TABLE II.—NATURAL GAS CEILING PRICES: NGPA SECS. 104 AND 106(a)—Continued

[Subpart D, Part 271]

Category of natural gas and type of sale or contract	Maximum lawful price per MMBtu for deliveries made in										
	Sept. 1981	Oct. 1981	Nov. 1981	Dec. 1981	Jan. 1982	Feb. 1982	Mar. 1982	Apr. 1982	May 1982	June 1982	July 1982
Replacement contract gas or recompletion gas:											
Small producer	.983	.988	.996	1.004	1.012	1.019	1.026	1.033	1.036	1.039	1.042
Large producer	.752	.756	.762	.768	.774	.779	.784	.789	.791	.793	.795
Flowing gas:											
Small producer	.495	.497	.501	.505	.509	.513	.517	.521	.523	.525	.527
Large producer	.422	.424	.427	.430	.433	.436	.439	.442	.443	.444	.445
Certain Permian Basin gas:											
Small producer	.586	.589	.594	.599	.604	.608	.612	.616	.618	.620	.622
Large producer	.514	.517	.521	.525	.529	.533	.537	.541	.543	.545	.547
Certain Rocky Mountain gas:											
Small producer	.586	.589	.594	.599	.604	.608	.612	.616	.618	.620	.622
Large producer	.495	.497	.501	.505	.509	.513	.517	.521	.523	.525	.527
Certain Appalachian Basin gas:											
North subarea contracts dated after Oct. 7, 1969	.467	.469	.473	.477	.481	.484	.487	.490	.492	.494	.496
Other contracts	.440	.442	.445	.448	.451	.454	.457	.460	.461	.462	.463
Minimum Rate gas: [2] All producers	.258	.259	.261	.263	.265	.267	.269	.271	.272	.273	.274

[1] The price for interstate rollover gas is the higher of the price listed in this table or the just and reasonable price under the expired contract as adjusted for inflation. (See § 271.402(c)(3)).
[2] Prices for minimum rate gas are expressed in terms of dollars per Mcf, rather than MMBtu.

TABLE III—INFLATION ADJUSTMENT

Month of delivery	Factor by which price in preceding month is multiplied
1977:	
May	1.00636
June	1.00636
July	1.00431
August	1.00431
September	1.00431
October	1.00463
November	1.00463
December	1.00463
1978:	
January	1.00597
February	1.00597
March	1.00597
April	1.00889
May	1.00889
June	1.00889
July	1.00581
August	1.00581
September	1.00581
October	1.00581
November	1.00581
December	1.00581
1979:	
January	1.00581
February	1.00667
March	1.00667
April	1.00667
May	1.00713
June	1.00713
July	1.00713
August	1.00805
September	1.00805
October	1.00805
November	1.00690
December	1.00690
1980:	
January	1.00690
February	1.00713
March	1.00713
April	1.00713
May	1.00774
June	1.00774
July	1.00774
August	1.00843
September	1.00843
October	1.00843
November	1.00744
December	1.00744
1981:	
January	1.00744
February	1.00904
March	1.00904
April	1.00904
May	1.00643
June	1.00643
July	1.00643
August	1.00503
September	1.00503
October	1.00503
November	1.00767
December	1.00767
1982:	
January	1.00767
February	1.00690
March	1.00690
April	1.00690
May	1.00311
June	1.00311
July	1.00311

[FR Doc. 82-11513 Filed 4-26-82; 8:45 am]

BILLING CODE 6717-01-M

18 CFR Part 282

[Docket No. RM79-14]

Order Prescribing Incremental Pricing Acquisition Cost Thresholds Under Title II of the Natural Gas Policy Act

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Order prescribing incremental pricing thresholds.

SUMMARY: The Director of the Office of Pipeline and Producer Regulation is issuing the incremental pricing acquisition cost thresholds prescribed by Title II of the Natural Gas Policy Act and 18 CFR 282.304. The Act requires the Commission to compute and publish the threshold prices before the beginning of each month for which the figures apply. Any cost of natural gas above the applicable threshold is considered to be an incremental gas cost subject to incremental pricing surcharging.

EFFECTIVE DATE: May 1, 1982.

