, 31F, 32F, 35F, 36F, 37F, 38F, 40F, 43F, 44F, 48F, and 49F, generally between points in (2) above and points in the U.S.

MC 104421 (Sub-36)X, filed April 17, 1981. Applicant: ECONOLINES, INC., P.O. Box 623 DTS, Omaha, NE 68101. Representative: Roger W. Norris (same as applicant). Applicant seeks to remove restrictions in its Sub-Nos. 15, 16, 18M1F, 19, 23, 24F and 25F certificates to (1) broaden the commodity descriptions from (a) general commodities with exceptions, to "general commodities (except classes A and B explosives)" in Sub-Nos. 15 and 25F; (b) livestock, agricultural commodities, machinery, feed, household goods, and immigrant movables to "household goods, immigrant movables, and such commodities as are dealt in or used by manufacturers or distributors of farm products or machinery, and materials, equipment and supplies used in the manufacture, distribution and sale of those commodities named above" in Sub-No. 16; (c) commodities used in the manufacture, operation, maintenance, and repair of motor vehicles to "such commodities as are used in the manufacture, operation, maintenance, and repair of motor vehicles, materials, equipment and supplies used in the manufacture, distribution and sale of the commodities named above" in Sub-No. 18M1F; (d) such commodities as are dealt in or used by banking and financial institutions, to "such commodities as are dealt in or used by banking and financial institutions, and materials, equipment and supplies used in the manufacture, distribution and sale of the commodities named above" in Sub-No. 19; (e) such commodities as are dealt in and used by manufacturers and distributors of irrigation systems to "such commodities as are dealt in and used by manufacturers and distributors of irrigation systems, and materials, equipment and supplies used in the manufacture, distribution and sale of the commodities named above" in Sub-No. 23; and (f) such commodities as are dealt in and used by manufacturers and distributors of motor vehicle parts, supplies, and accessories, to "such commodities as are dealt in and used by manufacturers and distributors of motor vehicle parts, supplies, and accessories, and, materials, equipment and supplies used in the manufacture, distribution and sale of the commodities named above" in Sub-No. 24F; (2) expand one-way to radial authority between (a) Denver, CO, and points within 25 miles thereof, and, points in Lincoln County, NE, in Sub-No. 16, page 2; and (b) points in OK and TX, and points in Mills, Montgomery, and Pottawattamie Counties, IA, in Sub-No. 19, page 2; (3) remove the restrictions: (a) except lumber and commodities in bulk in Sub-No. 18M1F; (b) except paper, paper products, plastic articles, and commodities in bulk in Sub-No. 19; (c) except commodities in bulk, in tank or hopper vehicles in Sub-No. 23; (d) except chemicals, paper, and commodities in bulk, in Sub-No. 24F; and (e) except AK and HI in Sub-Nos. 19 and 23.

MC 113459 (Sub-145)X, filed April 16, 1981. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. BOX 94850, Oklahoma City, OK 73143. Representative: Thomas L. Cook, 5801 Marvin D. Love Freeway, #301, Dallas, TX 75237. Applicant seeks to remove restrictions in its Sub-Nos. 9, 10, 11, 20, 24, 32, 39, 40, 43, 44, 53, 54, 55, 57, 58, 61, 62, 67, 68, 78, 79, 80, 82, 83, 85G, 86, 88, 89, 91, 92, 93, 94, 95, 96, 97, 98, 102, 107, 109, 110, 111, 113, 118, 120,

121, 122, 123, 124, 125, 126, 128, 129, 130, 133, 134, 135 and E2 letter notice to (1) broaden the commodity description to "metal products" from various commodities such as pipe in Sub-No. 9, iron and steel articles in Sub-Nos. 40, 53, 54, 124, 130, tubing, other than oilfield tubing in Sub-No. 57; metal tubing and pipe in Sub-No. 58; steel tubing, other than oilfield tubing in Sub-No. 61; iron and steel articles (except pipe used in, incidental to, or in connection with, the preservation, etc of natural gas and petroleum and their products and by-products) in Sub-No. 62; refined copper in Sub-No. 89; rough castings in Sub-No. 92; iron and steel articles, aluminum articles, iron and steel tanks, and aluminum tanks in Sub-No. 97; metal tubing, other than oil field in Sub-No. 98; metal castings and pulleys in Sub-No. 111; iron and steel forgings (except those requiring the use of special equipment) in Sub-No. 129; to "machinery, Mercer commodities, and those commodities which because of their size or weight require special equipment "from machinery, equipment, materials and supplies used in, or in connection with the construction, etc. of natural gas and petroleum and their products and by-products; machinery, equipment, materials and supplies used, or in connection with construction, etc. of pipe lines and such commodities which because of size or weight require special equipment in Sub-No. 10; to "Mercer commodities and commodities which because of size or weight require special equipment" from machinery, equipment, materials and supplies used in, or in connection with the discovery, etc. of natural gas and petroleum and commodities which because of size or weight require special equipment in part 1 of Sub-No. 11; to "Mercer commodities" from machinery, equipment, materials and supplies used in or in connection with the discovery, etc. of natural gas and petroleum in part (2) of Sub-No. 11; to "machinery and metal products" from machinery, equipment, materials and supplies used in or in connection with the construction, etc. of pipe lines in Sub-No. 20; from refined copper and equipment, materials and supplies used in its mining and manufacture in Sub-No. 134; from structural poles and parts, attachments, and accessories and materials, equipment and supplies in Sub-No. 83; to "machinery and transportation equipment" from self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools and supplies in Sub-No. 24; from tractors (except tractors used in pulling commercial highway trailer), scrapers, motor graders, wagons, engines (except aircraft and missile engines), generators, engines and generators combined, welders, road rollers, and off-highway trucks and/or lift trucks, excavators, pipelayers and dump trucks designed for off-highway use in Sub-Nos. 39, 126, 107 and 95 from material handling equipment, winches, compaction and roadmaking equipment, rollers, mobile cranes, and highway freight trailers in Sub-Nos. 43, 80 and 128; from lift and hoist trucks and tractors (other than truck tractors) and attachments and accessories in Sub-No. 44; from road construction machinery and equipment and parts, attachments and accessories in Sub-No. 68; to "chemicals and related products" from chemicals in Sub-No. 122; and from chemicals (except in bulk) in Sub-No. 135; to "chemicals and related products and rubber and plastic products" from plastic pipe, plastic tubing, plastic conduit, valves, fittings, compounds, joint sealers, bonding, cement, primer, coating, thinner, and accessories in Sub-No. 32; to "lumber and wood products" from particleboard in Sub-No. 55; from pre-cut, unassembled, log and wood buildings in Sub-No. 102; from prefabricated wood buildings in Sub-No. 120; to "machinery" from agricultural tractors and implements in Sub-No. 67, from agricutural implements, industrial mowers, scrapers, post hole diggers, and rakes in Sub-No. 78; and, from metal working machinery in Sub-No. 123; to "transportation equipment" from trailers and trailer chassis (other than those designed to be drawn by passenger automobiles) in Sub-No. 79; to "machinery and commodities because of size or weight require special equipment" from self-propelled articles, each weighing 15,000 pounds or more, and related machines, tools, parts and supplies when moving in connection therewith the transportation of which because of size or weight require the use of special equipment in Sub-No. 85 G and E letter notice E2; from dust collection systems and parts for dust collecting systems, grain handling equipment, and equipment, materials and supplies in Sub-No. 125; from mining machinery and equipment because of size or weight require special equipment in Sub-No. 91; to "building materials" from building panels in Sub-No. 82; to "metal products and building materials" from buildings, building sections and building panels, and metal prefabricated structural component in Sub-No. 88; to "machinery, metal products, transportation equipment, and commodities which because of size or weight require special equipment" from contractor's, construction and mining machinery in Sub-No. 93; to "metal products and commodities which because of size or weight require special equipment" from buildings complete, knocked down or in sections, building sections and building panels and metal prefabricated structural components in Sub-No. 94; to "ores and minerals, metal products and waste or scrap materials not identified by industry producing" from aluminum ingots, alloys and slag, and zinc ingots and alloys and nonferrous metal scrap in Sub-No. 96; to "metal products and commodities which because of size or weight require special handling" from prefabricated buildings in Sub-No. 110; to "machinery, metal products and lumber and wood products" from cooling towers and cooling tower parts and accessories in Sub-No. 113; to "rubber and plastic products" from rubber and plastic railroad ties, flooring and decking in Sub-No. 118; and to "machinery, metal products, transportation equipment, and commodities which because of size or weight require special equipment "from metal buildings, complete, knock down or in sections and parts and accessories for metal buildings, off-highway vehicles, and parts and accessories, power plant components and accessories, fabricated steel structures, and materials, equipment and supplies for all the above listed commodities in Sub-No. 133; (2) remove facilities limitations (a) in Sub-No. 43 and replace Danville and Kenawee, IL with Vermilion and Henry Counties, IL, (b) in Sub-No. 44 and replace Mentor, OH with Lake County, OH (c) in Sub-Nos. 54, 79, 80, 82, 88, 94, 107, 109, 113, 120, 133, (d) in Sub-No. 57 and replace Rosenberg, TX with Fort Bend County, TX, (e) in Sub-No. 96 and replace Checotah, OK with McIntosh County, OK (f) in Sub-No. 102 and replace Missoula, MT with Missoula County, MT, (g) In Sub-No. 110 and replace Fort Collins, CO with Larimer County, CO, (h) in Sub-No. 111 and replace Blackwell, OK with Kay County, OK, (i) in Sub-No. 118 and replace Irving, TX with Dallas County, TX, (j) in Sub-No. 128 and replace Danville and Kenawee, IL with Vermilion and Henry Counties, IL, (3) change city to county-wide authority (a) from Corpus Christi and Galveston, TX to Nueces and Galveston Counties, TX in Sub-No. 40 (b) Mannford, and Sand Springs, OK to Creek and Tulsa Counties, OK in Sub-No. 98, (c) Columbia Falls, MT to Flathead County, MT in Sub-No. 121, (d) Moundridge, KS to McPherson County, KS in Sub-No. 123, (e) Hutchinson, KS to Reno County, KS in Sub-Nos. 124 and 125, (f) Claremore, OK to Rogers County,

