

alteration is responsive to current traffic flow requests and will provide an economical advantage to both VFR and IFR flights.

EFFECTIVE DATE: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Charles R. Horne, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

History

On May 7, 1981, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the description of V-7 from Wire Grass, Ala., to Cross City, Fla. (46 FR 25467). Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is that proposed in the notice. Section 71.123 was republished on January 2, 1981 (46 FR 409).

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) will eliminate the segment of V-7 from Cross City, Fla., via Greenville, Fla., to Wire Grass, Ala., and redefine it via Tallahassee, Fla., to Wire Grass. This alteration is responsive to current traffic flow requests and will provide an economical advantage to both VFR and IFR flights.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Section 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 409) is amended, effective 0901 GMT, October 1, 1981, by deleting from the description of V-7 the words "Greenville, Fla." and substituting for them the words "Tallahassee, Fla."

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does

not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) at promulgation, will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on June 29, 1981.

B. Keith Potts,

Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 81-19598 Filed 7-2-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket Number 80-CE-25]

Designation of Federal Airways, Area Low Point Routes, Controlled Airspace and Reporting Points; Designation of Transition Area—Elkhart, Kansas

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal Action is to designate a 700-foot transition area at Elkhart, Kansas, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Elkhart-Morton County Airport, Elkhart, Kansas, utilizing the Elkhart Non-Directional Radio Beacon (NDB) as a navigational aid.

EFFECTIVE DATE: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Charles Bumstead, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-532, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION: To enhance airport usage a new instrument approach procedure to the Elkhart-Morton County Airport, Elkhart, Kansas, is being established utilizing the Elkhart NDB as a navigational aid. The establishment of an instrument approach procedure based on this approach aid entails designation of a transition area at Elkhart, Kansas, at and above 700 feet above the ground (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the new approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

Discussion of Comments

On pages 22202 and 22203 of the Federal Register dated April 16, 1981,

the Federal Aviation Administration published a Notice of Proposed Rulemaking which would amend Section 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Elkhart, Kansas. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rulemaking.

Accordingly, Subpart G, Section 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1981 (46 FR 540), is amended effective 0901 GMT October 1, 1981, by adding the following new transition area:

Elkhart, Kansas

That airspace extending upwards from 700 feet above the surface within a 5.5 mile radius of the Elkhart-Morton County Airport (Latitude 37°00'00" N, Longitude 101°53'00" W) and within 3 miles each side of the Elkhart NDB (Latitude 37°00'04.7" N, Longitude 101°53'02" W) 164° bearing, extending from the 5.5 miles radius area to 8.5 miles southeast of the Elkhart NDB.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.69 of the Federal Aviation Regulations (14 CFR 11.69))

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Kansas City, Missouri, on June 22, 1981.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 81-19597 Filed 7-2-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 75

[Airspace Docket No. 81-AGL-3]

Establishment of Jet Routes and Area High Routes; Alteration of Jet Route

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters Jet Route No. 60 between Joliet, Ill., and Dryer, Ohio, by realigning the route over Goshen, Ind. This action increases aviation safety by utilizing an additional navigation aid which enables aircraft to maintain the centerline of J-60.

EFFECTIVE DATE: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:**History**

On May 7, 1981, the FAA proposed to amend Part 75 of the Federal Aviation Regulations (14 CFR Part 75) to alter Jet Route J-60 between Joliet, Ill., and Dryer, Ohio, by realigning the route over Goshen, Ind. (46 FR 25468). Aircraft have been experiencing some difficulty remaining on the route centerline, thereby causing some air traffic control problems for departures from the Chicago, Ill., area. This action increases aviation safety by adding an additional navigational aid. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is that proposed in the notice. Section 75.100 was republished on January 2, 1981 (46 FR 834).