FOR FURTHER INFORMATION CONTACT: Kenneth A. Williams, Federal Energy Regulatory Commission, 825 N. Capitol Street, NE., Washington, D.C. 20426, (202) 357-8500.

SUPPLEMENTARY INFORMATION: Publication of Prescribed Incremental Pricing Acquisition Cost Threshold of the NGPA of 1978, Docket No. RM79-14.

Order of the Director, OPPR

April 22, 1982.

Section 203 of the NGPA requires that the Commission compute and make available incremental pricing acquisition cost threshold prices prescribed in Title II before the beginning of any month for which such figures apply.

Pursuant to that mandate and pursuant to § 375.307(1) of the Commission's regulations, delegating the publication of such prices to the Director of the Office of Pipeline and Producer Regulation, the incremental pricing acquisition cost threshold prices for the month of May 1982 is issued by the publication of a price table for the applicable month.

List of Subjects in 18 CFR Part 282

Natural gas.

Kenneth A. Williams,

Director, Office of Pipeline and Producer Regulation.

TABLE I—INCREMENTAL PRICING ACQUISITION COST THRESHOLD PRICES

	January	February	March	April	May	June	July	August	September	October	November	December
Calendar year 1980												
Incremental pricing threshold	$1.702	$1.738	$1.750	$1.762	$1.776	$1.790	$1.804	$1.819	$1.834	$1.849	$1.863	$1.877
NGPA section 102 threshold	2.358	2.381	2.404	2.428	2.453	2.478	2.504	2.532	2.560	2.588	2.614	2.640
NGPA section 109 threshold	1.786	1.799	1.812	1.825	1.839	1.853	1.867	1.883	1.899	1.915	1.929	1.943
130 percent of No. 2 fuel oil in New York City threshold	7.170	7.260	7.410	7.110	7.380	8.040	7.840	7.380	7.400	7.400	7.450	7.580
Calendar year 1981												
Incremental pricing threshold	1.891	1.908	1.925	1.942	1.954	1.967	1.980	1.990	2.000	2.010	2.025	2.041
NGPA section 102 threshold	2.667	2.698	2.729	2.761	2.787	2.813	2.840	2.863	2.886	2.909	2.940	2.971
NGPA section 109 threshold	1.957	1.975	1.993	2.011	2.024	2.037	2.050	2.060	2.070	2.080	2.096	2.112
130 percent of No. 2 fuel oil in New York City threshold	7.610	7.760	8.260	9.010	9.510	9.430	9.360	9.260	8.860	8.700	8.930	8.990
Calendar year 1982												
Incremental pricing threshold	2.057	2.071	2.085	2.099	2.106							
NGPA section 102 threshold	3.003	3.033	3.063	3.093	3.112							
NGPA section 109 threshold	2.128	2.143	2.158	2.173	2.180							
130 percent of No. 2 fuel oil in New York City threshold	9.180	9.340	9.470	9.340	9.280							

[FR Doc. 11456 Filed 4-26-82; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 82

[Docket No. 81N-0301]

D&C Green No. 6; Listing as a Color Additive in Externally Applied Drugs and Cosmetics

Correction

In FR Doc. 82-8902 appearing on page 14138 in the issue of Friday, April 2, 1982, make the following correction:

On page 14147, first column, the heading for Part 82 now reading "Listing of Certified Provisionally Listed Color, and Cosmetics" should have read "Part 82—Listing of Certified Provisionally Listed Colors and Specifications".

BILLING CODE: 1505-01-M

21 CFR Part 548

Certifiable Peptide Antibiotic Drugs for Animal Use; Soluble Bacitracin Methylene Disalicylate

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by A. L. Laboratories, Inc., providing for safe and effective use of bacitracin methylene disalicylate soluble powder in the drinking water of swine for use in treatment of swine dysentery associated with *Treponema hyodysenteriae*.

EFFECTIVE DATE: April 27, 1982.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Bureau of Veterinary Medicine (HFV-147), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4317.