OK in Sub-No. 129, (g) Springfield, MO to Greene County, MO in Sub-No. 130, (h) Garfield, UT and Hurley, NM to Salt Lake County, UT and Grant County, NM in Sub-No. 134, (4) remove the "originating at and/or destined to "restriction in Sub-Nos. 39, 43, 44, 61, 62, 68, 80, 83, 89, 93, 94, 95, 97, 98, 120, and 133, (5) remove the "in bulk" restriction in Sub-Nos. 83, 89, 93, 96, 98, 102, 122, 133, 134 and 135, (6) remove the restriction against interchange at named points in Sub-No. 9, (7) remove the restriction against service to the stringing and picking up of pipe in connection with main or trunk pipelines or commodities moving to main or trunk pipelines in Sub-Nos. 10, 11, 20, and 62, (8) remove restriction against transportation to AK in Sub-Nos. 57, 61, 62, 82, 88, 89, 92, 113, 118, 124, 126, 129, and 130, (9) remove restriction to traffic moving in interstate commerce or having a prior movement by water in Sub-No. 95 (10) remove the restrictions to transportation of traffic transported on trailers in Sub-Nos. 24 and 85G, and (11) change one-way to radial authority between various combinations of points throughout the U.S. in Sub-Nos. 9, 10, 11, 20, 24, 32, 39, 40, 44, 53, 54, 55, 57, 58, 61, 62, 67, 78, 79, 82, 86, 88, 89, 92, 93, 94, 95, 96, 97, 98, 102, 107, 109, 110, 111, 113, 118, 120, 121, 123, 124, 129, 130, and 135.