The Rule

This amendment to Part 75 of the Federal Aviation Regulations (14 CFR Part 75) changes the description of J-60 by altering the centerline between Joliet, Ill., and Dryer, Ohio, via Goshen, Ind. This action permits pilots to remain on the centerline in this area, thereby increasing aviation safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Section 75.100 of Part 75 of the Federal Aviation Regulations (14 CFR Part 75) as republished and amended (46 FR 834 and 24170), is further amended, effective 0901 GMT, October 1, 1981, as follows:

§ 75.100 [Amended]

By amending Jet Route No. 60 by deleting the words "Joliet, Ill.; Dryer, Ohio;" and substituting for them the

words "Joliet, Ill.; Goshen, Ind.; Dryer, Ohio;"

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) at promulgation, will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on June 29, 1981.

B. Keith Potts,

Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 81-19090 Filed 7-2-81; 8:45 am]

BILLING CODE 4910-13-M

COMMODITY FUTURES TRADING COMMISSION**17 CFR Parts 1 and 4****Revisions of Commodity Pool Operator and Commodity Trading Advisor Regulations; Deferral of Effective Date**

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rules; deferral of effective date.

SUMMARY: On May 8, 1981, the Commodity Futures Trading Commission ("Commission") adopted revisions to Part 4 of its regulations (17 CFR Part 4), which relates to the activities of commodity pool operators and commodity trading advisors (the "Part 4 rules"). 46 FR 26004. On that date, the Commission also revised § 1.33 of its regulations (17 CFR 1.33). 46 FR 26000. Those revisions were originally scheduled to become effective on July 1, 1981. The Commission has now decided to defer the effective date of certain of the Part 4 rules and of § 1.33 until August 24, 1981. The Commission is taking this action to allow the Office of Management and Budget to complete its review under the Paperwork Reduction

Act of 1980. 44 U.S.C. 3507.

DATE: The sections specified in the Supplementary Information below will become effective on August 24, 1981.

FOR FURTHER INFORMATION CONTACT: Barbara R. Stern, Special Counsel, Front Office Audit Unit, or David S. Mitchell, Esq., Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street NW., Washington, D.C. 20581. Telephone: (202) 254-8955.

SUPPLEMENTARY INFORMATION: For the reasons stated above, the Commission has deferred until August 24, 1981 the effective date of revisions of certain of the Part 4 rules and of § 1.33. With respect to Part 4, the Commission has deferred the effective date of §§ 4.1, 4.2, 4.13(b), 4.13(c), 4.21, 4.22, 4.23, 4.31 and 4.32. Several of those rules, however, revise already-existing Commission regulations—specifically, §§ 1.33, 4.21, 4.22, 4.23, 4.31 and 4.32 (17 CFR 1.33, 4.21, 4.22, 4.23, 4.31 and 4.32 (1980)). Those existing regulations will, therefore, remain in effect until superseded by the revised regulations on August 24, 1981.

In view of this extension of the effective date, the Commission wishes to reiterate its position with respect to compliance with the revised Part 4 rules. As the Commission stated when it adopted those revisions,¹ the Commission will not take enforcement action against any person solely on the basis of that person's compliance with the revised Part 4 rules prior to their effective date in lieu of compliance with the existing rules. This position, however, requires a total, and not selective, compliance with the revised rules. In addition, the Commission will not take enforcement action against a registrant who prepares its Disclosure Document in accordance with the existing Part 4 rules prior to the August 24, 1981 effective date of the revised rules and who uses such Document following that date. A Document prepared under the existing rules can only be used, however, for six months after the August 24, 1981 effective date. See § 4.21(e) for commodity pool operators² and § 4.31(e) for commodity trading advisors.³

(Secs. 2(a)(1), 4b, 4c, 4f, 4m, 4n, 4o, 8a and 19 of the Commodity Exchange Act, 7 U.S.C. 2, 6b, 6c, 6f, 6m, 6n, 6o, 12a and 23)

¹ 46 FR 26004, 26005 [May 8, 1981].

² *Id.* at 26018.

³ *Id.* at 26022.

Issued in Washington, D.C. on July 1, 1981
by the Commission.

Jane K. Stuckey,

Secretary, Commodity Futures Trading
Commission.

[FR Doc. 81-19840 Filed 7-2-81; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 653

Fiscal Year 1981 Veterans Indicators of Compliance

AGENCY: Employment and Training
Administration, Labor.

ACTION: Final rule.

SUMMARY: These regulations are published to establish the FY 1981 levels for veterans preference indicators of compliance used by the Department of Labor to monitor State employment service agencies to ensure that veteran applicants receive priority service.