SUPPLEMENTARY INFORMATION: A. L. Laboratories, Inc., 452 Hudson Terrace, Englewood Cliffs, NJ 07632, filed a supplemental NADA (65-470) providing for use of bacitracin methylene disalicylate soluble powder in the drinking water of swine for use in treatment of swine dysentery associated with *Treponema hyodysenteriae*. Bacitracin methylene disalicylate soluble powder was the subject of two National Academy of Sciences/National Research Council (NAS/NRC) notices published in the **Federal Register** of July 17, 1970 (DESI 0061 NV; 35 FR 11531) and October 2, 1970 (DESI 0061 NV; 35 FR 15408). The NAS/NRC notices concluded, and FDA concurred, that the product is probably not effective for therapeutic claims in swine. The product is marketed for the following claims: Treatment of bacterial swine enteritis (scours) and as an aid in prevention of bacterial swine enteritis (scours) on a continual-use basis.

A. L. Laboratories, Inc., submitted results of adequate and well-controlled experiments and field trials which demonstrate that the product is safe for animals and effective for the treatment of swine dysentery associated with *Treponema hyodysenteriae* when administered in swine drinking water at a concentration of 1 gram per gallon of water continuously for 7 days or until signs of dysentery disappear. The revised claim represents a restricted use of the drug within previously approved uses, and a restriction of the time limitations swine are offered the medicated water (14-day maximum). Furthermore, residues resulting from this use of supplemental bacitracin have been shown to be below the currently approved tolerance of the drug. Therefore, this approval poses no increased risk to people exposed to residues of the drug. Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; December 23, 1977), this supplemental NADA has been treated as a category II supplement and did not require a reevaluation of the human food safety data supporting the parent application.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

The Bureau of Veterinary Medicine has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human

environment and that an environmental impact statement therefore will not be prepared. The Bureau's finding of no significant impact and the evidence supporting this finding contained in an environmental assessment (pursuant to 21 CFR 25.31, proposed December 11, 1979; 44 FR 71742) may be seen in the Dockets Management Branch (address above).

List of Subjects in 21 CFR Part 548

Animal drugs, Antibiotics, Peptides.

PART 548—CERTIFIABLE PEPTIDE ANTIBIOTIC DRUGS FOR ANIMAL USE

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 548 is amended in § 548.112a by revising paragraph (a)(1) and by adding a new paragraph (c)(5)(ii)(*c*) to read as follows:

§ 548.112a Bacitracin methylene disalicylate soluble powder.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* The drug is soluble bacitracin methylene disalicylate with suitable and harmless diluents. It contains the equivalent of 50 grams of bacitracin activity per pound as defined § 430.6(a)(2) of this chapter, except that it contains the equivalent of 200 grams of bacitracin activity per pound as so defined if used as provided for in paragraph (c)(5)(ii)(*c*) of this section. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the labeled amount of bacitracin. Its loss on drying is not more than 8.5 percent. Its pH is not less than 8.0 and not more than 9.5. The soluble bacitracin methylene disalicylate used conforms to the standards prescribed by § 539.310b(a) of this chapter.

* * * * *

(c) * * *

(5) * * *

(ii) * * *

(*c*) *Amount per gallon.* One gram.

(*1*) *Indications for use.* For treatment of swine dysentery associated with *Treponema hyodysenteriae.* Administer continuously for 7 days or until signs of dysentery disappear.

(*2*) *Limitations.* Prepare a fresh solution daily. Treatment not to exceed 14 days. If symptoms persist after 4 to 5 days consult a veterinarian. Not to be given to swine that weigh more than 250 pounds.

* * * * *

Effective date. This amendment is effective April 27, 1982.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: April 20, 1982.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 82-11373 Filed 4-26-82; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Antibiotic Nitrofuran, and Sulfonamide Drugs in the Feed of Animals

Correction

On page 16320 in the issue for Friday, April 16, 1982, a correction appeared which modified FR Doc. 82-8088 (see 47 FR 12952, March 26, 1982). Unfortunately, the correction contained an error. On page 16321, in the first column, in the third line from the top of the column, "0.22" should have read "0.022".

BILLING CODE 1505-01-M

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21 CFR Part 176

[Docket No. 81F-0211]

Indirect Food Additives; Paper and Paperboard Components; Siloxanes and Silicones, Dimethyl, Methylhydrogen, Reaction Products with Polyethylene-Polypropylene Glycol Monoallyl Ether

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of siloxanes and silicones, dimethly, methylhydrogen, reaction products with polyethylene-polypropylene glycol monoallyl ether as a component of defoamers used in the manufacture of paper and paperboard. This is in response to a food additive petition from Diamond Shamrock Corp.

