7. In § 3.501, the introductory text is reprinted for the convenience of the reader and paragraph (d) is revised as follows:

§ 3.501 Veterans.

The effective date of discontinuance of pension or compensation to or for a veteran will be the earliest of the dates stated in this section. Where an award is reduced, the reduced rate will be payable the day following the date of discontinuance of the greater benefit.

* * * * *

(d) *Divorce or annulment (38 U.S.C. 3012(b)(2):*

(1) Divorce or annulment prior to October 1, 1982: last day of the calendar year in which divorce or annulment occurred.

(2) Divorce or annulment on or after October 1, 1982: last day of the month in which divorce or annulment occurred, except that section 306 and old-law pension reductions or terminations will continue to be effective the last day of the calendar year in which divorce or annulment occurred.

* * * * *

8. In § 3.502, the introductory text is reprinted for the convenience of the reader and paragraph (a) is revised as follows:

§ 3.502 Widows (Widowers).

The effective date of discontinuance of pension, compensation, or dependency and indemnity compensation to or for a widow (widower) will be the earliest of the dates stated in this section. Where an award is reduced, the reduced rate will be payable the day following the date of discontinuance of the greater benefit.

(a) *Additional allowance of dependency and indemnity compensation for children (38 U.S.C. 3012(b) § 3.5(e)(3).* (1) If marriage occurred prior to October 1, 1982, the day preceding child's 18th birthday or last day of calendar year in which child's marriage occurred (see § 3.500(n) (2) and (3)), which ever is earlier.

(2) If marriage occurred on or after October 1, 1982, the day preceding child's 18th birthday or last day of the month in which marriage occurred (see §3.500(n) (2) and (3)) whichever is earlier.

* * * * *

9. In § 3.660, paragraph (a)(2) is revised as follows:

§ 3.660 Dependency, income and estate.

(a) *Reduction or discontinuance.*

* * *

(2) *Contingency.* Where reduction or discontinuance of a running award of section 306 pension or old-law pension is required because dependency of another person ceased due to marriage, annulment, divorce or death, or because of an increase in income, which increase could not reasonably have been anticipated based on the amount actually received from that source the year before, the reduction or discontinuance shall be made effective the end of the year in which the increase occurred. Where reduction or discontinuance of a running award of improved pension or dependency and indemnity compensation is required because of an increase in income, the reduction or discontinuance shall be made effective the end of the month in which the increase occurred. Where reduction or discontinuance of a running award of any benefit is required because of an increase in net worth or corpus of estate, because dependency of a parent ceased, or because dependency of another person ceased prior to October 1, 1982, due to marriage, annulment, divorce, or death, the award shall be reduced or discontinued effective the last day of the calendar year in which the increase occurred or dependency ceased. Except as noted in this subparagraph for section 306 or old-law pension, where the dependency of another person ceased on or after October 1, 1982, due to marriage, annulment, divorce or death, the reduction or discontinuance shall be effective the last day of the month in which dependency ceased.

(38 U.S.C. 3012(b))

* * * * *

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

[FR Doc. 83-20673 Filed 7-28-83; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[SW-8-FRL 2407-7]

Hazardous Waste Management Programs; Montana, North Dakota, and Utah; Request for Extension of Phase I Interim Authorization Beyond July 26, 1983

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Extension of Application, Submission and Interim Authorization Period.

SUMMARY: On July 6, 1983; May 13, 1983, and; May 20, 1983, the States of Montana, North Dakota and Utah, respectively, requested extensions beyond the July 26, 1983, deadline for continuation of Phase I Interim Authorization in the absence of an application for Interim Phase II, Component C. Authorization (authority to permit storage, treatment and disposal facilities) under the Resource Conservation and Recovery Act of 1976, as amended. EPA is granting these extensions. This extension avoids termination on July 26, of the Interim Authorization which EPA granted previously to the States for the Phase I portions of the hazardous waste program.

EFFECTIVE DATE: July 26, 1983.

FOR FURTHER INFORMATION CONTACT: Louis W. Johnson, Chief, Waste Management Branch, Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80295 (8AW-WM), Telephone: (303) 837-2221.

