hearing convened by Oklahoma, that only two feet of the core sample was usable for permeability measurements. SoCal asserts that no explanation was provided as to how the permeability for four additional one foot intervals of the core sample was derived or why such questionable data was used. Jordan responded that permeability tests were run on ten feet of the core sample, but that eight feet of the sample had defects (i.e., cracks, fractures or failure to recover a full core) caused in preparation of the core or in the actual coring operation. Jordan contends, and the Commission agrees, that the defects result in permeability measurements which are higher than those actually encountered in the formation. Jordan additionally submitted 28 core samples, takn by a previous operator from the Cleveland Sand Formation; only two of these samples yielded permeability values in excess of .1 md, and one of these samples was found to have horizontal cracks. If all samples are averaged, the permeability is .119 md. If the sample with the cracks is excluded, the average permeability is .076 md.[3]

SoCal next alleges that there is a lack of record evidence to justify the slope of the line adopted by Oklahoma, in its use of the Horner Plot method, to determine *in situ* permeability of the recommended formation. Specifically, SoCal points out that initial data readings from wells reflect the results of well bore storage, rather than the actual conditions of the formation. Therefore, SoCal contends that failure to use special Log-Log plots to determine if the length of the test was long enough to conclude that the well bore storage period was completed was improper, and thus the tests do not accurately demonstrate *in situ* permeability for the Cleveland Sand. SoCal contends that for low permeability gas reservoirs, the time required to evaluate the reservoir is much longer than the shut-in test time actually used, which was at the maximum eight days. Thus, SoCal concludes reservoir permeability so calculated should be disregarded by the Commission, absent additional data which shows that such permeability calculation is in fact representative of the formation.

Jordan responded to SoCal's argument by asserting that rather than determining true or actual permeability for the Cleveland Sand, the tests used attempted to show that the permeability is less than 0.1 md. Jordan states that it agrees with SoCal that the slope of the line drawn on the Horner Graph should be drawn through the final several points on the plot. Jordan asserts that this slope would yield permeability values of 0.0275 md for a pay section which is 20 feet thick, and 0.0117 md for a 47 foot thick pay section. Furthermore, Jordan maintains that these permeability calculations agree with the values calculated for three other wells in the Cleveland Sand: the Erhlich No. 1–3 Well, the Berry No. 1–3 Well, and the Hough No. 1–35 Well. Oklahoma in its reply stated that the permeability has been demonstrated to be less than 0.1 md, because what was calculated was the upper limit of the permeability, not the actual permeability, and the result was less than 0.1 md.

Jordan claims that it followed the procedure recommended in the technical sources relied on by SoCal to determine permeability in a well which has been hydraulically fractured in order to determine the upper limit of permeability for the three test wells. Jordan claims that further procedures are unnecessary since they will only serve to reduce the calculated permeability, which already satisfies the guidelines.

Finally, SoCal finds fault with the pressure buildup study which was used to determine reservoir permeability. SoCal indicates that the test well did not flow for 45.5 hours, as was reported, but rather flowed for only 2.5 hours. SoCal's concern is that use of the wrong flow-rate, which is a key factor in determining reservoir permeability, results in an inaccurate analysis of the pressure buildup data. Jordan's response indicates, and the Commission agrees, that if the longer flow times as asserted by SoCal were used in the calculations of permeability, the result would be a lower calculated permeability. The lower calculated permeability can be expected because the flow rate had already decreased to a negligible rate within 2.5 hours, thus, the calculated results were an upper limit and still within the limits of the Commission's regulations.

The Commission has reviewed the comments and issues raised by SoCal and the responses thereto submitted by Jordan and Oklahoma. The Commission finds that the evidence submitted supports the assertion that the "Cleveland Sand" of the "Kansas City Group" meets the guidelines contained in § 271.703(c)(2). The Commission adopts the Oklahoma recommendation.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and, therefore, incentive prices should be made available as soon as possible. The need to make incentive prices immediately available establishes good cause to waive the thirty-day publication period.

List of Subject in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

(Department of Energy Organization Act, 42 U.S.C. 7101 et seq.; Natural Gas Policy Act of 1978, 15 U.S.C. 3301—3432; Administrative Procedure Act, 5 U.S.C. 553)

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, Code of Federal Regulations, is amended as set forth below, effective January 21, 1983.
By the Commission

Kenneth F. Plumb,

Secretary.

PART 271—[AMENDED]

Section 271.703 is amended by adding new paragraph (d) (123) to read as follows:

§271.703 Tight formations.

* * * * *

(d) *Designated tight formations.*

* * * * *

(123) *"Cleveland Sand" of the "Kansas City Group" in Oklahoma.* RM79–76–120 (Oklahoma–2).

