

Resources and Environmental Protection.

(FR Doc. 81-26637 Filed 9-11-81; 8:45 am)

BILLING CODE 8560-38-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 5994

(M-49376)

Montana; Partial Revocation of Forest Service Withdrawal

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order partially revokes a Secretarial order as modified by Commissioner's letters of September 12, 1914, and October 12, 1915, which withdrew lands for the Jennings Camp Ranger Station. This action will open the lands to such forms of disposition as may by law be made of national forest lands.

EFFECTIVE DATE: October 9, 1981.

FOR FURTHER INFORMATION CONTACT: Edgar D. Stark, Montana State Office, 406-657-6291.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Secretarial Order dated November 25, 1907, as modified by Commissioner's letters of September 12, 1914, and October 12, 1915, which withdrew lands for the Jennings Camp Ranger Station is revoked insofar as it affects the following described lands:

Principal Meridian

Bitterroot National Forest

T. 2 N., R. 18 W.,

Sec. 27, M&B as follows:

Forest Service Monument consists of a block of granite 3' x 3' x 3½', marked R/1 F.S.N. located at the east end of the Jennings Camp flat on the north side of the river, and markings are visible from the road. Whence the summit of a bald mountain bears N. 60° W. about 30 chains, the junction of trail and road bears S. 17° E., 1 chain, a fir tree 10" D.B.H. marked NW/1 bears due west 44 links distant and a yellow pine tree 10" D.B.H.

bears S. 1° E. 1 chain distant, marked NW/1. Thence N. 10° W.

6.00 chains up foot of mountain between two dikes of granite over slide rock to Corner No. 2, a rock, 22" x 6" x 6" set in mound of stone marked R/2, which is Corner No. 2 of old survey:

Whence a forked yellow pine tree 28" D.B.H. bears N. 10° W., 11 links distant, marked W/2, and a fir tree 20" D.B.H. bears S. 10° W. 56 links distant marked W/2.

Thence S. 63°30' W. 8.00 chains across grass land to pole stand. 37.00 chains through pole stand to Corner No. 3, a rock 4" x 6" x 10" set in ground marked H/2 which is Corner No. 2 of H.A. No. 148.

Whence a fir tree, 16" D.B.H. bears S. 20° W., 60 links distant, marked HW/2.

And a fir tree 14" D.B.H. bears N. 40° W., 45 links distant marked HW/2.

Thence S. 33° E. 8.33 chains to river. 9.00 chains to Corner No. 4, a boulder 18" x 10" x 12" set in ground marked R/4, whence a yellow pine tree 9" D.B.H. bears N. 78° E., 25 links distant, marked WR/4, and a lodgepole pine tree 10" D.B.H. bears N. 30° E., 35 links distant, marked WR/4.

Thence S. 58° E. 4.69 chains across meadow to Corner No. 5, a rock 8" x 8" x 8", set in ground, marked R/5, whence a fir tree 14" D.B.H. bears S. 61° E. 26 links distant, marked WR/5, and a fir tree 10" D.B.H. bears S. 33° W. 26 links distant, marked WR/5.

Thence N. 62°30' E. 30.00 chains through lodgepole and across river twice to Corner No. 6, which is Corner No. 5 of the old survey. A rock 15" x 6" x 10" set in mound of earth, marked R/6. Whence a lodgepole pine tree 6" D.B.H. bears N. 16° W. 66 links distant, and a

lodgepole pine tree 12" D.B.H. bears S. 78° W., 6 links distant, marked W/6.

Thence N. 10° W. 2.00 chains to river. 7.00 chains to Forest Service Monument, the place of beginning, containing 45.62 acres of land in Ravalli County.

2. At 8 a.m. on October 9, 1981, the lands shall be open to such forms of disposition as may by law be made of national forest land.

Garrey E. Carruthers,
Assistant Secretary of the Interior.

September 3, 1981.