SUPPLEMENTARY INFORMATION:

Background

40 CFR 271.122(c)(4) (formerly § 123.122(c)(4); 47 FR 32377, July 26, 1982) requires that States which have received any but not all Phases/Components of Interim Authorization amend their original submissions by July 26, 1983, to include all Components of Phase II. 40 CFR 271.137(a) (formerly 123.137(a); 47 FR 32378, July 26, 1982) further provides that on July 26, 1983, interim authorizations terminate except where the State has submitted by that date an application for all Phases/Components of interim authorization.

Where the authorization (approval) of the State program terminates, EPA is to administer and enforce the Federal program in those States. However, the Regional Administrator may, for good cause, extend the July 26, 1983, deadline for submission of the interim authorization application and the deadline for termination of the approval of the State program. (Note: 40 CFR Part 123, including the July 26, 1982, amendments (47 FR 32373), was recodified on April 1, 1983, as 40 CFR Part 271 (48 FR 14248).)

Utah received Phase I Interim Authorization on December 12, 1980; North Dakota received partial Phase I Interim Authorization on December 12, 1980; and Montana received partial Phase I Interim Authorization on February 26, 1981 and complete Phase I Interim Authorization on February 17, 1982. In each case, these States' ability to apply for Phase II A, B, and C Interim Authorization was delayed by pending actions in the State Legislatures, completion of State land disposal regulations, and decisions by the States to apply directly for Full Authorization. Each state is committed to applying for Full Authorization on the following schedule:

	Montana	North Dakota	Utah
1. State Hearing on Hazardous Waste Regulations.	July 1983	June 1983	September 1983.
2. Submit Draft Final Authorization Application	July 1983	September 1983	September 1983.
3. Submit Complete Application for Final Authorization.	December 1983	December 1983	December 1983.

Decision

In consideration of the efforts of the States of Montana, North Dakota, and Utah to finalize RCRA equivalent regulations and the above schedules for Final Authorization Application, I find good cause to exist to grant the states' requests for extension beyond the July 26, 1983, deadline for applying for Interim Authorization as follows:

Montana—180 days to January 22, 1984
North Dakota—180 days to January 22, 1984
Utah—180 days to January 22, 1984

Therefore, these states must officially submit a complete application for Final Authorization to EPA on or before January 22, 1984. If any one or all of the states of Montana, North Dakota and/or Utah fails to submit a complete application by January 22, 1984, approval of that State's Phase I program will terminate automatically and administration of the hazardous waste management program will revert to EPA.

List of Subjects in 40 CFR Part 271

Hazardous materials, Indian lands, Reporting and recordkeeping requirements, Waste treatment and disposal, Water pollution control, Water supply, Intergovernmental relations, Penalties, Confidential business information.

Authority: This notice is issued under the authority of Sec. 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6912(a), 6926 and 6974(b).

Dated: July 20, 1983.

John G. Welles,

Regional Administrator.

[FR Doc. 83-20213 Filed 7-28-83; 8:45 am]

BILLING CODE 6560-50-M

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1104, 1105, 1151, 1152, 1155 and 1160

[Ex Parte No. 449]

Filing of Pleadings and Applications

AGENCY: Interstate Commerce Commission.

ACTION: Final rules.

SUMMARY: The Commission has centralized certain functions and made the Office of the Secretary responsible for the receipt and docketing of all formal applications, petitions and subsequent pleadings filed in such proceedings. The Commission is modifying various regulations to reflect this centralization of functions. In the future, parties should identify the type of pleading or application on the incoming envelope. All pleadings should be addressed to the Secretary. Other regulations are modified to state that docket numbers for rail proceedings can be obtained before filing from the Office of the Secretary. The purpose of these changes is to facilitate their handling of applications and pleadings. Since this change relates to agency practice and procedure and internal agency organization, public comment is not required and these changes are being issued as final rules.

EFFECTIVE DATE: July 29, 1983.

FOR FURTHER INFORMATION CONTACT:

For Application Information: Edward Fernandez, (202) 275-7591,
For Pleading Information: Darlene Proctor, (202) 275-7233.

SUPPLEMENTARY INFORMATION: The Commission has centralized in the Office of the Secretary responsibility for the receipt and docketing of all applications, petitions, and pleadings in formal proceedings. The Mail Room is now part of that Office. We are asking for the cooperation of the public in following the practices outlined here which are intended to expedite the handling of case mail. This is of particular concern where short processing deadlines are involved.