MC 114019 (Sub-266)X, filed April 13, 1981. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 5501 West 79th Street, Burbank, IL 60459. Representative: Arnold L. Burke, 180 North LaSalle Street, Chicago, IL 60601. Applicant seeks to remove restrictions from its Sub-Nos. 62, 80, 97, 117, 170, 190, and 200 certificates, and letter-notices E64, E82, E178, E258, E385, and E429 to (1) broaden commodity descriptions (a) from frozen foods, chewing gum, food products, foodstuffs, edible oils, and animal fats, etc., to "such commodities as are dealt in by food business houses" in Sub-Nos. 62, 80, 117, 170, 190, 200, E64, E82, E178, E258, E385, and E429; (b) from petroleum products to "petroleum or coal products" in Sub-No. 97; (c) by removing all exceptions other than classes A and B explosives from general commodity authority in Sub-Nos. 173, and 200; (d) from liquid hog mucus to "commodities in bulk" in Sub-No. 190; and (e) in Sub-No. 200 as follows: from specific items such as drugs, toilet articles, and preparations, to "chemicals and related products and instruments, photographic goods, optical goods, watches or clocks", from printing paper, wallpaper, etc to "pulp, paper and related products," from iron and steel articles, wire, etc to "metal products," from rolling mill machinery, rigid conduit, electric cable, armored cable, lanterns, lamp burners, and boat davits to "machinery," from rubber sheeting and equipment, materials, supplies, and advertising matter used or useful in the manufacture, processing or sale of rubber products; and scrap rubber to "rubber and plastic products" from office supplies, ink, typewriter ribbons, carbon paper, stamp pads, mucilage, adhesive paste, glue, paste, liquid cement, and metal polish destrine, to "office supplies and chemicals and related products," and "miscellaneous products of manufacturing" from petroleum products to "petroleum or coal products" (2) delete equipment restrictions such as "in mechanically refrigerated vehicles", and "in containers", etc., in Sub-Nos. 62, 97, 117, 170, 190, and E178; (3) remove restrictions against the transportation of bulk commodities and in tank vehicles, in Sub-Nos. 117, E64, and E82; (4) eliminate facilities limitations in Sub-No. 173; (5) replace one-way authority with two-way authority between points located throughout the United States; (6) allow service at all intermediate points in connection with the regular-route portions of the certificate in Sub-No. 200 between specified points located mainly in the eastern portion of the U.S.; (7) delete restrictions which prohibit (a) transportation of specified commodities between specified points or; (b) less than county-wide service; (8) eliminate the "originating at or destined to" restrictions in each certificate and (9) replace city-wide authority with county-wide authority wherever the following appear in each certificate: Rouseville, Oil City, Reno, Emlenton, Franklin, and Farmers Valley to Venago, County, PA; Bradford with McKean County, PA; St. Marys with Pleasants County, WV; Rochester with Monroe County, NY; Milan with Rock Island County, IL; Champaign with Champaign County, IL; Burns Harbor with Porter County, IN; Brocton, Westfield and Silver Creek with Chautauqua County, NY; Lawton and Mattawan with Van Buren County, MI; North East and Buffalo with Erie County, PA; Bay City with Bay County, MI; Syracuse with Onondago County, NY; Rochester and Fairport with Monroe County, NY; Utica with Oneida County, NY; Amsterdam with Montgomery County, NY; Schenectady with Schenectady County, NY; Albany with Albany County, NY; Troy with Rensselaer County, NY; Binghanton with Broome County, NY; Fulton and Oswego with Oswego County, NY; Blue Island with Cook County, IL; Effingham with Effingham County, IL; Eureka with Woodford County, IL; Morrision with Whiteside County, IL; Morton and Washington with Tazewell County, IL; Nappanee with Elkhart County, IN; Mishawaka with St. Joseph County, IN; Wilmington with New Castle County, DE; Boothbay Harbor with Lincoln County, ME; Portland with Cumberland County, ME; Rockland with Knox County, ME; Springdale with Washington County, AR; Coffeyville with Montgomery County, KS; Fort Dodge with Webster County, IA; Estherville with Emmet County, IA; Prairie du Chien with Crawford County, WI; Madison with Dane County, WI; Austin with Mower County, MN; Albert Lea with Freeborn County, MN; Owatonna with Steele County, MN; Faribault with Rice County, MN; Newport with Washington County, MN; South St. Paul with Dakota County, MN; Brockport and Webster with Monroe County, NY; Geneva with Ontario County, NY; Le Roy with Genesee County, NY; Medina and Morton with Orleans County, NY; Ontario, Ontario Center, and Sodus with Wayne County, NY; Ottumwa with Wapello County, IA; Lincoln with Lancaster County, NE; Marshall with Saline County, MO; Macon and Decatur with Macon County, MO; Milan with Sullivan County, MO; Carrollton with Carroll County, MO; Moberly with Randolph County, MO; Sharon and Farrell with Mercer County, PA; Pittsfield with Berkshire County, MA; Kankakee, Bradley, and Momence with Kankakee County, IL; Storm Lake with Buena Vista County, IA; Rochelle with Ogle County, IL; West Point with Cuming County, NE; Worthington with Nobles County, MN; Mansfield with Bristol County, MA; Darien with Walworth County, WI; Eagle Grove with Wright County, IA; Cedar Rapids with Linn County, IA; Monmouth with Warren County, IL; Spencer with Clay County, IA; Phelps City with Atchison County, MO; Cherokee with Cherokee County, IA; Grand Island with Hall County, NE; Fort Atkinson with Jefferson County, WI; Denison with Crawford County, IA; Fort Dodge with Webster County, IA; South Bend and Mishawaka with St. Joseph County, IN; Elkhart and Goshen with Elkhart County, IN; Holland with Dubois County, IN; Peru with Miami County, IN; Richmond with Wanye County, IN; Fort Wayne with Allen County, IN; Logansport with Cass County, IN; Indianapolis with Marion County, IN; La Porte with La Porte County, IN; Lafayette with Tippecanoe County, IN; Berne with Adams County, IN; Evansville with Vanderburgh County, IN; Carbondale with Jackson County, IL; Champaign with Champaign County, IL;

Danville with Vermillion County, IL; Joliet with Will County, IL; Streator with La Salle County, IL; Rockford with Winnebago County, IL; Peoria with Peoria County, IL; Springfield with Sangamon County, IL; Rock Island, Milan and Moline with Rock Island County, IL; Salem with Columbiana County, OH; Youngstown with Mahoning County, OH; Warren with Trumbull County, OH; West Richfield with Summit County, OH; Kimberton with Chester County, PA; Scranton with Lackawanna County, PA; Pittston with Luzerne County, PA; Schuyler with Colfax County, NE; Garden City with Finney County, KS; Sterling with Whiteside County, IL; Lafayette with Tippecanoe County, IN; Duryea with Luzerne County, PA; Mason City with Cerrto Gordo County, IA; Green Bay with Brown County, WI; Perry with Dallas County, IA; Worthington with Nobles County, MN; Mankato with Blue Earth County, MN; Albert Lea with Freeborn County, MN; Fairmont with Martin County, MN; Winnebago with Fairbault County, MN; Brockton with Plymouth County, MA; Beardstown with Cass County, IL; Bureau with Bureau County, IL; Sterling with Logan County, CO; Fort Morgan with Morgan County, CO; Fulton and Oswego with Oswego County, NY; Burlington with Racine County, WI; Springfield with Hampden County, MA; Logansport with Cass County, IN; Green Bay with Brown County, WI; Parkersburg with Wood County, WV; Orma with Calhoun County, WV; Barnsville with Belmont County, OH; Altoona with Blair County, PA; Harrisburg with Dauphin County, PA; Easton with Northampton County, PA; Barnesboro with Cambria County, PA; Waterford with Washington County, OH; Stamford with Fairfield County, CT; Clinton with Middlesex County, CT; Monticello with White County, IN; Ambler with Montgomery County, PA; Fieldsboro with Burlington County, NJ; Perth Amboy and New Brunswick with Middlesex County, NJ; Bloomington with Hennepin County, MN; Delaware City with New Castle County, DE; Port Newark with Essex County, NJ; Oakville with Litchfield County, CT; Waterloo with De Kalb County, IN; Northfield with Rice County, MN; South Bound Brook and Raritan with Somerset County, NJ; Bonner Springs and Loring with Wyandotte County, KS; Marcus Hook with Delaware County, PA; Glens Falls with Warren County, NY; Angola with Steuben County, IN; Sycamore with De Kalb County, IL; Sturgis with St. Joseph County, MI; Kalamazoo with Kalamazoo County, MI; Spring Grove with York County, PA; Troy with Miami County, OH; Passaic with Passaic County, NJ; Neenah with Winnebago County, WI; Cambridge with Middlesex County, MA.

Note.—Carrier's authority to tack will be governed by 49 CFR 1042.10(b).

MC 123061 (Sub-140)X, filed April 20, 1981. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, P.O. Box 16026, Salt Lake City, UT 84116. Representative: Harry D. Pugsley, 940 Donner Way No. 370, Salt Lake City, UT 84108. Applicant seeks to remove restrictions in its Sub-Nos. 17 (part), 25, 34, 36, 37, 49, 52, 61, 69, 92, 94, 105F, 119F, and 135F certificates and E–1 letter notice, to (A) broaden the commodity description in each to "building materials and supplies" from lumber, lumber and mill products (except shingles and shakes), shingles, lime and lime products (in bulk or in bags), aggregate, brick and clay tile, and masonry products; (B) remove restrictions against the transportation of shipments originating at the names origins and destined to the named destinations in Sub-Nos. 36, 49, and 61; and (C) broaden the territorial descriptions from one-way service to radial service in all certificates.