(i) *Delineation of formation.* The designated interval of the Cleveland Sand is found in Sections 6 through 8 and 16 through 18, Township 20 North, Range 24 West; Sections 1 through 6, 11 through 13, Township 20 North, Range 25 West; and Sections 35 and 36, Township 21 North, Range 25 West, in the Gage Southwest Field, northwestern Oklahoma, in Ellis County .

(ii) *Depth.* The depth to the top of the designated interval ranges from 7,850 to 8,300 feet. The top of the designated interval ranges from 71 to 114 feet below the base of the "Checkerboard limestone" (a drillers' term), and the base of the inteval is marked by the top of the Marmaton Group of Des Moinesian age. The gross thickness of the "Cleveland Sand" ranges from 40 to 60 feet and averages 54 feet; the net sandstone thickness ranges from 5 to 32 feet and averages 19 feet.

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BILLING CODE 6717–01–M

[3] There is some indication that the second sample above .1 md may have contained fractures induced by drilling or coring operations. If this sample is also excluded, the average permeability for the remaining 26 core samples is .036 md.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 74, 81, and 82

[Docket No. 82N-0341]

D&C Red No. 21 and D&C Red No. 22; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Final rule; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA) is confirming the effective date of January 3, 1983, for regulations that permanently list D&C Red No. 21 and D&C Red No. 22 as color additives for general use in drugs and cosmetics excluding use in the area of the eye.

DATE: Effective date confirmed: January 3, 1983.

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 the **Federal Register** of November 30, 1982 (47 FR 53843), FDA published a final rule that amended the color additive regulations by "permanently" listing D&C Red No. 21 under §§ 74.1321 and 74.2321 (21 CFR 74.1321 and 74.2321) and D&C Red No. 22 under §§ 74.1322 and 74.2322 (21 CFR 74.1322 and 74.2322). The final rule also amended § 81.1(b) (21 CFR 81.1(b)) by removing D&C Red No. 21 and D&C Red No. 22 from the provisional lists of color additives and § 81.27(d) (21 CFR 81.27(d)) by removing D&C Red No. 21 and D&C Red No. 22 from the conditions of provisional listing. Additionally, the final rule amended § 82.1321 (21 CFR 82.1321) for D&C Red No. 21 to conform the identity and specifications to the requirements of § 74.1321(a)(1) and (b) and amended § 82.1322 (21 CFR 82.1322) for D&C Red No. 22 to conform the identity and specifications to the requirements of § 74.1322(a)(1) and (b).

FDA gave interested persons until December 30, 1982, to file objections. The agency did not receive any objections or requests for a hearing on any aspect of the final rule. Therefore, FDA concludes that the final rule published on November 30, 1982, for D&C Red No. 21 and D&C Red No. 22 should be confirmed.

List of Subjects

21 CFR Part 74

Color additives, Color additives subject to certification, Cosmetics, Drugs.

21 CFR Part 81

Color additives, Color additives provisional list, Cosmetics, Drugs.

21 CFR Part 82

Color additives, Color additives lakes, Color additives provisional list, Cosmetics, Drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 701, 706 (b), (c), and (d), 52 Stat. 1055-1056 as amended, 74 stat. 399-403 (21 U.S.C. 371, 376 (b) (c), and (d))) and the Transitional Provisions of the Color Additive Amendments of 1960 (Title II, Pub. L. 86-618, sec. 203, 74 Stat. 404-407 (21 U.S.C. 376, note)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that no objections or requests for hearing were filed in response to the November 30, 1982 final rule. Accordingly, the amendments promulgated thereby became effective on January 3, 1983.

Dated: January 24, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-2518 Filed 1-31-83; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 510

New Animal Drugs; Change of Sponsor Name

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect a change of sponsor name for several new animal drug applications (NADA's) from Bayvet Division of Cutter Laboratories, Inc., to Bayvet Division of Miles Laboratories, Inc.

EFFECTIVE DATE: February 1, 1983.

FOR FURTHER INFORMATION CONTACT: John R. Markus, Bureau of Veterinary Medicine (HFV-145), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4313.

SUPPLEMENTARY INFORMATION: Bayvet informed the agency that Cutter Laboratories, Inc., has been merged into Miles Laboratories, Inc., with the latter being the surviving corporation. The change of sponsor name for these NADA's is the result of a corporate merger which does not involve changes in manufacturing facilities, equipment, procedures, or personnel. The animal drug regulations are amended in 21 CFR 510.600(c) to reflect this change of sponsor name.

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.

List of Subjects in 21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting requirements.