(FR Doc. 81-26637 Filed 9-11-81; 8:45 am)

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DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 56

Piping Systems and Appurtenances

CFR Correction

In October 1, 1980, revision of Title 46, Parts 41 to 69, of the Code of Federal Regulations the text of the table appearing in § 56.95-10 is incorrect. The table set forth below appeared on page 277 of the July 1, 1979 revision of Title 46, Parts 41 to 69. This table remains in force and effect and will appear in the 1981 revision of Title 46.

TABLE 56.95-10—MANDATORY MINIMUM NONDESTRUCTIVE TESTS FOR WELDS

Class	Material	Nominal diam-eter ¹	Wall thick-ness ¹	Tests ^{2,3}			Notes
				RT ⁴	MT ⁵	PT ⁶	
I, I-L, II-L	Any material	< 3"	≤ ½"	No	No	No	(1, 5)
I, I-L, II-L	P-1 materials or C-Mn P-3	≥ 3"	≤ ½"	No ⁷	Yes	No	(1, 5)
I, I-L, II-L	Materials other than P-1 or C-Mn P-3	< 3"	≥ ½"	Yes	No	No	
I, I-L, II-L	Any material	≥ 3"	≤ ½"	No ^{7,8}	Yes	Yes	(1, 5, 9)
I, I-L, II-L	Any material	≥ 3"	> ½"	Yes	No	No	
II	do	≥ 18"	Any	No	No	No	(1, 9)
II	do	< 18"	Any	No	No	No	

¹The symbol < means less than the dimension stated. The symbol ≤ means equal to or less than the dimension stated. The symbol ≥ means equal to or greater than the dimension stated. The symbol > means greater than the dimension stated. Fabricators desiring to use ultrasonic testing in lieu of any of the required tests shall submit procedures to the Commandant and obtain approval for its use.

²The word "no" means not required. The word "yes" means required.

³RT means radiographic testing for 100 percent unless otherwise permitted.

⁴MT means magnetic particle testing for 100 percent unless otherwise permitted.

⁵PT means liquid penetrant testing for 100 percent unless otherwise permitted.

⁶Random radiography of at least 20 percent of joints required for Classes I-L and II-L systems, but ultrasonic testing may be utilized as an alternate inspection method if procedures are approved. Joints examined by radiographic testing or ultrasonic testing need not be tested by magnetic particle testing.

⁷Radiographic testing may be required for certain joining configurations (see § 56.70-15(b)(2)).

⁸When nominal diameter exceeds 4 inches radiographic testing is required regardless of wall thickness. Under such conditions testing by magnetic particle testing or by liquid penetrant testing is not required.

⁹Use liquid penetrant testing for nonmagnetic materials.

¹⁰Any method of nondestructive testing may be used.

BILLING CODE 1505-01-M

FEDERAL MARITIME COMMISSION**46 CFR Part 510**

[General Order 4, Revised; Docket 80-13]

Licensing of Independent Ocean Freight Forwarders**AGENCY:** Federal Maritime Commission.**ACTION:** Stay of final rule.

SUMMARY: The Commission's final rules in this proceeding provided in 46 CFR 510.32(j) that the waiver or reduction of forwarding fees for relief agencies or charitable organizations was prohibited. The Commission has determined to consider further the proper treatment of such fees. Accordingly, the provision is stayed pending final resolution of the matter.

DATE: The stay is effective September 3, 1981.

FOR FURTHER INFORMATION CONTACT: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573 (202) 523-5725.

SUPPLEMENTARY INFORMATION: The Commission published final rules in this proceeding May 1, 1981 (46 FR 24565). These rules contain a provision which prohibits the waiver or reduction of forwarding fees for relief agencies or charitable organizations (46 CFR 510.32(j)). The Commission has determined to further consider this provision and has determined to stay the provision pending final resolution of the matter.

Therefore, it is ordered, That the effect of § 510.32(j) of Title 46 CFR is stayed pending final resolution of this matter.

By the Commission.
Francis C. Hurney,
Secretary.

[FR Doc. 81-26636 Filed 9-11-81; 8:45 am]

BILLING CODE 6730-01-M

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****49 CFR Part 387**

[BMCS Docket No. MC-94; Amdt. No. 80-4]

Minimum Levels of Financial Responsibility for Motor Carriers; Technical Corrections**AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Federal corrections to final rule.