MC 125687 (Sub-25)X, filed April 24, 1981. Applicant: EASTERN STATES TRANSPORTATION PA., INC., 1060 Lafayette Street, York, PA 17405. Representative: Jeremy Kahn, Suite 733 Investment Building, 1511 K Street, NW., Washington, DC 20005. Applicant seeks to remove restrictions in its lead and Sub-Nos. 2, 9, 10, 14, 19F, 20F and 21F certificates to (1) broaden the commodity descriptions as follows: in the lead and Sub-Nos. 2, 10, 14, and 19F, from malt beverages (some in containers), to "food and related products"; in the lead and Sub-Nos. 9, 20F and 21F, from paper and paper products, paperboard, printed or otherwise, and materials, equipment and supplies used in the manufacture and distribution of paper and paper products (except in bulk, in tank vehicles), to "pulp, paper and related products"; (2) broaden the territorial scope by replacing one-way radial authority in the lead and Sub-Nos. 2, 10, 14, 19F, 20F and 21F, and replacing named plantsite or city-wide authority with county-wide authority as follows: in the lead, Newark and points within 30 miles thereof with Essex, Hudson, Bergen, Union, Monmouth, Middlesex, Somerset, Morris, Sussex and Passaic Counties, NJ, New York, NY, and Nassau, Westchester, and Rockland Counties, NY, and Bordentown with Burlington County, NJ; in Sub-No. 2, Natick with Middlesex County, MA; in Sub-No. 9, Lock Haven with Clinton County, PA; in Sub-No. 10, Williamsburg with James City County, VA, and Easton, Elkton, Frostburg and Berlin with, respectively, Talbot, Cecil, Allegany and Worcester Counties, MD; in Sub-No. 14, Lysander with Onondaga County, NY; in Sub-No. 19F, Rochester with Monroe County, NY; in Sub-No. 20F, Riegelsville with Bucks County, PA; and in Sub-No. 21F, Erie and Lock Haven with Erie and Clinton Counties, PA, and Oswego with Oswego County, NY.

MC 129526 (Sub-18)X, filed April 30, 1981. Applicant: FACTOR TRUCK SERVICE, INC., 2607 Old Rodgers Road, Bristol, PA 19007. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. Applicant seeks to remove restrictions in its lead and Sub-Nos. 2, 3, 7, 10, 11, 12, 13, 14, 15, and 16 permits to (1) broaden the commodity descriptions from (a) in its lead and Sub-Nos. 2 and 3 from fluorescent lighting fixtures, electric transformers, plastic sheets and extrusions, and parts and accessories for fluorescent lighting fixtures to "machinery and rubber and plastic products"; (b) in Sub-No. 7, (1) from toys, bicycles, sporting goods and infant furniture to "furniture and fixtures, transportation equipment and miscellaneious products of manufacturing" and (2) from corrugated containers and materials used in the construction of corrugated containers to "pulp, paper and related products" and (3) from fluorescent lighting fixtures and parts and accessories thereof, plastic sheets and extrusions, fluorescent lamps, glass and electrical transformers to "machinery, rubber and plastic products and clay, concrete, glass or stone products"; (c) in Sub-Nos. 11 and 12, from electric lighting fixtures and parts for electric lighting fixtures and glass used in the manufacture of lighting fixtures to "machinery and clay, concrete, glass or stone products"; (d) in Sub-No. 13, from grinding wheels and materials used in the manufacture of grinding wheels to "machinery"; (e) in Sub-No. 14, from printed matter and catalogs to "printed matter"; (f) in Sub-No. 15, from bakery products (except commodities in bulk), seasoning powders and corn meal, in bags, to "food and related products"; (g) in Sub-No. 16, from footwear to "rubber and plastic products and leather and leather products"; and, (2) to broaden its territorial descriptions to between points in the U.S. under continuing contract(s) with named shippers.

MC 133666 (Sub-32)X, filed April 28, 1981. Applicant: JACOBSON TRANSPORT, INC., 1112 Second Ave.

So., Wheaton, MN 56296. Representative: Thomas J. Burke, Jr., 1600 Lincoln Center, 1660 Lincoln Street, Denver, CO 80264. Applicant seeks to remove restrictions in its lead and Sub-Nos. 1, 2, 4, 13, 15, 20, 23F, 26F, 27, and 29F certificates to (1) broaden the commodities descriptions to "commodities in bulk" from: anhydrous ammonia, in bulk in the lead and Sub-Nos. 1, 13, and 15; liquefied petroleum gas, in bulk in Sub-No. 2; asphalt and road oils, in bulk in Sub-No. 4; liquid fertilizer, in bulk in Sub-No. 20; road asphalt and fuel oils in Sub-No. 23F; road asphalt, road oil, and fuel oils, in bulk in Sub-Nos. 26F and 27; and petroleum products, in bulk in Sub-No. 29F; (2) eliminate the in tank vehicle restriction wherever it appears in the above named certificates; (3) change its one-way authorities to radial authorities between points in central U.S.; (4) remove named-point authority and replace with county wide authority as follows: Whiting, Early and Garner with Monona, Sac and Hancock Counties, IA, and, Borger, with Hutchinson County, TX, in the lead; Spencer with Clay County, IA, in Sub-No. 1; Glenwood with Pope County, MN, in Sub-Nos. 2 and 13; Barnesville and Benson with Clay and Swift Counties, MN, in Sub-No. 15; Alexandria with Douglas County, MN, in Sub-No. 20; Casper and Cody with Natrona and Park Counties, WY; and Billings and Laurel with Yellowstone County, MT, in Sub-No. 27; and (5) remove the facilities limitations in the lead and Sub-Nos. 1, 13, and 15.

MC 136051 (Sub-5)X, filed April 29, 1981. Applicant: RPD, INC., 3600 N.W. 82nd Ave., Miami, FL 33166. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Applicant seeks to remove restrictions from its Sub-No. 1 permit to: (1) broaden the commodity description from motor vehicle parts, materials and supplies, and equipment, materials, and supplies utilized in the manufacture thereof (except commodities in bulk) to "transportation equipment and equipment materials, and supplies used in the manufacture thereof; and (2) expand its territorial description to "between points in the U.S. under continuing contract(s) with a named shipper.

MC 143209 (Sub-11)X, filed March 9, 1981, previously noticed in the Federal Register of March 23, 1981, republished as corrected this issue. Applicant: HOUSTON FREIGHTWAYS, INC., 10010 Clinton Drive, Galena Park, TX. Representative: C. W. Ferebee, 720 N. Post Oak, Suite 230, Houston, TX 77024. Applicant seeks to remove restrictions in its Sub-Nos. 3, 7F and 9F certificates to (1) broaden the commodity descriptions to "petroleum or coal products", from coal tar and coal tar products, rust preventive pipeline coating and petroleum pitch in Sub-Nos. 3, 7, and 9F; (2) remove the commodity restrictions in Sub-Nos. 3, 7, 9; (3) authorize county-wide service for city-wide authority; Morris County for Lone Star, TX; Larimer County for Fort Collins, CO; and Jefferson County for Birmingham, AL, in Sub-No. 7; Larimer County for Fort Collins, CO, and Canadian County for El Reno, OK, in Sub-No. 9; (4) authorize radial service in lieu of existing one-way authority between the above counties and points in CO, AL, OK, LA, AR, in all three Sub-Nos. The purpose of this republication is correct the commodity description to read to "petroleum or coal products" in all Sub-Nos.