DATES: Effective April 27, 1982. Objections by May 27, 1982.

ADDRESS: Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: John L. Herrman, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of July 31, 1981 (46 FR 39222), FDA announced that a food additive petition (FAP 1B3563) had been filed by the Diamond Shamrock Corp., P.O. Box 2386 R, Morristown, NJ 07960, proposing to amend § 176.210 (21 CFR 176.210) to provide for the safe use of siloxanes and silicones, dimethyl, methylhydrogen, reaction products with polyethylene-polypropylene glycol monoallyl ether as a component of defoamers used in the manufacture of paper and paperboard.

FDA has evaluated data in the petition and other relevant material and concludes that the proposed use is safe and that § 176.210 should be amended as set forth in this document. In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Bureau of Foods (address above) by appointment with the information contact person listed above. As provided in § 171.1(h)(2), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has considered the potential enviromental effects of this action and has concluded that the action will not have a significant impact on the human environment and an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that document may be seen at the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 176

Food additives; Food packaging; Paper and paperboard.

PART 176—INDIRECT FOOD ADDITIVES: PAPER AND PAPERBOARD COMPONENTS

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 72, Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052, May 11, 1981)), Part 176 is amended in § 176.210(d)(3) by alphabetically inserting a new item in the list to read as follows:

§ 176.210 Defoaming agents used in the manufacture of paper and paperboard.

* * * * *

(d) * * *

(3) * * *

Siloxanes and silicones, dimethyl, methylhydrogen, reaction products with

polyethylene-polypropylene glycol monoallyl ether (CAS Reg. No. 71965-38-3).

* * * * *

Any person who will be adversely affected by the foregoing regulation may at any time on or before May 27, 1982, submit to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857; written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held; failure to include such a description and anlaysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this regulation. Received objections may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation shall become effective April 27, 1982.

(Secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348))

Dated: April 16, 1982.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 82-11372 Filed 4-26-82; 8:45 am]

BILLING CODE 4160-01-M

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

25 CFR Part 700

Commission Operations and Relocation Procedures

AGENCY: Navajo and Hopi Indian Relocation Commisson.

ACTION: Final rule.

SUMMARY: On January 14, 1982, the regulations on Commission operations and relocation procedures were revised, with the exception of the sections on determination of replacement housing payments, differential amounts, payments for divorced or separated relocatees, and payments to estates. These sections were not included with the rest of the regulations because the Commission was awaiting an opinion from the General Accounting Office. The opinion has been received and the Commission is now taking final action on these sections.

EFFECTIVE DATE: April 27, 1982.

FOR FURTHER INFORMATION CONTACT: Paul M. Tessler, C.F.R. Liaison Officer, Navajo & Hopi Indian Relocation Commission, P.O. Box KK, Flagstaff, AZ 86002. Telephone No. (602) 779-3311, Extension 1376, FTS: 261-1376. The principal author is William G. Lavell, General Counsel, Navajo and Hopi Indian Relocation Commission, P.O. Box KK, Flagstaff, Arizona, 86002. Telephone No. (602) 779-3311, Extension 1376, FTS: 261-1376.

SUPPLEMENTARY INFORMATION: On March 9, 1981, the Commission published a proposed recodification, revision and expansion of existing regulations contained in 25 CFR Part 700 (45 FR 15720-15743). On January 14, 1982, final rules were published on all sections of the proposed recodification, except the following: § 700.183—Determination of Replacement Housing Payments; § 700.185—Differential Amount; § 700.143—Payments for Divorced or Separated Relocatees and § 700.145—Payments to Estates (47 FR 2089-2112). On December 24, 1981 a revision of § 700.143—Payments for Divorced or Separated Relocatees and § 700.145—Payments to Estates was published for further comment. Comments on this re-publication have been received and analyzed. Most of the comments received from the publication on March 9, 1981, dealt with sections 700.183—Determination of Replacement Housing Payment, and 700.185—Differential Amount. Since the question underlying the proposed change in those sections was then before the General Accounting Office, the Commission decided to wait for an opinion before taking final action on those rules. Such opinion has been received and the Commission is now prepared to take final action on the remaining sections of the proposed revisions published on March 9, 1981.