EFFECTIVE DATE: August 5, 1981.

FOR FURTHER INFORMATION CONTACT:

Sam Hirabayashi, Director, Office of Program Review, United States Employment Service, Room 8306, Patrick Henry Building, 601 "D" Street, NW., Washington, D.C. 20213, Telephone: 202-376-6914.

SUPPLEMENTARY INFORMATION: The Department of Labor published proposed regulations for the FY 1981 compliance levels on January 21, 1981, at 46 FR 6017. Interested persons were advised to submit comments on the proposed levels until February 20, 1981. The Department received fourteen comments from components of the public employment system.

Comments dealt largely with changes in the proposed placement floor level indicators for individual States. The comments were based on alternative economic assumptions from those used by the Department in establishing the proposed rule. The Department has reviewed these comments and determined that no additional changes will be made to the FY 1981 Veterans Preference Indicators of Compliance. The Department wishes to point out in this regard that economic conditions substantially different from those on which the indicator levels were based may be considered good cause under 20 CFR 653.230(k)(2) for not meeting the Indicators of Compliance.

While the amendment is effective on August 5, 1981, these Indicators of Compliance will be used to judge performance for all of FY 1981.

The amendments in this document are not major pursuant to the terms of Executive Order No. 12291. They impose no new regulatory requirements, and ease the previous Indicators of Compliance for the affected State agencies. Pursuant to 5 U.S.C. 604(b), I hereby certify that the amendments in this document do not have a significant economic impact on a substantial number of small entities. The Indicators of Compliance apply to the performance of State agencies, which are not small entities as defined at 5 U.S.C. 601 (5) and (6).

These regulations arise under the program described in Catalog of Federal Domestic Assistance No. 17.202, "Employment Service."

Accordingly, § 653.230 of Part 653 of Chapter V of Title 20, Code of Federal Regulations, is amended as follows:

1. The section heading is revised to read as follows:

§ 653.230 Veterans preference indicators of compliance for fiscal year 1981.

2. The table in paragraph (c)(1)(iii) is amended by revising the listings for the States of West Virginia, Indiana, Michigan, and Ohio to read as follows:

§ 653.230 Veterans preference indicators of compliance for fiscal year 1981.

	(iii) Placed (percent)
Region III (Philadelphia):	
West Virginia	19
Region V (Chicago):	
Indiana	16
Michigan	14
Ohio	16

Signed at Washington, D.C. this 29th day of June 1981.

Raymond J. Donovan,
Secretary of Labor.

[FR Doc. 81-19705 Filed 7-2-81; 8:45 am]

BILLING CODE 4510-30-M

VETERANS ADMINISTRATION

38 CFR Part 3

Effective Date of Forfeiture for Treason

AGENCY: Veterans Administration.

ACTION: Final regulations.

SUMMARY: The Veterans Administration has amended its regulations governing the effective date of forfeiture for treason. The need for this action results from our determination that the former effective date regulations were not in agreement with the statute they implement.

EFFECTIVE DATE: This change has unlimited retroactive effect.

FOR FURTHER INFORMATION CONTACT:

T. H. Spindle, Jr., 202-389-3005.

SUPPLEMENTARY INFORMATION: On pages 19503-04 of the Federal Register of March 31, 1981 the Veterans Administration published proposed amendments to 38 CFR 3.500 and 3.669. Interested persons were given until April 30, 1981, to submit comments, suggestions or objections to the proposal. None were received. The amendments to §§ 3.500 and 3.669 are adopted as proposed.

The agency has determined that these regulation changes are nonmajor in accordance with the requirements of Executive Order 12291, Federal Regulation. It has also been determined as required by the Regulatory Flexibility Act (Pub. L. 96-354) that it poses no compliance costs or reporting burdens upon the public and has no effect on businesses or State and local Governments.

Approved: June 10, 1981.

D. Custis,
Acting Administrator.

PART 3—ADJUDICATION

§ 3.500 [Amended]

1. Section 3.500 is amended as follows:

(a) By removing the words "his or her" and inserting the words "the payee's" in paragraph (b)(1); by removing the words "widow or widower" and "widow's or widower's" and inserting the words "surviving spouse" and "surviving spouse's" in paragraph (e); and by removing the words "widow or widower" and inserting the words "surviving spouse" in paragraph (n)(4).