MC 147647 (Sub-4)X, filed April 22, 1981. Applicant: LOUIE R. PARRISH, AND ALICE R. PARRISH, d.b.a. PARRISH TRUCK LINE, P.O. Box 762, Monticello, AR 71655. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205. Applicant seeks to remove restrictions in its Sub-No. 3F certificate to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)," (2) authorize service at all intermediate points in its regular route authority on its regular routes in TN and AR and (3) to replace authority to serve a named facility as are off-route point with county-wide authority: facilities at or near Rohwer, AR and Hermitage, AR with off-route points in Desha County, AR and Bradley County, AR, respectively.

MC 148655 (Sub-14)X, filed April 22, 1981. Applicant: ERIEVIEW CARTAGE, INC., 100 Erieview Plaza, Cleveland, OH 44101. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. Applicant seeks to remove restrictions in its Sub-Nos. 5, 6, and 7 certificates to (1) broaden the commodity descriptions (a) from animal food, animal food ingredients, animal food supplements and additives and materials, and supplies used in their manufacture and distribution to "food and related products" in Sub-No. 5; (b) from carpet strip and carpet adhesives to "metal products, and chemicals and related products" in paragraph (1) of Sub-No. 6, and from nails to "metal products" in paragraph (2) of Sub-No. 6; (c) from adhesives, cleaning, preserving and sealing products, solvents, stains, plastic carpet, carpet strips and mouldings and equipment and supplies used in their manufacture to "chemicals and related products, rubber and plastic products, metal products, and lumber and wood products", in Sub-No. 7; (2) replace authority to serve cities or shippers facilities at named points with county designations (a) Coles County, IL (Mattoon), in Sub-No. 5; (b) Buncombe County, NC (Asheville), Chatham and Bryan Counties, GA (Savannah) in Sub-No. 6; (c) Kalamazoo County, MI (Kalamazoo) and Montgomery and Greene Counties, OH (Dayton), in Sub-No. 7; (3) change its one-way authority to radial authority between points in the U.S. in and East of MT, WY, CO, and NM in Sub-Nos. 6 and 7; (4) eliminate except commodities in bulk restrictions in Sub-Nos. 5 and 7; (5) eliminate the except AK and HI restrictions in Sub-No. 5; and (6) eliminate the originating at or destined to restriction in Sub-No. 5.

MC 149308 (Sub-14)X, filed April 15, 1981. Applicant: VICTORY FREIGHTWAY SYSTEM, INC., P.O. Box "P", Sellersburg, IN 47172. Representative: William P. Jackson, Jr., P.O. Box 1240, Arlington, VA 22210. Applicant seeks to remove restrictions in the lead, and Sub-Nos. 2F, 6F, and 7F certificates, and No. MC-142062 Sub-Nos. 1, 3, 4, 8, 14F, 21F, 23F, 29F, 35F, and 38F permits to (A) broaden the commodity descriptions: to "food and related products" from bananas and sugar in Sub-Nos. 6 and 7 certificates; to "building and construction materials" from interior ceiling systems, and parts and accessories in Sub-No. 1 permit, to "clay, concrete, glass and stone products" from mineral wool and mineral wool products in Sub-No. 4 permit; to "metal products" from aluminum and aluminum products, and custom wheels and parts, in Sub-Nos. 8 and 23 permits; and to "Chemicals and related products" from cleaning and buffing compounds in Sub-No. 14 permit; and remove exceptions of "commodities in bulk" in Sub-Nos. 1, 3, 4, 14, 21, 29, 35, and 38 permits, and also frozen commodities and fresh meats in Sub-No. 3 permit; (B) broaden the territorial description in all permits to authorize service between points in the U.S., under continuing contract(s) with named shippers; and (C) remove the exception excluding service in AK and HI in the lead certificate, change one-way operations to radial service in all certificates, and substitute county-wide authority in place of the named facilities and cities, as follows: lead certificate, between Pima County, AZ (facilities near Tucson, AZ), and, points in the U.S.; and Sub-No. 6, between Charleston, SC, Mobile County, AL

(Mobile, AL), Tampa, FL, Harrison County, MS (Gulfport, MS), New Orleans, LA, Houston, TX, Galveston County, TX (Galveston, TX), and, Cincinnati, OH, and Louisville, KY.

[FR Doc. 81-14251 Filed 5-11-81; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

Board for International Food and Agricultural Development; Meeting

Pursuant to Executive Order 11769 and the provisions of Section 10(a),(2), Pub. L. 92-463, Federal Advisory Committee Act, notice is hereby given of the Forty-Third meeting of the Board for International Food and Agricultural Development (BIFAD) on May 28, 1981.

The purpose of the meeting is to receive and discuss reports on: Title XII in the 1980's; Public Education Efforts in A.I.D.; and activities of the Internal Work Group on University Relations and subsequent A.I.D. follow-up. A presentation also will be given on A.I.D. and the Challenge of World Hunger; and the BIFAD will meet with its support staff to discuss staff actions and operational procedures.

The meeting will begin at 9:00 a.m. and adjourn at 12:30 p.m., and will be held in Room 1105, New State Department Building, 22nd and C Street, N.W., Washington, D.C. The meeting with the BIFAD Support Staff will begin at 1:30 p.m. and adjourn at 3:00 p.m. This meeting will be held in Room 5941, New State Department Building, 22nd and C Street, N.W., Washington, D.C. The meetings are open to the public. Any interested person may attend, may file written statements with the Board before or after the meeting, or may present oral statements in accordance with the procedures established by the Board, and to the extent the time available for the meetings permit. An escort from the "C" Street Information Desk (Diplomatic Entrance) will conduct you to the meeting room.

Dr. Erven J. Long, Coordinator Title XII Strengthening Grants and University Relations, Development Support, Agency for International Development (A.I.D.), is designated as A.I.D. Advisory Committee Representative at this meeting. It is suggested that those desiring further information write to him in care of the Agency of International Development, State Department, International Development Cooperation Agency, Washington, D.C. 20523, or telephone him at (703) 235-8929.

Dated: May 7, 1981.

Curtis H. Barker,

Deputy Coordinator for Title XII Strengthening Grants and University Relations, Bureau for Development Support.

[FR Doc. 81-14262 Filed 5-11-81; 8:45 am]

BILLING CODE 4710-02-M

DEPARTMENT OF JUSTICE

Proposed Consent Decree in Action To Enjoin Emission of Air Pollutants

In accordance with Departmental Policy, 28 CFR § 50.7, 38 FR 19029, notice is hereby given that a proposed consent decree in *United States* v. *Watervliet Paper Company*, Civil Action No. K81-102 CA8, has been lodged with the United States District Court for the Western District of Michigan. The proposed consent decree would establish a compliance program for Watervliet Paper Company's pulp and paper plant at Watervliet, Michigan, to bring that facility into compliance with the Clean Air Act, 42 U.S.C. 7401 *et seq.*

The Department of Justice will receive for thirty (30) days from the date of publication of this notice, written comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530 and should refer to *United States* v. *Watervliet Paper Company*, D.J. Ref. No. 90-5-2-1-375.

