The first set of tables in Appendix D as originally published (46 FR at 9514)—the Selection of Retirement Rate Category—consists of three tables. The tables establish a retirement rate category for each of the calendar years 1979 through 1981, and each table applies only to plans terminating in that particular year. Table I–82 was added on December 31, 1981 (46 FR 63268) in order to update the correlation between the amount of a participant's benefit and the probability that he or she will elect early retirement. On December 22, 1982, a new table, I–83, was added (47 FR 57021) to further update Appendix D for use in valuing benefits in plans that terminated in calendar year 1983. Normally, a table remains in effect only for a calendar year. This rule amends Appendix D of Part 2619 to add Table I–84 for use in valuing benefits in plans that terminate during calendar year 1984.

The PBGC has determined that notice of and public comment on the addition of Table I–84 to Appendix D, Part 2619, are impracticable and contrary to the public interest. This determination is based on the need to issue the table promptly so the appendix will reflect, as accurately as possible, the relationship between a participant's benefit and his or her probability of retiring early. The PBGC has found that the public interest is best served by issuing this table without an opportunity for notice and comment so that plans can calculate the value of plan benefits before submitting a notice of intent to terminate. Also, plans will be able to predict employer liability more accurately prior to plan termination and can, therefore, lessen or avoid interest charges under 29 CFR § 2622.7 for late payment of employer liability. Moreover, because of the need to provide immediate guidance for the valuation of benefits under plans that will terminate on or after January 1, 1984, and because no adjustment by ongoing plans is required by this amendment, the PBGC finds that good cause exists for making the table set forth in this amendment to the final regulation effective less than 30 days after publication.

The PBGC has determined that this is not a "major rule" under the criteria set forth in Executive Order 12291 of February 17, 1981 (46 FR 13193) because it will not result in an annual effect on the economy of $100 million or more, a major increase in costs for consumers or individual industries, or significant adverse effects on competition, employment, investment, productivity, or innovation.

Because no general notice of proposed rulemaking is required for this regulation, the Regulatory Flexibility Act of 1980 does not apply (5 U.S.C. 601(2)).

List of Subjects in 29 CFR Part 2619

Employee benefit plans, Pension insurance, and Pensions.

PART 2619—[AMENDED]

In consideration of the foregoing, Part 2619 of Chapter XXVI, of Title 29, Code of Federal Regulations is hereby amended by adding a new table and making corrections as follows:

1. The authority citation for Part 2619 reads as follows:

Authority: Sections 4002(b)(3), 4041(b), 4044, and 4062(b)(1)(A), Pub. L. 93–406, 88 Stat. 1004, 1020, 1025, 1029 (1974), as amended by Secs. 403(l), 403(d), and 402(a)(7), Pub. L. 96–364, 94 Stat. 1302, 1301, and 1299 (1980) (29 U.S.C. 1302, 1341, 1344, 1362).

2. Appendix D to Part 2619 is amended by the addition of Table I–84, as follows:

Appendix D.—Tables Used To Determine Expected Retirement Age

* * * * *

TABLE I–84.—SELECTION OF RETIREMENT RATE CATEGORY

[For plans with a valuation date after Dec. 31, 1983, and before Jan. 1, 1985]

Participant reaches NRA in year	If monthly benefit at NRA is			
	Less than—[1]	From—[2]	To—[2]	Greater than—[3]
1985	$264	$264	$1,110	$1,110
1986	276	276	1,161	1,161
1987	288	288	1,215	1,215
1988	301	301	1,269	1,269
1989	315	315	1,325	1,325
1990	328	328	1,383	1,383
1991	343	343	1,444	1,444
1992	358	358	1,508	1,508
1993	374	374	1,574	1,574
1994 or later	390	390	1,602	1,602

[1] Participant's retirement rate category is low (table II–A).
[2] Participant's retirement rate category is medium (table II–B).
[3] Participant's retirement rate category is high (table II–C).