Where filings are made in person, all new undocketed applications and fee items should be delivered to the Office of the Secretary, Applications and Fees Unit, Room B-213 of the Commission's Headquarters in Washington, DC. Pleadings and other non-fee items filed in formal proceedings should be filed in the Office of the Secretary, Case Control Branch, Room 1312. The Office of Proceedings, the Office of Hearings and the Secretary's Main Office in Room 2215 will no longer accept pleadings for filing. Delivery of copies directly to those offices will only delay their official acceptance as those offices will return all unstamped pleadings to the Case Control Branch for recording (entry into the computer system) and stamping. Despite the new procedures, the Office of Proceedings would appreciate a courtesy copy of any pleading, especially where expedited action is requested.

The public is asked to discontinue sending unsolicited copies of pleadings to the Commissioners and their staff. The copies which are sent with the original pleading are used for the Commissioners and staff. Extra, unsolicited copies increase the workload of the Case Processing Branch and interfere with the prompt flow of paperwork.

More specifically, documents accepted for filing in formal proceedings cases must now bear the Secretary's stamp as indication that the filing has been docketed and recorded in the Official records. Otherwise, the filing has not been officially accepted.

As part of the centralization it is necessary to make some modifications of our regulations regarding addressing of pleadings and advance requests for docket numbers for various rail proceedings. We are also updating the names and addresses of several organizational units which have been changed in recent years. This applies primarily to references to the Office of Policy and Analysis, which has been renamed the Office of Transportation Analysis.

The major rule modification that we are making is the addition of several new provisions in 49 CFR Part 1104, *Pleadings, Generally*. The first modification is the inclusion in the regulation of the requirement that parties include their addresses on the first page of their pleadings. The return address is necessary so that the party's name and correct address can be placed on the service list for the proceeding involved.

Another change is that those who submit pleadings to the Commission must identify on the envelope the docket number, if known, and the type of pleading mailed or delivered. Where filings are made by mail, the incoming envelope must be marked to show the case docket number and the envelope's contents, e.g., OP-1 Application, AB Application, MC-F Application, rail or motor complaint (new), applicant's verified statement (Dkt. No.——), protestant's verified statement (Dkt. No.——), etc. The purpose of this change

is to speed the processing of pleadings and to make it easier to identify time sensitive mail and pleadings. Parties are reminded to be sure that the docket number of the proceeding involved appears on the front page of the document being filed.

The third change is that an original and one copy of correspondence concerning cases should be submitted, unless otherwise stated in the Commission's Rules of Practice or the individual case. The original will be used for the public docket and the copy will be used by the working office.

We have modified our Feeder Line Development Program rules, 49 CFR 1151.2 Procedures, to state that applicant must obtain a docket number before the application is filed from Office of the Secretary, Public Records Section, Rate/Finance Unit, Room B-207, rather than from the Commission's Rail Section.

Amendments are also being made in 49 CFR Part 1152, Abandonment and Discontinuance of Rail Lines and Rail Transportation under 49 U.S.C. 10903, and 49 CFR Part 1180, Railroad Acquisition, Control, Merger, Consolidation, Project, Trackage Rights and Lease Procedures, to have pleadings submitted to the Secretary of the Commission rather than to the Deputy Director of Finance.

Part 1160—*How to Apply for Operating Authority* is being amended in § 1160.63 to direct that requests for extension of time in operating rights cases be addressed in the following manner "Extension of Time Request", Secretary, Interstate Commerce Commission, Washington, DC 20423.

In addition to the above changes, we wish to remind parties of procedures recently outlined for submission of confidential material. In No. 39174, *Petition of Burlington Northern Railroad Company For Review of a Decision of Railroad Commission of Texas Rail Rate Board Pursuant to 49 U.S.C. 11501*, (not printed) served April 25, 1983, the Commission requested that parties submitting confidential material for which a protective order is sought do so by furnishing the documents in a separate package marked "confidential material subject to request for protective order." Physical segregation and clear labeling are essential for an agency which handles a large volume of material, most of which is of public record. Our clerical personnel need clear warning of sensitive documents and an easy manner of assuring that they are not inadvertently exposed to public scrutiny. In addition, segregation allows easy return of confidential matter which is not crucial to the decisional process. In the last resort, complete return of these materials is the best guarantee of secrecy.

Since this matter primarily affects agency internal organization, it is not necessary to make a certification with regard to the Regulatory Flexibility Act (5 U.S.C. 601).

This action will not significantly affect either the quality of the human environment or conservation of energy resources.