The proposed consent decree may be examined at the office of the United States Attorney, Western District of Michigan, 544 Federal Building and U.S. Courthouse, 110 Michigan Street N.W., Grand Rapids, Michigan 49503; at the Region V office of the Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604; and the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 2644, Ninth Street and Pennsylvania Avenue, NW., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice.

Carol E. Dinkins,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 81-14204 Filed 5-11-81; 8:45 am]

BILLING CODE 4410-01-M

Proposed Consent Judgments in an Action To Require Control of Air Pollutants at ASARCO Copper Smelter in Arizona

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that a proposed consent decree in *United States* v. *ASARCO Incorporated*, Civil Action No. CIV-81-110-TUC-ACM has been lodged with the District Court of Arizona. The proposed decree requires the defendant to comply with the Clean Air Act at its smelter in Hayden, Arizona. In particular the decree requires ASARCO to install innovative technology to modify existing process equipment in order to comply with sulfur dioxide and particulate regulations applicable to the smelter.

The Department of Justice will receive written comments relating to the proposed judgment until June 11, 1981. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C., 20530, and refer to *United States* v. *ASARCO Incorporated* (D.J. Ref. No. 90-5-2-1-469.)

The proposed decree may be examined at the Office of the United States Attorney, 3rd Floor, Acapulco Building, La Placida Village, 120 West Broadway, Tucson, Arizona, at the Region IX Office of the Environmental Protection Agency, Enforcement Division, 215 Fremont Street, San Francisco, California 94105, and at the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 1254, Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice. In order to cover the reproduction costs, all requests for copies must be accompanied by a check or a money order made out for $12.00 to the Treasurer of the United States.

The Department of Justice will receive written comments on the proposed settlements for thirty days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General for the Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530.

Carol E. Dinkins,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 81-14205 Filed 5-11-81; 8:45 am]

BILLING CODE 4110-01-M

Office of Juvenile Justice and Delinquency Prevention

Publication of Proposed Office of Juvenile Justice and Delinquency Prevention Funding Policy for the Balance of Fiscal Year 1981

AGENCY: Office of Juvenile and Delinquency Prevention, Justice.

ACTION: Publication of Proposed Office of Juvenile Justice and Delinquency Prevention Funding Policy for the Balance of Fiscal Year 1981.

SUMMARY: Notice is given that the Office of Juvenile Justice and Delinquency Prevention (OJJDP), in carrying out the continuation policy set out at 46 FR 7109 (January 22, 1981), and planning for implementation of the Administration's proposed phaseout of programs funded under Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 in Fiscal Year 1982, proposes to utilize remaining unobligated Fiscal Year 1981 categorical grant funds primarily to fulfill binding Fiscal Year 1981 grant continuation commitments. The Office will fund no new categorical programs or projects unless they are determined by the Administrator to be priorities consistent with the Administration's future plans or constitute an exceptional circumstance. The Catalog of Federal Domestic Assistance reference for Special Emphasis and Technical Assistance programs is 16.541, and for the National Institute for Juvenile Justice and Delinquency Prevention is 16.542.

This announcement does not require a Regulatory Impact Analysis under section 3d of Executive Order 12291, or a regulatory flexibility analysis under the Regulatory Flexibility Act, Pub. L. 354.

DATES: Comments must be submitted on or before June 11, 1981. An expedited comment period is required in light of the short time remaining in the fiscal year.

FOR FURTHER INFORMATION CONTACT: Charles A. Lauer, Acting Administrator, Office of Juvenile Justice and Delinquency Prevention, Telephone: 202/724-7751.

SUPPLEMENTARY INFORMATION: The Office of Juvenile Justice and Delinquency Prevention was established by Title II of the Juvenile Justice and Delinqency Prevention Act of 1974. The Title II grant program consists of formula grants to the States and categorical grants made directly by the Office. The Administration's budget proposal for Fiscal Year 1982 provides no additional funds for new or continuation grants or other Title II program activities administered by the Office of Juvenile Justice and Delinquency Prevention. States may have authority to fund juvenile justice grants for the types of activities currently funded under the grant portion of the program through the Department of Health and Human Services' social service consolidated block grant program. If enacted, requests or competitive applications for funds would be directed to the State agency responsible for administration of the Social Services Block Grant Act. No continuations of the Office's categorical grant programs and projects, which would otherwise be eligible for continuation consideration in Fiscal Year 1982 or 1983, can be anticipated from direct Federal fund sources.

It is the intention of the Office to fulfill the public interest and to act in a manner consistent with the Administration's proposed budget with those Title II funds that remain available for the balance of Fiscal Year 1981. Of primary concern to the Office is the need to assure responsible financial accountability and administration of Fiscal Years 1979–81 funds which will continue to be available for obligation or expenditure in Fiscal Years 1982–83. Even without new appropriations for categorical programs on or after October 1, 1981, the Office will avoid premature grant termination actions (except for cause) and will attempt to make the best possible use of available funds. It is not in the best interest of the government to begin or continue projects which cannot be completed. To this end, the general funding plan will be to forego funding of new activities and to complete or bring to a useable stage as many ongoing activities as possible. This plan will be carried out as specified in this policy except to the extent that formal rescissions or deferrals of current spending authority are approved by Congress.

Policy

Continuation Grants.—The policy proposed below is consistent with the Office of Juvenile Justice and Delinquency Prevention continuation funding policy announced at 46 FR 7109 (January 22, 1981). The proposed fund allocations are based largely on OJJDP's interests in completing recent major successful programs and facilitating the orderly phaseout of the OJJDP program consistent with the Administration's budget proposal which is pending before the Congress. The proposed selection of programs for continuation reflects criterion 6 of the previously published policy, "circumstances indicate that continued funding would be in the best interests of the government." The remaining criteria, which focus on which particular projects should be continued within an eligible program, will be applied to continuation decisions made during the balance of Fiscal Year 1981.

The categorical grant programs of the Office generally provide for a fixed term of activity under the "project period" system of award. Under this system, grant activities are approved for a fixed "project period" constituting the entire activity of the grant and are funded by separate awards under shorter "budget periods." The major Special Emphasis program slated for refunding of an additional budget period within an existing project period in Fiscal Year 1981 is the Restitution program. The final budget period for Restitution projects will be funded to the maximum extent funds have been allocated and are available for these commitments.

Miscellaneous Special Emphasis grant projects awarded outside of or prior to the adoption of the project system will not be considered for continuation funding unless there is a written commitment incorporated in the grant award to provide continuation funding beyond the current expiration date of the grant, or if the project meets the criteria set forth below for funding of new grant applications. This restriction is necessary because project period continuations have a higher funding priority under established agency policy and adequate Fiscal Year 1981 continuation funds are not available to be set aside for the refunding of all projects which were not awarded under the project period system.