(b) By revising paragraph (s) as follows:

§ 3.500 General.

The effective date of a rating which results in the reduction or discontinuance of an award will be in accordance with the facts found except as provided in § 3.105. The effective date of reduction or discontinuance of an award of pension, compensation, or dependency and indemnity compensation for a payee or dependent will be the earliest of the dates stated in the paragraphs of this section unless otherwise provided. Where an award is reduced, the reduced rate will be effective the day following the date of discontinuance of the greater benefit. (38 U.S.C. 3012(b))

(s) *Treasonable acts or subversive activities* (38 U.S.C. 3504 and 3505; §§ 3.902, 3.903). (1) *Treasonable acts*. Date of the forfeiture decision or date of last payment, whichever is earlier.

(2) *Subversive activities*. Beginning date of award or day preceding date of commission of subversive activities for which convicted, whichever is later.

§ 3.669 [Amended]

2. Section 3.669 is amended as follows:

(a) By removing the words "Chief Attorney" and inserting the words "District Counsel" in paragraph (a).

(b) By revising paragraph (b) as follows:

§ 3.669 Forfeiture.

(b) *Fraud or treasonable act*—(1) *Fraud*. If forfeiture of rights is not declared, payments shall be resumed from date of last payment, if otherwise in order. If it is determined that rights have been forfeited, benefits shall be discontinued effective the commencing date of the award or the day preceding the commission of the act resulting in the forfeiture, whichever is later.

(2) *Treasonable acts*. If forfeiture of rights is not declared, payments shall be resumed from date of last payment, if otherwise in order. If it is determined that rights have been forfeited, benefits shall be discontinued the date of the forfeiture decision or date of last payment, whichever is earlier.

(38 U.S.C. 210(c))

[FR Doc. 81-19650 Filed 7-2-81; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 52 and 81**

[A-1-FRL 1837-8]

Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; Connecticut Revisions; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking correction.

SUMMARY: This document corrects final regulations published December 23, 1980 (45 FR 84769), which approve, in part, revisions to the Connecticut State Implementation Plan (SIP). This document makes four changes.

• *First*, it corrects a Code of Federal Regulations citation contained in the December 23, 1980 rules.

• *Second*, it changes the reference to Connecticut's submittals from "attainment plans" to "State Implementation Plan revisions." This more accurately describes these submittals.

• *Third*, it amends the identification of these plan revisions. In the December 23, 1980 rules, EPA identified these revisions by the dates on which it received them. To make identification easier, EPA is adding the dates on which Connecticut submitted the revisions, which are often several days earlier.

• *Fourth*, this document adds reference to a plan revision submitted and received on June 5, 1980, which EPA had inadvertently left out of the transmittal package for the December 23, 1980 rulemaking. This addition automatically incorporates by reference the June 5 plan revision into the Code of Federal Regulations. This eliminates any need to publish the revision in the *Federal Register*. All Connecticut plan revisions are on file in: (1) the Air Compliance Unit of the State of Connecticut, (2) the Regional Office, (3) PIRU (the EPA Headquarters Library), and (4) the Office of the Federal Register.

FOR FURTHER INFORMATION CONTACT: Betsy Horne, Air Branch, EPA Region I, Room 1903, J. F. Kennedy Federal Building, Boston, Massachusetts 02203, (617) 223-5630.

SUPPLEMENTARY INFORMATION: In FR Doc. 80-39786 appearing at page 84769 in the *Federal Register* of December 23, 1980 the following change should be made: On page 84787, Section 52.390 should be corrected to read: Section 52.380.

The June 5, 1980 submittal included a generic public participation plan which the Connecticut agency intends to use for all SIP revision-related activities. The revision was inadvertently left out of the official revision package submitted to the *Federal Register* with the December 23, 1980 Final Rulemaking Notice (45 FR 84769), but the information in the submittal was discussed in the Notice.