Most of the comments received concerning the March 9, 1981 publication of the proposed recodification dealt with the proposed changes in § 700.183—Determination of Replacement Housing Payments and § 700.185—Differential Amount. All such comments opposed the proposed change. The opinion received from the General Accounting Office did not in any way detract from the authority of the Commission to continue the present practice of adding the replacement housing benefit to the amount of money received by the relocatee for any improvements located on the Former Joint Use Area in determining the total amount available for replacement housing. In considering the many comments received, the Commisson has decided that the continuation of that practice would best fit the needs of this program. Therefore, §§ 700.183 and 700.185 have been combined and state substantially the same rule that has been practiced up to this time.

Concerning § 700.143—Payments for Divorced or Separated Relocatees and § 700.145—Payments to Estates, the comments received in response to the December 24, 1981 publication were as follows.

One comment dealt primarily with the point that the Commission should allow for courts of competent jurisdication (particularly tribal courts) to enter appropriate decrees disposing of relocation benefits, where appropriate. This suggestion has been acted upon and the final rule reflects this.

The other comment was concerned with the question of vesting of benefits. It was suggested that such benefits vest upon the signing of the Relocation Contract. Since there was some concern as to whether or not this practice might encouage "sham divorces", the commentor suggested that the Commission adopt a provision to cover the situation similar to the one set forth in IRS Revenue Ruling 76-255. That ruling held that a couple who obtained a year end divorce with the intent of marrying in the next year solely to avoid the tax "marriage penalty" by filing separate returns, are treated by the IRS as being married. The attached regulation as adopted by the Commission sets forth what the Commission will consider as divorce or legal separation. If facts arise which indicate a possible "sham divorce" such matters will be handled on a case by case basis. In view of the customs and traditions of the Navajo Tribe it is not anticipated that this practice will be encountered.

In order to clarify the meaning of vesting in these regulations, a new definition is included as § 700.89—Relocation Contract.

As of the date of publication of this final rule, the Office of Management and Budget has not approved the information collection requirements, if any, related to these regulations. Notice of such approval will be published at a later date.

List of Subjects in 25 CFR Part 700

Relocation assistance, Indians.

Accordingly, Part 700 of title 25 of the Code of Federal Regulations is amended by adding § 700.89 to Subpart A and by adding §§ 700.143 and 700.145 to Subpart C and § 700.183 to Subpart E to read as follows:

PART 700—COMMISSION OPERATIONS AND RELOCATION PROCEDURES

§ 700.89 Relocation contract.

The Relocation Contract is that contract signed by the head of household in which he/she agrees to purchase an existing house or to construct a new house, the owner of such existing house or the builder of the proposed new house agrees to sell or perform the construction, and the Commission agrees to make payments according to such agreement.

§ 700.143 Payments for divorced or separated relocatees.

General. The following considerations apply to certified eligible heads of household who are legally separated or divorced and intend to establish separate eligibility.

(a) Determination of Benefits. Eligibility for relocation benefits is determined as of the time that the Relocation Contract is signed.

(1) If the divorce or separation took place before benefits were first applied for, the spouse who vacated the habitation will not be eligibile for benefits and all relocation benefits will accrue to the spouse remaining in occupancy as head of the household remaining to be relocated.

(2) If both husband and wife are in possession of the habitation at the time that benefits are first applied for, and are divorced or separated prior to signing of a Relocation Contract, both husband and wife may qualify separately for benefits if each meets the requirements of eligibility under these regulations.

(3) If both husband and wife are in possession of the habitation at the time a Relocation Contract is signed but are divorced or separated prior to occupancy of the replacement dwelling, only one benefit will be paid to the household. Such benefits (including the assistance payment, moving expenses and replacement dwelling benefit) and the purchase price of the habitation and improvements may be prorated between husband and wife in such manner as they may agree in writing so long as such proration is consistent with the terms of the Relocation Contract. Such proration may also be made by a court of competent jurisdiction. In the absence of an agreement between the parties or a court order, any necessary prorations shall be made by the Commission.

(b) For purposes of this section, a head of household shall be considered as married even though living apart from his or her spouse unless legally separated under a decree or separate maintenance.

§ 700.145 Payments to estates.