Research and training programs of the National Institute for Juvenile Justice and Delinquency Prevention are undergoing review to determine those activities which are currently due for refunding and can be completed or brought to a useful stage with the remaining Fiscal Year 1981 funds available. No new activities will be started except as required by law or in accordance with competitive research grant programs announced in prior fiscal years. No training projects that have met their current objectives or completed their project period will be considered for refunding except those which

provide direct training of juvenile justice system personnel or law related education. Long range research or training efforts with no reasonable expection of successful implementation without multi-year funding will not be refunded. These restrictions on eligibility for refunding of Institute categorical grants are necessary for the reasons set forth above.

"No Cost" Extensions.—No categorical grantee has a right to a "no cost" extension beyond the initial scheduled termination date of a grant. With the expected phaseout of Office staff and avialable support activities, it is the policy of the Office that "no cost" extensions will not normally be granted. However, for good cause, the Office will consider "no cost" extensions on a case-by-case basis. Good cause will include the potential for cost assumption by other fund sources or the completion of activities so that cost assumption can be given consideration by State budget offices, State legislatures, or other potential continuation fund sources.

New Grant Applications.—The Office does not anticipate the award of new categorical grants for the balance of this fiscal year. No program announcements for new grants are being issued. Exception will only be considered where the Administrator determines that there is a public safety emergency, a pre-existing legal commitment, or where significant program models or activities near completion should be completed. Grant or contract activities which are consistent with the Administration's budget proposal or which otherwise constitute a high priority of the Administration will also be considered for funding as a partial exception. Examples include programs relating to juvenile victims of crime, serious or violent criminal activity, and programs that were previously started and require completion or refinement so that the Administration can make decisions which may affect future activity in these areas. Activities requiring reprogrammed funds to phaseout State, Office of Juvenile Justice and Delinquency Prevention and Department of Justice responsibilities in the Title II formula grant program may also require funding and will be considered to the extent funds can be made available.

Dated: May 5, 1981.

Charles A. Lauer,

Acting Administrator, Office of Juvenile Justice and Delinquency Prevention.

[FR Doc. 81-14189 Filed 5-11-81; 8:45 am]

BILLING CODE 4410-18-M

DEPARTMENT OF LABOR

Office of Pension and Welfare Benefit Programs

[Application Nos. D-2414 and 2415]

Proposed Exemption for Certain Transactions Involving the Hancock Manufacturing Co., Inc., Salaried Employees Retirement Plan, and the Hancock Manufacturing Co., Inc.; Pension Plan Covering Employees in Local No. 3703, U.S.W., Located in Toronto, Ohio

AGENCY: Office of Pension and Welfare Benefit Programs (P&WBP), Labor.

ACTION: Notice of Proposed Exemption.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and the Internal Revenue Code of 1954 (the Code). The proposed exemption would exempt (1) a loan of $160,000 and a loan of $340,000 (the Loans) from, respectively, the Hancock Manufacturing Co., Inc. salaried Employees Retirement Plan (Salaried Plan) and the Hancock Manufacturing Co., Inc. Pension Plan Covering Employees in Local No. 3703, U.S.W. (Union Plan), (collectively, the Plans) to the Hancock Manufacturing Co., Inc. (the Employer), a party in interest with respect to the Plan; and (2) the personal guarantee of the Employer's obligations pursuant to each Loan by Messrs. David L. Brennan (Brennan), Richard M. Hamlin (Hamlin), and James F. McCready (McCready), parties in interest with respect to the Plans. The proposed exemption, if granted, would affect the participants and beneficiaries of the Plans, the Employer, and any other persons participating in the proposed transactions.

DATES: Written comments and requests for a public hearing must be received by the Department on or before July 1, 1981.

ADDRESS: All written comments and requests for a hearing (at least three copies) should be sent to the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20216, Attention: Application Nos. D-2414, and 2415. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefit Programs, U.S. Department of Labor, Room N-4677, 200 Constitution Avenue, N.W., Washington, D.C. 20216.

FOR FURTHER INFORMATION CONTACT: Mr. David Stander of the Department, telephone (202) 523-8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Notice is hereby given of the pendency before the Department of an application for exemption from the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act and from the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code. The proposed exemption was requested in an application filed by the Employer, pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code, and in accordance with procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, this notice of pendency is issued solely by the Department.

Summary of Facts and Representations

The application contains representations with regard to the proposed exemption which are summarized below. Interested persons are referred to the application on file with the Department for the complete representations of the applicant.

1. The Salaried Plan and the Union Plan are defined benefit plans with, respectively, approximately 38 and 177 participants. Messrs. Brennan, Hamlin and L. L. Seese are the trustees (the Trustees) of each Plan and jointly maintain sole responsibility for the investment decisions of the Plans. Each Trustee is an officer and director of the Employer. As of December 31, 1980, the Salaried Plan and the Union Plan had assets having a market value of $529,641 and $1,157,641, respectively.

2. The Employer engages in metal stamping and the fabrication of steel products and assemblies. For the fiscal year ending October 31, 1980, the Employer's sales totalled approximately $11.2 million. The Employer's net worth is approximately one-half million dollars.

3. The applicant is requesting an exemption for the Loans by the Plans to the Employer. The Loans from the Plans represent approximately 30 percent of each Plan's assets as valued on December 31, 1980. The proceeds from the Loans would be used as working capital by the Employer.

4. Each proposed Loan will be evidenced by a cognovit promissory note bearing interest payable quarterly

at the greater of 1 percent over the BancOhio National Bank's prime rate in effect as of the first day of each quarter, or 11 percent per annum. Each Loan will be repaid in five years with the original principal amount of each Loan to be repaid in twenty (20) equal quarterly installments.

5. The Loans will be secured by all of the Employer's raw material inventory, which consists of raw steel, presently owned or hereafter to be owned by the Employer (the Collateral). The Plans will maintain perfected first security interests in the Collateral through the execution and filing by the Employer of security agreements on behalf of the Plans. The Employer will incur all costs necessary to obtain and preserve the Collateral, including, but not limited to, paying all taxes, assessments, insurance premiums, repairs, rent and storage costs. The Employer will warrant to own throughout the terms of the Loans all Collateral free from any adverse claims, security interests (other than security interests granted to the Plans) or encumbrances. The Collateral will be kept fully insured throughout the terms of the Loans and the Plans will be the named insureds.

6. A complete appraisal by an independent appraiser, Joseph L. Connell (Connell) of Metals Co., McKees Rocks, Pennsylvania, determined that, as of December 31, 1980, the Collateral had a market value, based on the mill price of the Collateral to companies utilizing the Collateral for the same purpose as the Employer, of $918,675. This value represents approximately 183% of the Loans. Connell represents that the current mill price of the Collateral is not expected to decrease appreciably over the next five (5) years, and that the Collateral would be marketable if it is to be resold.

7. The security agreements provide that the value of the Collateral shall be not less than 175 percent of the outstanding principal balance of the Loans during the first year of the Loans' terms and not less than 200 percent of the outstanding principal balance of the Loans during the remaining four years of the Loans' terms. The three shareholders of Hanco, Inc. (the parent company of the Employer), Brennan, Hamlin, and McCready, (the Guarantors) will personally guarantee to cure any default by the Employer which is not cured within thirty days from the receipt by the Employer of such notice of default. As of June 1980, the combined net worth of the Guarantors was in excess of ten million dollars.