We adopt the revisions to 49 CFR Chapter X, set forth in the Appendix.

List of Subjects

49 CFR Parts 1104, 1151, and 1160

Administrative practice and procedure.

49 CFR 1105

Reporting and recordkeeping requirements.

49 CFR 1152 and 1155

Railroads.

Authority: 49 U.S.C. 10321 and 5 U.S.C. 553.

Decided: July 19, 1983.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Gradison.

Agatha L. Mergenovich,

Secretary.

Appendix

Chapter X—Subchapter B of Title 49 of the Code of Federal Regulations is amended to read as follows:

PART 1104—PLEADINGS, GENERALLY

(1) Section 1104.1 is amended by revising the section heading and designating the existing text as paragraph (a) and by adding new paragraphs (b) and (c) to read as follows:

§ 1104.1 Address and identification.

* * * * *

(b) The address of the person filing the pleading should be included on the first page of the pleading.

(c) All envelopes in which a pleading is being submitted should be marked in the lower left hand corner with the docket number, if known, (not the full title) and the pleading type.

(2) Section 1104.3 is amended by designating the existing text as paragraph (a) and by adding a new paragraph (b) to read as follows:

§ 1104.3 Copies.

* * * * *

(b) The original and one copy of all correspondence relating to a formal proceeding before the Commission must be furnished for the Commission's use, unless otherwise specifically directed by another commission regulation or notice in an individual proceeding.

PART 1105—GUIDELINES FOR IMPLEMENTATION OF THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

§ 1105.2 [Amended]

(3) Section 1105.2 is amended by revising the words, "Office of Policy and Analysis" to read "Office of Transportation Analysis".

§ 1105.3 [Amended]

(4) Section 1105.3 is amended by revising the words "Energy and Environment Branch (Room 5377), Office of Policy and Analysis," and "202-275-7916" to read "Section of Energy and Environment (Room 4143), Office of Transportation Analysis" and "202-275-0800," respectively.

§§ 1105.7, 1105.9 and 1105.10 [Amended]

(5) Sections 1105.7, 1105.9 and 1105.10 are amended by revising the words "Energy and Environment Branch" to read "Section of Energy and Environment" wherever they appear in those sections.

PART 1151—FEEDER RAILROAD DEVELOPMENT PROGRAM

§ 1151.2 [Amended]

(6) In § 1151.2 paragraph (a) is amended by revising the words "Cofnmission's Rail Section" to read "Office of the Secretary, Public Records Section, Rate/Finance Unit, Room B-207."

§ 1151.5 [Amended]

(7) In § 1151.2 paragraph (b) is amended by revising the words "Rail Section, Room 5417," to read Secretary".

PART 1152—ABANDONMENT AND DISCONTINUANCE OF RAIL LINES AND RAIL TRANSPORTATION UNDER 49 U.S.C. 10923

§ 1152.21 [Amended]

(8) In § 1152.21 unnumbered paragraph 10 is amended by revising the words "Deputy Director Section of

Finance, Room 5417," to read "Secretary".

(9) In § 1152.21 unnumbered paragraph 13 is amended by revising the words "Section of Finance" to read "Rail Section" and "Commission Rail Service Planning Office" to read "Office of Transportation Analysis, Rail Services Planning Office".

§ 1152.25 [Amended]

(10) In § 1152.25 paragraph (c)(1) is amended by revising the words "Commission (Deputy Director, Section of Finance, Room 5417, Interstate Commerce Commission, Washington, DC 20423)" to read "Secretary, Interstate Commerce Commission, Washington, DC 20423."

§ 1152.27 [Amended]

(11) In § 1152. 27 paragraph (c)(1) is amended by revising the words "Commission (Deputy Director, Section of Finance, Room 5417, Interstate Commerce Commission, Washington, DC 20423)" to read "Secretary, Interstate Commerce Commission, Washington, DC 20423."

PART 1155—STANDARDS FOR DETERMINING RAIL SERVICES CONTINUATION SUBSIDIES

§ 1155.4 [Amended]

(12) In § 1155.4 paragraph (c) is amended by revising the acronym "RSPO" to read "OTA" wherever it appears.

(13) In § 1155.4 paragraph (c) is amended by revising the words "Rail Services Planning Office, 1900 L Street NW., Washington, D.C. 20036" to read "Office of Transportation Analysis, Rail Service Planning Office, Interstate Commerce Commission, Washington, DC 20423."