PART 510—NEW ANIMAL DRUGS

§ 510.600 [Amended]

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) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 510 is amended in § 510.600 *Names, addresses, and drug labeler codes of sponsors of approved applications* in paragraph (c)(1) for the entry "Bayvet Division of Cutter Laboratories, Inc." and (c)(2) for "000859" under the "Firm name and address" headings by revising the firm name to read "Bayvet Division of Miles Laboratories, Inc."

EFFECTIVE DATE: February 1, 1983.

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

Dated: January 26, 1983.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 83-2642 Filed 1-31-83; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Parts 510 and 520

New Animal Drugs; Change of Sponsor and Sponsor Address

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect a change of sponsor address in several new animal drug applications (NADA's) held by Franklin Laboratories, and for a change of sponsor for an NADA transferred from Franklin Laboratories to Fort Dodge Laboratories.

EFFECTIVE DATE: February 1, 1983.

FOR FURTHER INFORMATION CONTACT: John R. Markus, Bureau of Veterinary Medicine (HFV-145), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4313.

SUPPLEMENTARY INFORMATION: Franklin Laboratories, P.O. Box 669, Amarillo, TX 79105, has revised several NADA's to reflect a change of sponsor address from 2620 S. Parker Rd., Suite 240, P.O. Box 441470, Aurora, CO 80044. In addition, the firm provided for a change of sponsor for NADA 101-715 (dichlorophenetoluene capsules) to Fort Dodge Laboratories.

These actions concern a change of sponsor address and a change of sponsor, and do not involve any changes in manufacturing facilities, equipment, procedures, or production personnel. The regulations are amended to reflect the changes.

List of Subjects

21 CFR Part 510

Administrative practice and procedure, Animal drugs, Reporting requirements.

21 CFR Part 520

Animal drugs, Oral 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) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Parts 510 and 520 are amended as follows:

PART 510—NEW ANIMAL DRUGS

§ 510.600 [Amended]

1. In Part 510, § 510.600 *Names, addresses, and drug labeler codes of sponsors of approved applications* is amended in paragraph (c)(1) for the entry "Franklin Laboratories" and (c)(2) for No. "010290" under "Firm name and address" by revising the address to read "P.O. Box 669, Amarillo, TX 79105."

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

§ 520.580 [Amended]

2. In Part 520, § 520.580 *Dichlorophene and toluene capsules* is amended in paragraph (b)(1) by removing No. "010290."

Effective date: February 1, 1983.

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

Dated: January 26, 1983.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 83-2841 Filed 1-31-83; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 558

New Animal Drugs for use in Animal Feeds; Lincomycin

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 new animal drug application (NADA) filed for Carl S. Akey, Inc., providing for use of certain lincomycin premixes for the manufacture of a complete swine feed. The feed in used for control and treatment of swine dysentery.

EFFECTIVE DATE: February 1, 1983.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Bureau of Veterinary Medicine (HFV-128), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4317.

SUPPLEMENTARY INFORMATION: Carl S. Akey, Inc., P.O. Box 128, Lewisburg, OH 45338, is sponsor of NADA 132-657 filed in its behalf by the Upjohn Co. The NADA provides for use of 8- and 20-gram-per-pound lincomycin premixes for making 40- and 100-gram-per-ton lincomycin complete swine feeds used for the control and treatment of swine dysentery as provided in 21 CFR 558.325(f)(2). Based on the data and information submitted, the NADA is approved and the regulations are amended to reflect the approval.

Approval of this application is based on safety and effectiveness data contained in Upjohn's approved NADA 97-505. Upjohn has authorized use of the data in NADA 97-505 to support approval of this application. This approval does not change the approved use of the drug. Consequently, approval of this NADA poses no increased human risk from exposure to residues of the animal drug, nor does it change the conditions of the drug's safe use in the target animal species. Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; December 23, 1977), approval of this NADA has been treated as a Category II supplement which does not require reevaluation of the safety and effectiveness data in the original approval.

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.

The Bureau of Veterinary Medicine has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

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.

List of Subjects in 21 CFR Part 558

Animal drugs; Animal feeds.

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) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), § 558.325 is amended by adding new paragraph (b)(5) to read as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

§ 558.325 Lincomycin.

* * * * *

(b) * * *

(5) Premix levels of 8 and 20 grams per pound have been granted to No. 017790 in § 510.600(c) of this chapter for use as provided in paragraph (f)(2)(i), (ii), and (iii) of this section.

* * * * *

Effective date. February 1, 1983.

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

Dated January 24, 1983.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 83-2519 Filed 1-31-83; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 720

Delivery of Personnel—Service of Process and Subpoenas—Production of Official Records

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its regulations concerning delivery of personnel, service of process, and production of official records to