(a) Relocation benefits can be paid to the estate of a deceased Certified Eligible Head of Household under the following circumstances:

(1) If there is no household requiring relocation pursuant to the Act surviving the deceased head of household:

(i) Compensation for the habitation and other improvements owned by the deceased head of household and the cost of removing personal property from the acquired habitation and other improvements shall be paid to the estate of a deceased head of household, or as otherwise directed by a court of competent jurisdiction.

(ii) No replacement housing benefit or assistance payment (bonus) shall be paid under this circumstance.

(2) Replacement housing benefits may be paid to an estate only when a certified eligible head of household was qualified for such a housing payment pursuant to the Act and signed a Relocation Contract but died before the replacement housing was occupied. The estate of a certified eligible head of household who had not signed a Relocation Contract at the time of his/her death is not eligible for payment of a replacement housing benefit.

(b) If one of a married couple who was a certified eligible head of household dies, the surviving spouse may be paid the same relocation assistance benefits, including replacement housing payments, which the couple would have received had death not occurred. If there is no surviving spouse, a court of competent jurisdiction may appoint a guardian to act for minor members of the household. The Commission shall deal with such guardian and any members of the household who have attained their majority in a manner to effect relocation of the remaining household under these regulations.

§ 700.183 Determination of replacement housing benefit.

(a) *Amount of benefit.* The replacement housing benefit for a certified eligible head of household is an amount not to exceed Fifty Thousand Dollars ($50,000.00) for a household of three or less and not to exceed Sixty-Six Thousand Dollars ($66,000.00) for a household of four or more. Subject to such other requirements of these regulations as may apply, the replacement housing benefit to be paid in each instance shall be either of the following amounts, as appropriate in each case:

(1) The full amount of the replacement housing benefit as set forth above, or as increased or decreased from time to time, if the purchase price of the replacement dwelling, actually acquired and occupied by the displaced person, including the land upon which it is situated, equals or exceeds the sum of the purchase price of the acquired habitation and improvements plus the full replacement housing benefit.

(2) If the purchase price of the replacement dwelling, including the land upon which it is situated, actually acquired and occupied by the displaced person is less than the sum of the purchase price of the acquired habitation and improvements plus the full replacement housing benefit, then the replacement housing benefit shall be that amount, which, when added to the purchase price of the acquired habitation and improvements, equals the purchase price of the replacement dwelling.

(b) The Commission shall, on or before the first Friday in April of each fiscal year, after consultation with the Secretary of the Department of Housing and Urban Development, annually increase, decrease or leave unadjusted the above limitations on replacement housing benefits to reflect changes in housing or development and construction costs, other than costs of land, during the preceding year. In determining whether to increase or decrease the replacement housing benefit limitations set forth above, the Commission shall consider the following:

(1) The most recent percentage rate of increase or decrease in single family housing construction costs reported by HUD. (General Prototype Housing Costs For One to Four Family Dwelling Units).

(2) The most recent Boecht Building Cost Modifier.

(3) The experience of relocatee families in obtaining replacement housing within the current benefits.

(4) The cost of available replacement housing which meets Commission standards as set forth in these regulations.

(5) Such other available information which the Commission deems appropriate and which is relevant to a determination of whether replacement housing benefits should be increased or

decreased to reflect change in housing or development and construction costs during the preceding year.

(c) If the owner retains ownership of his dwelling, moves it from the acquired site, and reoccupies it on a replacement site, the purchase price of the replacement dwelling shall be considered to be the sum of—

(1) The cost of the replacement site, if any; plus

(2) The moving and restoration expenses; plus

(3) The costs, if any, incurred to make the unit a decent, safe, and sanitary replacement dwelling; but not to exceed the above limitation on total replacement home benefits.

(Pub. L. 93–531, 88 Stat. 1712 as amended by Pub. L. 96–305, 94 Stat. 929 (25 U.S.C. 640d))

Hawley Atkinson,

Chairman Navajo and Hopi Indian Relocation Commission.

[FR Doc. 82-11425 Filed 4-26-82; 8:45 am]

BILLING CODE 6820-BB-M

DEPARTMENT OF DEFENSE

Defense Nuclear Agency

32 CFR Part 291a

[DNA Instruction 5400.11]

Privacy Act of 1974

AGENCY: Defense Nuclear Agency.

ACTION: Final rule.