Pursuant to the provisions of 5 U.S.C. 605(b) the Administrator has certified that SIP approvals under Section 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities. 46 Fed. Reg. 8709 (January 27, 1981). The attached rule constitutes a SIP approval under Sections 110 and 172 within the terms of the January 27 certification. This action only approves state actions. It imposes no new requirements.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the procedural requirements of a Regulatory Impact Analysis. This regulation is not Major because it only approves state actions and imposes new requirements.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

Section 110(a) and Section 301(a) of the Clean Air Act, as amended (42 U.S.C. 410(a) and 7601(a))

Dated: June 26, 1981.

Anne M. Gorsuch,
Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Connecticut was approved by the Director of the *Federal Register* on July 1, 1980.

PART 52—APPROVAL AND PROMULGATION OF THE IMPLEMENTATION PLAN

Subpart H—Connecticut

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

§52.390 [Correctly designated as §52.380]

1. Section 52.390 should be corrected to read "Section 52.380".

§52.370 [Corrected]

2. Section 52.370, paragraph (c)(11) is amended by striking the introductory phrase "Attainment plans . . . received on June 27 and December 28, 1979 and February 1, May 1, September 8 and November 12, 1980." and inserting in place thereof the phrase "State Implementation Plan revisions . . . submitted on June 22, 1979 and received

on June 27, 1979; submitted on December 18, 1979 and received on December 28, 1979; submitted on January 28, 1980 and received on February 1, 1980; submitted and received on May 1, 1980; submitted and received on June 5, 1980; submitted on September 2, 1980 and received on September 8, 1980; and submitted and received on November 12, 1980.

[FR Doc. 81-19637 Filed 7-2-81; 8:45 am]

BILLING CODE 6560-38-M

[SW-7-FRL 1868-6]

Iowa; Approval of State Solid Waste Management Plan

40 CFR Part 256

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: As provided by the Resource Conservation and Recovery Act (RCRA) the State of Iowa has received Federal financial assistance for development of a State Solid Waste Management Plan. On December 11, 1980, the State of Iowa submitted to the U.S. Environmental Protection Agency (EPA) its adopted State Solid Waste Management Plan. Today, EPA is announcing its approval of the Iowa Solid Waste Management Plan. Approval of the Iowa plan indicates that the plan meets the requirements set forth in the RCRA, which provides for the identification of State, local and regional responsibilities for solid waste management; the encouragement of resource conservation recovery; and the development and application of state controls to provide for environmentally sound solid waste disposal practices.

The purpose of this notice is to inform the public that the Agency has approved the Iowa Solid Waste Management Plan. This approval should be of special interest because of two provisions of the RCRA. First, RCRA requires that effective with the date of approval, plans prohibit the establishment of open dumps in the State. Second, only States with approved plans can establish compliance schedules, for purposes of RCRA, for entities engaged in open dumping. Compliance schedules for purposes of RCRA, can be issued by the State where such schedules lead to the upgrade of facilities classified as open dumps by September 13, 1984. Open dumping is prohibited by RCRA except where the practice is on a compliance schedule established under an approved State plan.

EFFECTIVE DATE: July 6, 1981.

FOR FURTHER INFORMATION CONTACT:

Robert L. Morby, Chief, Hazardous Materials Branch, U.S. Environmental Protection Agency, 324 East Eleventh Street, Kansas City, Missouri 64106, telephone 816-374-3307.

SUPPLEMENTARY INFORMATION:

Background

On July 31, 1979 (44 FR 45066) EPA published "Guidelines for the Development of State Solid Waste Management Plans". These guidelines were required by Section 4002 (b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA).

The guidelines reflected the statutory requirements for State plans and recommended methods and procedures to meet these requirements. Under Section 4007 of RCRA, the Administrator approves State plans which meet the requirements of paragraphs (1), (2), (3), and (5) of Section 4003 of RCRA and which contain provisions for revisions. Briefly, these requirements are:

1. The plan shall identify the responsibilities of State, local and regional authorities in the implementation of the State plan; the distribution of Federal funds to the authorities responsible for development and implementation of the State plan, and the means for coordinating regional planning and implementation under the State plan.