8. The Harter Bank and Trust Company (the Bank) will enter into an agreement with the Employer to serve as the fiduciary of each Plan with respect to the Loans. The applicant represents that the Bank is completely independent of the Employer and does not maintain any banking relationship with the Employer. The Bank has reviewed and examined all of the relevant documents pertaining to the proposed Loans, including the promissory notes, security agreements, the contracts of personal guarantee by the Guarantors as well as the financial statements of the Guarantors, the Employer, and Hanco, Inc. and has determined that the proposed Loans are appropriate and are in the best interests of the Plans and their participants and beneficiaries. The Bank will collect the required principal and interest payments pursuant to the Loans and will completely monitor the terms and conditions of the Loans. The Bank will take a physical inventory of the Collateral at least four times a year to ensure that the value of said Collateral is not less than 175 percent of the outstanding principal balance of the Loans during the first year of the Loans' terms, and not less than 200 percent of the outstanding principal balance of the Loans during the remaining four years of the Loans' terms. If the Bank resigns or is removed, there shall be appointed in its stead another corporate trust company, bank, or banking association which maintains no banking relationship with the Employer.

9. In summary, the applicant represents that the Loans will satisfy the criteria of section 408(a) of the Act because (a) the Plans' Trustees represent that the proposed Loans are in the best interests of the Plans; (b) the proposed Loans will enable the Plans to realize a high rate of return; (c) the Plans will have a perfected first security interest in insured Collateral having a value substantially in excess of the outstanding principal balances of the Loans; (d) the Guarantors will personally guarantee the repayment of the Loans; and (e) an independent party, the Bank, will serve as the fiduciary of the Plans with respect to the Loans and will completely monitor the terms and conditions of the Loans.

Notice to Interested Persons

Within twenty days after its publication in the **Federal Register** (June 1, 1981), a copy of this notice of pendency will be posted on bulletin boards at the Employer's place of business. Beneficiaries currently receiving benefits and former employees in a deferred, vested benefit status will receive such notice by ordinary mail. Such notice shall inform these persons of their right to comment on or request a hearing regarding the requested exemption.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of secton 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in an prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) The proposed exemption, if granted, will not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code;

(3) Before an exemption may be granted under section 408(a) of the Act and section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan; and

(4) The proposed exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and Code, including statutory or administrative exemptions and transitional rules. Furthermore the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption to the address above, within the time period set forth above. All comments will be made a part of the record. Comments and requests for a hearing should state the reasons for the writer's interest in the pending exemption. Comments received will be available for public inspection with the application

for exemption at the address set forth above.

Proposed Exemption

Based on the facts and representations set forth in the application, the Department is considering granting the requested exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). If the exemption is granted, the restrictions of section 406(a), 406(b)(1), and 406(b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code shall not apply to (1) the Loans by the Plans to the Employer as described above provided that the terms and conditions of the Loans are not less favorable to the Plans than those obtainable in similar transactions with an unrelated third party; and (2) the personal guarantee of the Employer's obligations pursuant to the Loans by the Guarantors.

The proposed exemption, if granted, will be subject ot the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to the exemption.

Signed at Washington, D.C., this 6th day of May 1981.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 81-14260 Filed 5-11-81; 8:45]

BILLING CODE 4510-29-M

[Application No. D-2273]

Proposed Exemption for a Certain Transaction Involving the Pipe Fitters; Local 533 Pension Fund, Located in Kansas City, Mo.

AGENCY: Office of Pension and Welfare Benefit Programs (P&WBP), Labor.

ACTION: Notice of proposed exemption.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and the Internal Revenue Code of 1954 (The Code). The proposed exemption would exempt a loan of $1,200,000 by the Pipe Fitters Local 533 Pension Fund (the Plan) to the Pipe Fitters Association Local Union No. 533 (Pipe Fitters Union) and the Plumbers Local Union No. 8 (Plumbers Union) to provide permanent financing for a joint union office building and meeting hall. The proposed exemption, if granted, would affect the Pipe Fitters Union, the Plumbers Union, participants and beneficiaries of the Plan, and other persons participating in the transaction.

DATE: Written comments and requests for a public hearing must be received by the Department of Labor on or before June 30, 1981.

ADDRESSES: All written comments and requests for a hearing (at least three copies) should be sent to the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C–4526, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20216, Attention: Application No. D–2273. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefit Programs, U.S. Department of Labor, Room N–4677, 200 Constitution Avenue, N.W., Washington, D.C. 20216.

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz of the Department of Labor, telephone (202) 523–8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Notice is hereby given of the pendency before the Department of an application for exemption from the restrictions of section 406(a), 406(b)(1) and (b)(2) of the Act and from the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code. The proposed exemption was requested in an application filed on behalf of the Plan, pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code, and in accordance with procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, this notice of pendency is issued solely by the Department.

Summary of Facts and Representations

The application contains representations with regard to the proposed exemption which are summarized below. Interested persons are referred to the application on file with the Department for the complete representations of the applicant.

1. The Plan is a defined benefit plan for the benefit of the members of the Pipe Fitters Union. The Plan has approximately 850 participants. As of December 31, 1979, the Plan has assets of approximately $16 million.

2. The Pipe Fitters Union was organized in 1913 and has jurisdiction over the Greater Kansas City area. It currently has 1,343 members. The Plumbers Union was organized in 1890. Its jurisdiction is also over the Greater Kansas City area, and it currently has 986 members.

3. The Pipefitters Union and the Plumbers Union (together, the Unions) have concluded that their current administrative offices and meeting facilities are totally inadequate given the fact that the current offices are located in less than desirable parts of the Kansas City area. Also, the office building occupied by the Plumbers Union has been sold, forcing it to move.

4. In 1971, the Unions jointly purchased land for the purpose of constructing joint union facilities in the future. Construction was commenced in September of 1979, and the building has now been completed. Construction financing for the project was obtained from Traders Bank of Kansas City, Missouri. Traders Bank, as construction lender, has monitored construction of the project in conjunction with Chicago Title Insurance Company, which will provide title insurance on the completed project.

5. The Plan proposes to loan not more than $1,200,000 to the Unions in order to pay off the construction lender. The duration of the loan is to be 10 years. The initial rate of the loan will be ¼ percent above the prevailing rate for equivalent loans in the Kansas City Metropolitan Area for the first five years. At the end of five years, the interest rate shall be the higher of the initial rate or the prevailing rate in the Kansas City area as determined by Financial Counselors, Inc., the Plan's independent fiduciary.

6. The loan is to be collateralized by the subject property, which includes the land and the completed building. The property has been appraised by Rogers M. McCrae & Co., an independent appraiser. Mr. McCrae is a senior member in the American Society of Appraisers. Mr. McCrae updated his appraisal of the property after the completion of the building, and as of February 2, 1981, he estimates the total market value of the property to be $1,822,924. This is in excess of 150 percent of the requested loan amount. The appraiser has also represented that the cost to adapt the building from the