SUMMARY: The Defense Nuclear Agency is amending its rules implementing the Privacy Act to indicate the official within the agency responsible for Privacy Act matters and to correct the file designation for a system of records for which a specific exemption is claimed.

DATES: This final rule is effective May 27, 1982.

FOR FURTHER INFORMATION CONTACT: Robert L. Brittigan; General Counsel; Defense Nuclear Agency; Washington, D.C. 20305; Telephone: (202) 325–7681.

SUPPLEMENTARY INFORMATION: These rule changes were first proposed on September 23, 1980 as a proposed rule (see 45 FR 63004). No public comments have been received and, therefore, the changes are now adopted as a final rule.

List of Subjects in 32 CFR Part 291a

Privacy.

PART 291a—PRIVACY ACT OF 1974

Accordingly, the indicated sections of Part 291a of Title 32 CFR are amended as follows:

§ 291a.4 Responsibilities [Amended]

Change "Chief, Civilian Personnel Division, Personnel/Administrative Directorate" to "General Counsel".

§ 291a.5 Reports [Amended]

Change "PACV" to "GC".

§ 291a.6 Specific Exemptions [Amended]

Change (a) from "501.01 Personnel Security Files" to "501.01 Security Operations System."

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

April 21, 1982.

[FR Doc. 82-11420 Filed 4-26-82; 8:45 am]

BILLING CODE 3810-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 123, 264 and 265

[SWH-FRL-2091-8]

Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities: Liability Requirements

Corrections

In FR Doc. 82–10431 appearing at page 16544 in the issue for Friday, April 16, 1982, make the following changes:

1. On page 16557, first column, under Alternative II, please remove "$" from Items 2, 3, and 4; and in the second column, under Alternative II, please remove "$" from Items 4, 5, and 6.

2. On page 16561, third column, beginning with the seventh line, remove "[insert date of publication in the **Federal Register**]", and insert the following: "April 16, 1982".

BILLING CODE 1505-01-M

40 CFR Parts 60 and 61

[A-3-FRL-2112-1]

New Source Performance Standards and National Emission Standards for Hazardous Pollutants; Delegation of Authority to the State of Delaware

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document amends EPA regulations which state the address of the Delaware Department of Natural Resources and Environmental Control to reflect delegation to the State of Delaware of authority to implement and enforce additional Standards of Performance for New Stationary Sources and National Emission Standards for Hazardous Air Pollutants.

EFFECTIVE DATE: April 27, 1982.

FOR FURTHER INFORMATION CONTACT: Laurence Budney (3AW12), Environmental Protection Agency, Region III, Curtis Bldg., 6th & Walnut Sts., Philadelphia, PA 19106, Telephone: (215) 597–2842.

SUPPLEMENTARY INFORMATION:

I. Background

On September 22, 1981 and February 3, 1982, John E. Wilson III, Secretary of the Delaware Department of Natural Resources and Environmental Control, submitted requests for delegation of authority to implement and enforce regulations for:

- New Source Performance Standards (NSPS) for stationary gas turbines
- New Source Performance Standards (NSPS) for petroleum refineries
- National Emission Standards for Hazardous Air Pollutants (NESHAP) for vinyl chloride

The request was reviewed and on April 15, 1982 a letter was sent to John E. Wilson III, Secretary, Department of Natural Resources and Environmental Control, approving the delegation and outlining its conditions. The approval letter specified that if Secretary Wilson or any other representatives had any objections to the conditions of the delegation they were to respond within ten (10) days after receipt of the letter. As of this date, no objections have been received.

II. Regulations Affected by This Document

With respect to the authority delegations referred to above, EPA is today amending 40 CFR 60.4 and 61.04, Address, to reflect these delegations. The amended § 60.4 and § 61.04 which state the address of the Delaware Department of Natural Resources and Environmental Control (to which all reports, requests, applications, submittals and communications to the Administrator regarding this subpart must be addressed), is set forth below.

The Administrator finds good cause to make this rulemaking effective immediately without prior public notice since it is an administrative change and not one of substantive content. No additional substantive burdens are imposed on the parties affected. The delegation which is reflected by this administrative amendment was effective on April 15, 1982.

This rulemaking is effective immediately, and is issued under the authority of Sections 111 and 112 of the Clean Air Act, as amended.