2. The Plan shall prohibit the establishment of the new open dumps within the State and contain requirements that all solid waste shall be utilized for resource recovery or disposed of in sanitary landfills, as defined by Section 4004(a), or otherwise disposed of in an environmentally sound manner. The State prohibition must be effective as of the date on which EPA approves the plan.

3. The plan shall provide for the closing or upgrading of all existing open dumps within the State.

4. The plan shall provide that no local government within the State shall be prohibited under state or local law from entering into long-term contracts for supply of solid waste to resource recovery facilities.

5. The plan must contain specific provisions for revision. On December 15, 1980, the Department of Environmental Quality submitted the final, officially adopted Solid Waste Management Plan for the State of Iowa. On January 8, 1981, EPA sent a formal response to the Department of Environmental Quality outlining its concerns regarding the Iowa Solid Waste Management Plan. Among

EPA concerns regarding the Iowa program was the exemption from regulatory permitting for facilities which generate and dispose solid wastes on the same private property, which is owned or leased by the facility.

The State has assured EPA that these facilities must still comply with all statutes and regulations, thereby achieving the same level of environmental protection as would be achieved if the facilities were permitted. Another EPA concern was coverage of mining wastes as required by RCRA. Mining wastes are regulated in the State of Iowa by the Soil Conservation Commission, the Department of Environmental Quality and possibly other State agencies. The State has assured EPA that mining wastes subject to RCRA Subtitle D criteria will be regulated by the State in a manner equivalent to that criteria by whichever authority is appropriate to the task.

In a letter dated February 6, 1981, the Department of Environmental Quality stated that it was in the process of clarifying its rules which apply to such sites and that upon completion of this action no conflict will exist regarding this issue.

The Federal regulations define "open dump" and prohibit the practice of open dumping. The State Solid Waste Plan must similarly prohibit the establishment of new open dumps within the State and provide for the closure or upgrade of existing open dumps. The State Solid Waste Plan must also provide the use of compliance schedules for entities engaged in open dumping where those entities can demonstrate that they are unable to utilize other public or private solid waste management alternatives to comply with the open dumping prohibition.

Finding

Section 4007 of RCRA contains the statutory policy for approval of State Plans. The authority to approve State Plans under Section 4007 of RCRA has been delegated to the Regional Administrator. I have reviewed for approval the Iowa solid waste management plan submitted on December 15, 1980, as clarified by subsequent correspondence from the State. Consistent with the provisions of Section 4007 of RCRA I hereby approve the document *Solid Waste Management in the State of Iowa* as clarified.

The State of Iowa has provided assurance that the State Program prohibits the establishment of open dumps. Also, pursuant to the plan, the

State program provides compliance schedules for entities engaged in open dumping. As of this date entities engaged in open dumping may, pursuant to the plan, approach the State for further information on compliance schedules and necessary demonstrations. The RCRA prohibition of open dumping does not extend to open dumping under such compliance schedules.

Compliance With Executive Order 12291

Under Executive Order 12291, EPA must judge whether a rule is "major" and, therefore, subject to the requirement for a Regulatory Impact Analysis. Approval of the Iowa solid waste management plan is not a "Major" rule because it only constitutes Federal endorsement of a State program and State activities already duly adopted and operative regardless of Federal approval. EPA approval of the plan does not result in an annual effect on the economy of \$100 million or more; does not result in major increases in costs or prices; and passes no significant adverse effects on competition, employment, investment, productivity, innovation or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Any costs which the State or the regulated community must incur to satisfy the State Plan arise not from this approval (which is prescribed by section 4007(a) or RCRA) but because the Plan complies with earlier regulatory requirements issued by EPA ("Guidelines for Development and Implementation of State Solid Waste Management Plans," 40 CFR Part 256, and the "Criteria for Classification of Solid Waste Disposal Facilities and Practices," 40 CFR Part 257). Today's action neither alters these earlier regulatory requirements nor imposes new or additional costs.

The notice of approval was submitted to the Office of Management and Budget for review under Executive Order 12291.

Authority: This notice is issued under authority of Section 4007(a) of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6947(a).

Dated: June 19, 1981.

William W. Rice,
Acting Regional Administrator.