SUMMARY: The final rule pertaining to Minimum Levels of Financial

Responsibility for Motor Carriers was published on Thursday, June 11, 1981 at 46 FR 30974. A number of technical corrections are being made to the final rule to indicate among other things the OMB approval of the Bureau of Motor Carrier Safety (BMCS) forms. Some are corrections of typographical errors and others contain clarifying language. To prevent any chance of misunderstanding the corrections appearing in this document, the entire paragraph or definition is being reprinted.

EFFECTIVE DATE: The rule was effective on July 1, 1981. The technical corrections contained in this document are effective on September 14, 1981. The requirement that motor carriers secure and retain an endorsement or surety form is effective December 1, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Gerald J. Davis, Bureau of Motor Carrier Safety (BMCS), (202) 426-9767; or Mr. Gerald M. Tierney, Office of the Chief Counsel, (202) 426-0346, Federal Highway Administration, Department of Transportation, Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: The final rule pertaining to Minimum Levels of Financial Responsibility for Motor Carriers was published on Thursday, June 11, 1981 at 46 FR 30974. On page 30982 of that publication, the public was informed that the Office of Management and Budget (OMB) had not approved the two forms (MCS-90) and (MCS-82) that appeared on pages 30985-87 and that the BMCS did not intend to enforce the requirement that motor carriers have the endorsement(s) attached to their policies of insurance for 90 days from either the effective date of July 1, 1981 or the date the OMB approves the forms, whichever was later. The OMB has approved the use of these forms on August 21, 1981 and the use of these forms will be required on and after December 1, 1981.

In approving these forms, the OMB requested a few minor changes be made to Form MCS-90 which make the form more understandable. In making these changes, the BMCS is also making minor conforming changes to the rule. To assure complete understanding of those subsections that are being changed, the complete paragraph or definition is being reprinted.

Note.—The FHWA has determined that this document contains neither a major rule under Executive Order 12991 nor a significant regulation under DOT regulatory procedures. No economic impacts are anticipated as a result of this action. It has also been determined that this action will not have a significant economic impact on a substantial

number of small entities. Accordingly neither a full regulatory evaluation nor a regulatory impact analysis is required.

Notice and opportunity for comment are not required under the regulatory policies and procedures of DOT because it is not anticipated that such action would result in the receipt of useful information. Also, because the rule was effective on July 1, 1981, these amendments are effective upon issuance. As stated above, the use of the endorsement and surety forms will be required on and after December 1, 1981.

(Sec. 30, Pub. L. 96-296, 94 Stat. 793; Sec. 108(b)(5), Pub. L. 96-510, 94 Stat. 2767; 23 U.S.C. 315; 49 CFR 1.48 and 301.60)

(Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety)

Issued on: September 2, 1981.

Kenneth L. Pierson,

Director, Bureau of Motor Carrier Safety.

PART 387—MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS

Accordingly, the following corrections are made in FR Doc. 81-17438 appearing on page 30974 in the issue of Thursday, June 11, 1981, as set forth below.

§ 387.3 [Corrected]

1. On page 30982, column three, under § 387.3, *Applicability*, paragraph (c)(2) is corrected to read "The rules in this part do not apply to the transportation of nonbulk oil, nonbulk hazardous materials, substances, or wastes in intrastate commerce except large quantity radioactive materials."

§ 387.5 [Corrected]

2. On page 30982, column three, under § 387.5, *Definitions*, the definition of *Bodily injury* is corrected to read "includes injury to the body, sickness, or disease including death resulting from any of these."

3. On page 30983, column one, under § 387.5, *Definitions*, the definition of *Property damage* is corrected to read "includes damage to or loss of use of tangible property."