David M. Walker,
Acting Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 84–506 Filed 1–6–84; 8:45 am]

BILLING CODE 7708–01–M

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29 CFR Part 2621

Limitation on Guaranteed Benefits

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This amendment to the Limitation on Guaranteed Benefits regulation contains the maximum guaranteeable pension benefit that may be paid by the Pension Benefit Guaranty Corporation under Title IV of the Employee Retirement Income Security Act of 1974, as amended, to a plan participant in a covered single-employer pension plan that terminates in 1984. Section 4022(b)(3)(B) of the Act provides that the maximum benefit guaranteeable by PBGC is based on the contribution and benefit base determined under section 230 of the Social Security Act. This amendement updates the regulation to include the dollar amount of the maximum guaranteeable benefit for 1984.

EFFECTIVE DATE: January 1, 1984.

FOR FURTHER INFORMATION CONTACT: Renae R. Hubbard, Special Counsel, Legal Department, Code 250, Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington, D.C. 20006, 202–254–6476. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On February 11, 1976, the Pension Benefit Guaranty Corporation ("PBGC") published a final rule entitled Limitation on Guaranteed Benefits (29 CFR Part 2609, recodified as 29 CFR Part 2621 on June 24, 1981). That rule sets forth the method of calculating the maximum guaranteeable benefit under section 4022(bn)(3)(B) Under Title IV of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1001 *et seq.* (1976), *as amended by* the Multiemployer Pension Plan Amendments Act of 1980, Pub. L. 96–364, 94 Stat. 1208 ("ERISA"). Section 2621.3(a)(2) provides that the maximum guaranteeable benefit is "$750 mulitplied by the fraction x/$13,200 where 'x' is the Social Security contribution and benefit base determined under section 230 of the Social Security Act in effect at the date of termination of the plan."

In the Social Security Amendments of 1977, special increases were added to the contribution and benfit base. However, the amended Social Security Act specifically states that, for the purpose of section 4022(b)(3)(B) of ERISA, the contribution and benefit base for each year after 1976 will be the base that would have been determined for each year if the law in effect immediately before the amendment had remained in effect without change. 42 U.S.C. 430(d) (1976 Ed., Supp. III).

On January 23, 1981, the PBGC published a final rule (46 FR 7323) which added an appendix to the Limitation on Guaranteed Benefits regulation. The appendix lists the maximum guaranteeable benefit payable by the PBGC to participants in single-employer plans that have terminated each year since ERISA went into effect. On

December 13, 1982, the PBGC published a final rule (47 FR 55672) amending the regulation to update the appendix for plans terminating in 1983. The PBGC published a correction to this final rule on December 28, 1982 (47 FR 57702). This amendment updates the appendix for plans that terminate in 1984.

The PBGC has been notified by the Social Security Administration that the contribution and benefit base for 1984 which is to be used to calculate the PBGC maximum guaranteeable benefit is $28,200. Accordingly, applying the formula under section 4022(b)(3)(B) of ERISA, the PBGC has determined that the maximum benefit guaranteeable by PBGC in 1984 will be $1,602.27 per month in the form of a life annuity commencing at age 65 or the actuarial equivalent of $1,602.27 payable in a different form or commencing at a different age.

Because the maximum guaranteeable benefit is determined according to the formula in section 4022(b)(3)(B) of ERISA, and this amendment makes no change in its method of calculation but simply lists the 1984 maximum guaranteeable benefit amount for the public's knowledge, general notice of proposed rulemaking is not required. Moreover, because the 1984 maximum guaranteeable benefit is effective, under the statute, at the time that the Social Security contribution and benefit base is effective, *i.e.*, January 1, 1984, and is not dependent on the issuance of this regulation, the PBGC finds that good cause exists for making this amendment effective before the 30 day period set forth in 5 U.S.C. 553.

The PBGC has determined that this amendment to the Limitation on Guaranteed Benefits Regulations is not a "major rule" under the criteria set forth in Executive Order 12291, February 17, 1981 (46 FR 13193 because it will not result in an annual effect on the economy of $100 million or more, a major increase in costs for consumers or individual industries, or significant adverse effects on competition, employment, investment, productivity, or innovation.

Because no general notice of proposed rulemaking is required for this regulation, the Regulatory Flexibility act of 1980 does not apply (5 U.S.C. 601(2)).

List of Subjects in 29 CFR Part 2621

Employee benefit plans, Pension insurance, and Pensions.