[FR Doc. 81-19651 Filed 7-2-81; 9:45 am]
BILLING CODE 6560-38-M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 1

[FPR Temp. Reg. 53, Supp. 1]

Contracting for Motion Picture and Videotape Productions; Temporary Regulations

AGENCY: General Services
Administration.

ACTION: Temporary regulation.

SUMMARY: This supplement revises the procedures for acquiring motion picture and videotape productions. The action is based on the January 26, 1981 memorandum by the Audio Visual Executive Agent designated by the Office of Federal Procurement Policy. The intended effect is to comply with Comptroller General Decision B-198368 of December 9, 1980, that procurements involving audio-visual productions be synopsisized in the Commerce Business Daily.

DATES: Effective date: January 26, 1981.
Expiration date: January 26, 1983.

FOR FURTHER INFORMATION CONTACT: Philip G. Read, Director, Federal Procurement Regulations Directorate (VR), Office of Acquisition Policy (703-557-8947).

SUPPLEMENTARY INFORMATION: This supplement extends the expiration date of FPR Temporary Regulation 53 to January 26, 1983.

(Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)))

In 41 CFR Chapter 1, the following supplement is listed in the appendix at the end of the chapter.
June 25, 1981.

Contracting for Motion Picture and Videotape Productions

[Federal Procurement Regs., Temporary Reg. 53, Supplement 1]

1. **Purpose.** This supplement revises FPR Temporary Regulation 53.

2. **Effective date.** This supplement is effective January 26, 1981.

3. **Expiration date.** This supplement and the related FPR Temporary Regulation 53 will continue in effect until January 26, 1983, unless canceled earlier.

4. Background.

a. The Office of Federal Procurement Policy (OFPP) Policy Letter No. 79-4, dated November 28, 1979 (44 FR 70015, December 5, 1979), established a system for acquiring audiovisual productions. This system was implemented by FPR Temporary Regulation 53 (45 FR 23688, April 8, 1980).

b. Comptroller General Decision B-198360 of December 9, 1980, indicated

that the synopsisizing of procurements involving audiovisual productions in the Commerce Business Daily is required. The Executive Agent designated by OFPP issued a January 26, 1981 memorandum which revised the previously prescribed procedures. Further changes may be forthcoming.

5. **Explanation of changes.** This supplement implements the Executive Agent's January 26, 1981, memorandum. The memorandum is set forth in attachment A to this supplement.

6. **Effective on other directives.** Paragraph 3 of FPR Temporary Regulation 53 is revised to extend the expiration date to January 26, 1983.

Gerald P. Carmen,

Administrator of General Services.

Attachment A

[FPR Temp. Reg. 53, Supp. 1]

January 26, 1981.

**Memorandum For Federal Audiovisual
Committee Members, OFPP Agency Contact
Points, QFPL/QVPL Points of Contact**

Subject: Acquisition of Motion Picture and
Videotape Productions.

A recent decision by the Comptroller General of the United States may cause revisions in the federal system for acquiring audiovisual productions, as directed in Office of Federal Procurement Policy (OFPP) Policy Letter No. 79-4 dated November 28, 1979. OFPP and this office are currently reviewing this decision and determining appropriate courses of action.

In the interim, all motion picture and videotape production requirements, within statutory dollar thresholds, must be synopsisized in *Commerce Business Daily*. Copies of the Request for Proposal (RFP) will be provided only to requesting firms or individuals who are included on the Qualified Film Producers List (QFPL) or Qualified Videotape Producers List (QVPL), subject to conditions established by the procuring agency such as time limits or small business set-asides. During this interim period, motion picture and videotape production requirements will continue to be identified to the Executive Agent by memorandum with the proposed RFP attached. The Executive Agency will assign a transaction number and provide ten or more producers from the appropriate random list who must be sent RFPs for that procurement. Requests for more than ten random producers, in increments of five, is left to the discretion of the requesting agency; however, since procurements are open to all qualified producers, the requesting agency need no longer specify producers of choice.

Procedures for reporting procurement information to the Executive Agent remain the same. Proposed *Commerce Business Daily* synopsis formats for film and videotape productions are attached.

Revised procedures, if any, will be forwarded as soon as they are developed