§ 387.7 [Corrected]

4. On page 30983, column two, under § 387.7, *Financial responsibility required*, paragraph (d)(1) is corrected to read "'Endorsement(s) for Motor Carrier Policies of Insurance for Public Liability Under Sections 29 and 30 of the Motor Carrier Act of 1980' (Form MCS-90) issued by an insurer(s); or"

§ 387.9 [Corrected]

5. On page 30983, columns two and three, under § 387.9, *Financial*

responsibility, minimum levels, the Schedule of Limits—Public Liability is corrected to read as shown below:

Schedule of Limits.—Public Liability

[Freight Vehicles With Gross Vehicle Weight Rating of 10,000 Pounds or More]

Type of carriage	Commodity transported	Combined single limit (CSL)	
		July 1, 1981	July 1, 1983
(1) For-hire (in interstate or foreign commerce).	Property (non-hazardous)	\$500,000	\$750,000
(2) For-hire and private (in interstate or intrastate commerce).	Hazardous substances, as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A and B explosives, poison gas (Poison A), liquefied compressed gas, or compressed gas; or large quantity radioactive materials as defined in 49 CFR 173.389.	1,000,000	5,000,000
(3) For-hire and private (in interstate commerce; in any quantity) (in intrastate commerce; in bulk only).	Oil listed in 49 CFR 172.101, hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above.	500,000	1,000,000

Form MCS-90 [Corrected]

6. On pages 30985 and 30986, Form MCS-90 is corrected to reflect the anticipated accommodation of ICC regulated carriers as well as those who operate without ICC's authority. Form MCS-90 also reflects the OMB approval number and reads as illustrated (Illustration I).

Form MCS-82 [Corrected]

7. On page 30987, Form MCS-82 is corrected to reflect the anticipated accommodation of ICC regulated carriers as well as those who operate without ICC's authority. Form MCS-82 also reflects the OMB approval number and reads as illustrated (Illustration II).

Illustration I

Endorsement for Motor Carrier Policies of Insurance for Public Liability Under Sections 29 and 30 of the Motor Carrier Act of 1980

Definitions as Used in This Endorsement

Accident includes continuous or repeated exposure to conditions which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

Motor Vehicle means a land vehicle, machine, truck, tractor, trailer, or semitrailer with a gross vehicle weight rating of 10,000 pounds or more propelled or drawn by mechanical power and used on a highway for transporting property.

Bodily Injury includes injury to the body, sickness, or disease to any person, including death resulting from any of these.

Environmental Restoration means restitution for the loss, damage, or destruction of natural resources arising out of the accidental discharge,

dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage or potential for damage to human health, the natural environment, fish, shellfish, and wildlife.

Property Damage includes damage to or loss of use of tangible property.

Public Liability means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Highway

Administration's Bureau of Motor Carrier Safety (Bureau) and the Interstate Commerce Commission (ICC).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance of use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability does not apply to injury to or death of the

insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by "X", for the limits shown:

☐ This insurance is primary and the company shall not be liable for amounts in excess of \$_____ for each accident.

☐ This insurance is excess and the company shall not be liable for amounts in excess of \$_____ for each accident in excess of the underlying limit of \$_____ for each accident.

Whenever required by the Bureau or the ICC the company agrees to furnish the Bureau or the ICC a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the Bureau or the ICC, to verify that the policy is in force as of a particular date. The telephone number to call is: _____

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the

date notice is received by the ICC at its office in Washington, D.C.).

Issued to _____
of _____
Dated at _____
this _____ day of _____, 19____
Amending Policy No. _____
Effective Date _____
Countersigned by _____
Authorized Company Representative _____
Name of Insurance Company _____

The liability of the Surety on each motor vehicle subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 for each accident shall not exceed \$_____, and shall be a continuing one notwithstanding any recovery hereunder.

The surety agrees, upon telephone request by an authorized representative of the Bureau or the ICC, to verify that the surety bond is in force as of a particular date. The telephone number to call is: _____.

This bond is effective from—(12:01 a.m., standard time, at the address of the Principal as stated herein) and shall continue in force until terminated as described herein. The Principal or the Surety may at any time terminate this bond by giving (1) thirty five (35) days notice in writing to the other party (said 35 day notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the Principal is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date notice is received by the ICC at its office in Washington, D.C.). The Surety shall not be liable for the payment of any judgment or judgments against the Principal for public liability, property damage, or environmental restoration claims resulting from accidents which occur after the termination of this bond as described herein, but such termination shall not affect the liability of the Surety for the payment of any such judgment or judgments resulting from accidents which occur during the time the bond is in effect.