PART 2621—[AMENDED]

In consideration of the foregoing, Part 2621 of Chapter XXVI, Code of Federal Regulations, is hereby amended to read as follows:

1. The authority citation for Part 2621 is revised to read ad follows:

Authority: Secs. 4002(b)(3), 4022(b), and 4022B, Pub. L. 93–406, 88 Stat. 829, 1004, and 1016, as amended by Secs. 403(1), 403(c), and 102, Pub. L. 96–364, 94 Stat. 1208, 1302, 1300, and 1215 (29 U.S.C. 1302, 1322, and 1322B).

2. Appendix A to Part 2621 is amended by adding a new entry to read as follows:

Appendix A to Part 2621—Maximum Guaranteeable Monthly Benefit

The following table lists by year the maximum guaranteeable monthly benefit payable in the form of a life annuity commencing at age 65 as described by § 2621.3(a)(2) to a participant in a plan that terminated in that year:

Year	Maximum guaranteeable monthly benefit
* * * *	*
1984	$1,602.27

Effective date: This regulation is effective January 1, 1984.

David M. Walker,

Acting Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 84–505 Filed 1–6–84; 8:45 am]

BILLING CODE 7708–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 469

[FRL 2472–2]

Electrical and Electronic Components Point Source Category Pretreatment Standards, and New Source Performance Standards; (Phase II)

Correction

In FR Doc. 83–33165 beginning on page 55690 in the issue of Wednesday, December 14, 1983, make the following corrections:

The date "July 14, 1987" should have read "July 14, 1986" in the following places:

1. On page 55690, first column, under **DATES**, second paragraph, eighth and ninth lines.

2. On page 55702, middle column, in the table, under Compliance date.

3. Page 55704, first column, § 469.30, second line of paragraph (b).

BILLING CODE 1505–01–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[PR Docket No. 82–470]

Elimination of Certain Restrictions on Non-Voice Operations in the Private Land Mobile Radio Services

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This action corrects the omission of certain text in the adopted rules regarding station identification.

FOR FURTHER INFORMATION CONTACT: Keith Plourd, Private Radio Bureau, Land Mobile and Microwave Division, (202) 634–2443.

Erratum

In the matter of amendment of Part 90 of the Commission's Rules and Regulations to eliminate certain restrictions on non-voice operations in the Private Land Mobile Radio Services; PR Docket No. 82–470.

Released: December 30, 1983.

The Report and Order, FCC 83–20, in the above-titled matter, released January 31, 1983, is corrected as follows:

Appendix, instruction 4: paragraph (a) of § 90.425 is corrected by adding the words, "or system," in the first sentence to read as follows:

§ 90.425 Station identification.

* * * * *

(a) Identification procedure. Except as provided for in paragraph (d) of this section, each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety and Special Emergency Radio Services) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code in accordance with paragraph (b) of this section. If the station is employing either analog or digital voice scrambling, or non-voice emission, transmission of the required identification shall be in the unscrambled mode using A3 or F3 emission, or International Morse, with all encoding disabled. Permissible alternative identification procedures are as follows:

* * * * *

William J. Tricarico,
Secretary, Federal Communications Commission.

[FR Doc. 84-396 Filed 1-6-84; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Removal of Epioblasma (=Dysnomia) sampsoni, Sampson's Pearly Mussel, from the List of Endangered and Threatened Wildlife

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The U.S. Fish and Wildlife Service is removing *Epioblasma (=Dysnomia) sampsoni* (Lea, 1861), Sampson's pearly mussel, from the U.S. List of Endangered and Threatened Wildlife. This action is based on a review of all available data, which indicate that this species is extinct. This mussel was restricted to portions of the Wabash River in Illinois and Indiana and the Ohio River near Cincinnati. No specimens have been collected in over 50 years despite repeated sampling within its range. Removing the species from the list recognizes its extinction and removes Federal protection under the Endangered Species Act.

DATE: This rule becomes effective on February 8, 1984.

ADDRESSES: Questions concerning this action may be addressed to the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Comments and materials received will be available for public inspection, by appointment, during normal business hours by contacting the Regional Endangered Species staff at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. James M. Engel, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111 (612/725-3276).