PART 1160—HOW TO APPLY FOR OPERATING AUTHORITY

§ 1160.63 [Amended]

(14) In § 1160.63 paragraph (c) is amended by revising the words "Section of Operating Rights" to read "Extension of Time Request, Secretary, Interstate Commerce Commission, Washington, DC 20423.

[FR Doc. 83-20574 Filed 7-28-83; 8:45 am]
BILLING CODE 7035-01-M

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49 CFR Part 1241

[No. 38923]

Elimination of Report of Incentive Per Diem Items; Railroads

AGENCY: Interstate Commerce Commission.

ACTION: Final rule.

SUMMARY: This rule removes 49 CFR 1241.12, Report of Incentive Per Diem Items—Railroads. The Commission has concluded that 49 CFR 1241.12 should be eliminated because the regulations concerning the use of earmarked funds at 49 CFR 1036.3, 1036.4, and 1036.5 were terminated on June 30, 1982 (Ex Parte No. 252, Sub-No. 5). Therefore, the report of incentive per diem items, 49 CFR 1241.12, for the year ended December 31, 1983, and thereafter, is no longer necessary.

DATE: This rule is effective for the accounting and reporting year beginning January 1, 1983.

FOR FURTHER INFORMATION CONTACT: Scott Decker, (202) 275-7448.

SUPPLEMENTARY INFORMATION: As a part of the Commission's continuing effort to simplify regulatory requirements and eliminate extraneous regulations, the Commission is eliminating 49 CFR 1241.12—Report of Incentive Per Diem Items—Railroads. The decision in Ex Parte No. 252 (Sub-No. 5) (47 FR 29246, July 6, 1982) directed that rules concerning the use of incentive per diem funds at 49 CFR 1036.3, 1036.4, and 1036.5 be terminated as of June 30, 1982. Therefore, we have concluded that 49 CFR Part 1241.12 is no longer necessary.

The Commission finds that a notice of proposed rulemaking as defined under the Administrative Procedure Act, 5 U.S.C. 553(b), is not required to adopt this revision because it involves the elimination of extraneous carrier reporting regulations.

Regulatory Flexibility Act

The Commission certifies that this final rule will not have a significant economic impact upon a substantial number of small entities. In this proceeding, we do not propose any new instructions; rather, we are eliminating an extraneous rule. Thus, we anticipate no adverse economic impact on businesses, organizations or other small entities.

This final rule does not significantly affect the quality of the human environment or the conservation of energy resources.

List of Subjects in 49 CFR Part 1241

Railroads.

Accordingly, we adopt the changes to Title 49 of the Code of Federal Regulations as set forth in Appendix A.

This rule is issued under authority of 49 U.S.C. 10321 and 5 U.S.C. 553.

Decided: July 18, 1983.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Gradison.

Agatha L. Mergenovich,

Secretary.

Appendix A

PART 1241—[AMENDED]

Title 49 CFR shall be amended by making the following changes in part 1241:

§ 1241.12 [Removed]

1. Remove 49 CFR 1241.12—Report of incentive per diem items—Railroads, and reserve it for future use.

[FR Doc. 83-20573 Filed 7-28-83; 8:45 am]
BILLING CODE 7035-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 662

[Docket No. 30722-141]

Northern Anchovy Fishery

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of final determination.

SUMMARY: This notice announces the final determination of estimated spawning biomass and harvest quotas for the northern anchovy (*Engraulis mordax*) fishery in the fishery conservation zone for the 1983-84 fishing season. The harvest quotas have been determined by application of the formulas in the Northern Anchovy Fishery Management Plan and implementing regulations. A preliminary determination of estimated spawning biomass and harvest quotas was announced in the **Federal Register** on July 11, 1983.

EFFECTIVE DATE: August 1, 1983.

ADDRESS: Copies of Administrative Report Number LJ-83-15, upon which this determination is based, are available from Mr. Floyd S. Anders, Jr., Acting Regional Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, California 90731.

FOR FURTHER INFORMATION CONTACT: Mr. Floyd S. Anders, Jr., 213-548-2575.

SUPPLEMENTARY INFORMATION: In consultation with the California Department of Fish and Game and the Southwest Fisheries Center, National Marine Fisheries Service (NMFS), the Acting Director, Southwest Region,