(Affix Corporate Seal)

Date _____
Surety _____
City _____
State _____
By _____

Acknowledgment of Surety

State of _____
County of _____

On this _____ day of _____, 19____, before me personally came _____, who, being by me duly sworn, did depose and say that he resides in _____; that he is the _____ of the _____, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the board of directors of said corporation, that he signed his name thereto by like order, and he duly acknowledged to me

The Motor Carrier Act of 1980 requires limits of financial responsibility according to type of carriage and commodity transported by the motor carrier. It is the Motor Carrier's obligation to obtain the required limits of financial responsibility.

The schedule of limits shown below does not provide coverage. The limits shown in the schedule are for information purposes only.

Schedule of Limits.—Public Liability

[Freight Vehicles With Gross Vehicle Weight Rating of 10,000 Pounds or More]

Type of carriage	Commodity transported	Combined single limit (CSL)	
		July 1, 1981	July 1, 1983
(1) For-hire (in interstate or foreign commerce).	Property (non-hazardous)	\$500,000	\$750,000
(2) For-hire and private (in interstate or intrastate commerce).	Hazardous substances, as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A and B explosives, poison gas (Poison A), liquefied compressed gas, or compressed gas; or large quantity radioactive materials as defined in 49 CFR 173.389.	1,000,000	5,000,000
(3) For-hire and private (in interstate commerce; in any quantity) (in intrastate commerce; in bulk only).	Oil listed in 49 CFR 172.101; hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above.	500,000	1,000,000

Illustration II

Motor Carrier Public Liability Surety Bond Under Sections 29 and 30 of the Motor Carrier Act of 1980

Parties—Surety Company and Principal Place of Business Address; Motor Carrier Principal, I.C.C. Docket No. and Principal Place of Business Address.

Purpose—This is an agreement between the Surety and the Principal under which the Surety, its successors and assignees, agree to be responsible for the payment of any final judgment or judgments against the Principal for public liability, property damage, and environmental restoration liability claims in the sums prescribed herein; subject to the governing provisions and following conditions.

Governing provisions—(1) Sections 29 and 30 of the Motor Carrier Act of 1980 (49 USC 10927 note) (2) Rules and regulations of the Federal Highway Administration's Bureau of Motor Carrier Safety (Bureau) (3) Rules and regulations of the Interstate Commerce Commission (ICC).

Conditions—The Principal is or intends to become a motor carrier of property which operates a motor vehicle

having a gross vehicle weight rating of 10,000 pounds or more subject to the applicable governing provisions relating to financial responsibility for the protection of the public.

This bond assures compliance by the Principal with the applicable governing provisions, and shall insure to the benefit of any person or persons who shall recover a final judgment or judgments against the Principal for public liability, property damage, or environmental restoration liability claims (excluding injury to or death of the Principal's employees while engaged in the course of their employment, and loss of or damage to property of the Principal, and the cargo transported by the Principal). If every final judgment shall be paid for such claims resulting from the negligent operation, maintenance, or use of motor vehicles in transportation subject to the applicable governing provisions, then this obligation shall be void, otherwise it will remain in full effect.

Within the limits described herein, the Surety extends to such losses regardless of whether such motor vehicles are specifically described herein and whether occurring on the route or in the territory authorized to be served by the Principal or elsewhere.

that he executed the same for and on behalf of said corporation.

(Official Seal)

Surety Company File No. _____

Title of official administering oath _____

[FR Doc. 81-26482 Filed 9-11-81; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 661

Ocean Salmon Fisheries Off the Coast of California, Oregon, and Washington

Correction

In FR Doc. 81-26300, appearing at pages 44989-44991 in the issue for Wednesday, September 9, 1981, make the following change:

On page 44991, the file line which appears at the end of the third column and which now reads:

[FR Doc. 81-26300 Filed 9-8-81; 9:45 am]

should actually read:

[FR Doc. 81-26300 Filed 9-3-81; 2:07 pm]

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