SUPPLEMENTARY INFORMATION:

Background

Epioblasma sampsoni was described by Lea (Lea, Isaac. 1861. Proceedings of the Academy of Natural Sciences of Philadelphia 13:392) and was originally listed as Endangered on June 14, 1976 (41 FR 24064). The Service's listing regulations at 50 CFR 424.20 state that, at least once every 5 years, the Director shall conduct a review of each listed species to determine whether it should be removed from the list, be changed from an Endangered to a Threatened status, or be changed from a Threatened to and Endangered status. As part of this review process, the Service contracted with Dr. Arthur Clarke to determine the present status of this species. The status review was initiated in 1981.

Dr. Clarke has recently completed a survey of the historic range of *Epioblasma sampsoni*. During the course of the survey, Dr. Clarke interviewed many commercial clammers and shell buyers. These individuals were shown specimens of *E. sampsoni* and illustrations of the species were given to the individuals. Mr. Virgil Carroll of Mt. Carmel, Illinois, Mr. Nelson Cohen of Terre Haute, Indiana, and Mr. David Nelson of Newport, Indiana, provided the most information. These individuals indicated that to their knowledge nothing ever resembling *E. sampsoni* has been seen from the Wabash or White Rivers for decades. Other clammers were consulted and together their combined expertise covered the Wabash River from its mouth to more than 350 miles upstream. A substantial reward was offered for information concerning *E. sampsoni* and this effort was also unsuccessful in discovering extant populations of the species. The gravel and sand bars, where this species was historically found, no longer exist in the Ohio River from the vicinity of Cinicinnati to the mouth of the Wabash. A series of dams have been constructed in this area, eliminating the gravel and sand bar habitat.

Records also exist from an unknown location in Tennessee. Dr. Clarke feels that, since this record is far out of the range otherwise known for the species, it is incorrect. Meyer (1974) and Clark (1976) did not find any *E. sampsoni* specimens during their surveys. Dr. Clarke was unable to find specimens or recent evidence of this species. He believes it to be extinct and has recommended that it should be removed from the List of Endangered and Threatened Wildlife. Based on this information, the Service proposed to remove Sampson's pearly mussel from the List (July 15, 1983; 48 FR 32534-32535).

Summary of Comments and Recommendations

In the July 15, 1983, Federal Register, the proposed rule to deregulate Sampson's pearly mussel asked all interested parties to submit their comments. All comments relating to the existence of Sampson's pearly mussel were considered in the present status determination. A total of three comments were received that dealt specifically with the delisting proposal.

Two of the three comments came from the state resource and conservation agencies of the two affected states, Illinois and Indiana. The third comment came from the Museum of Zoology of the Ohio State University. All supported the removal of Sampson's pearly mussel from the list. Both the Indiana Department of Natural Resources and the Illinois Department of Conservation reported that numerous surveys over the past 50 years have revealed no live specimens. The Ohio State University Museum of Zoology reported that a re-examination of nearly all major museum collections did not find any evidence of Sampson's pearly mussel being found alive or as a fresh shell during the twentieth century.

Summary of Status Findings

After a careful review and examination of all available data, the Service has determined that Sampson's pearly mussel is extinct and no longer requires protection pursuant to the Endangered Species Act of 1973, as amended. If evidence to the contrary is presented at a later date, Endangered or Threatened status may be reproposed.

Section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations promulgated to implement the listing provisions of the Act (codified at 50 CFR Part 424; under revision to accommodate 1982 amendments, cf. 48 FR 29990, June 29, 1983) set forth the criteria for determining whether any species is an Endangered or a Threatened species due to one or more of the five factors described in Section 4(a)(1) of the Act. The regulations state the factors for removing a species from the list. The data used to support such a removal must be the best scientific and commercial data available to substantiate that the species is neither Endangered or Threatened because of extinction, recovery of the species, or because the original data for classification were in error. The factors in Section 4(a)(1) of the Act and 50 FR 424.11(b), and their application to Sampson's pearly mussel are as follows:

A. *Present or threatened destruction, modification, or curtailment of its habitat or range.* This species has not been collected alive for over 50 years and is believed to be extinct. The gravel and sand bars that were the primary habitat of this species in the Ohio River have been destroyed by siltation that