mature ascarids *(Parascaris equorum)*, mature and immature (4th larval stage) *(Oxyuris equi)*, and mature small strongyles *(Triodontophorus* spp.)

(iii) *Limitations.* For administration with feed: Sprinkle required amount of granules on a small amount of the usual grain ration and mix. Prepare for each horse individually. Withholding of feed or water not necessary. Not for use in horses intended for food. The reproductive safety of tioxidazole in breeding animals has not been determined. Consult your veterinarian for assistance in the diagnosis, treatment, and control of parasitism. It is recommended that this drug be administered with caution to sick or debilitated horses.

(2) [Reserved].

Dated: December 18, 1985.

Lester M. Crawford,

Director, Center for Veterinary Medicine.

[FR Doc. 85-30413 Filed 12-24-85; 8:45 am]

BILLING CODE 4160-01-M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1601

706 Agencies; Rescission of North Carolina Personnel Commission

AGENCY: Equal Employment Opportunity Commission.

ACTION: Final rule; amendment.

SUMMARY: The Equal Employment Opportunity Commission amends its regulations designating certain State and local fair employment practices agencies (706 Agencies) so that they may handle employment discrimination charges. Publication of this amendment rescinds the designation of the North Carolina State Personnel Commission as a 706 Agency.

EFFECTIVE DATE: December 26, 1985.

FOR FURTHER INFORMATION CONTACT: Miguel Torres, Equal Employment Opportunity Commission, Office of Program Operations, Systemic Investigations and Individual Compliance Programs, 2401 E Street NW., Washington, DC 20507, telephone 202/634-6922.

SUPPLEMENTARY INFORMATION: The Commission was notified that the North Carolina State Personnel Commission's statutory authority to enter into a 706 charge deferral relationship with the Equal Employment Opportunity Commission has been rescinded effective January 1, 1986. Consequently the Director, Office of Program Operations believed that the North Carolina State Personnel Commission should not be considered as a 706 Agency.

The Director received written notice from the Director, Office of State Personnel, State of North Carolina that the State Personnel Commission will cease operation as a 706 Agency on or before January 1, 1986.

Accordingly, the Director hereby makes a final determination that the North Carolina State Personnel Commission will no longer be considered a 706 Agency. Publication of this amendment to § 1601.74 rescinds the designation of the following agency as a designated 706 Agency: North Carolina State Personnel Commission.

List of Subjects in 29 CFR Part 1601

Administrative practice and procedure, Equal employment opportunity, Intergovernmental relations.

1. The authority citation for Part 1601 continues to read as follows:

Authority: Secs. 709, 713, 78 Stat. 263, 265; 42 U.S.C. 2000e-8, 2000e-12.

PART 1601—[AMENDED]

§ 1601.74 [Amended]

Accordingly, 29 CFR Part 1601 is amended in § 1601.74(a) by removing the entry for the North Carolina State Personnel Commission.

Signed at Washington, DC, this 16th day of December 1985.

For the Commission.

James H. Troy,

Director, Office of Program Operations.

[FR Doc. 85-30064 Filed 12-24-85; 8:45 am]

BILLING CODE 6570-06-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD8-85-08]

Drawbridge Operations Regulations; Tigre Bayou, LA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Louisiana Department of Transportation and Develpment (LDOTD), the Coast Guard is changing the regulation governing the operation of the swing span bridge over Tigre Bayou, mile 2.3, on LA330 near Delcambre, Vermilion Parish, Louisiana, by requiring that at least four hours advance notice be given for an opening of the draw at all times. Presently, the draw is required to open on signal from 5 a.m. to 9 p.m. and on 12 hours advance notice from 9 p.m. to 5 a.m. This change is being made because of infrequent requests for opening the draw. This action will relieve the bridge owner of the burden of having a person constantly available at the bridge to open the draw from 5 a.m. to 9 p.m., while still providing for the reasonable needs of navigation.

EFFECTIVE DATE: This regulation becomes effective on January 27, 1986.

FOR FURTHER INFORMATION CONTACT: Perry Haynes, Chief, Bridge Administration Branch, telephone (504) 589-2965.

SUPPLEMENTARY INFORMATION: On 5 July 1985, the Coast Guard published a proposed rule (50 FR 27624) concerning this amendment. The Commander, Eighth Coast Guard District, also published the proposal as a public notice dated 15 July 1985. In each notice interested persons were given until 19 August 1985 to submit comments.

Drafting Information

The drafters of this regulation are Perry Haynes, project officer, and Lieutenant Commander James Vallone, project attorney.

Discussion of Comments

Five responses were received, two offering no objections and three expressing concern over the four hours advance notice for a bridge opening in an emergency or economic hardship case, and on the potential for reactivation of a defunct small boat repair facility located immediately upstream of the bridge. In a meeting with the three concerned respondents, confirmed in writing, the LDOTD reviewed the low number of bridge openings and how this justified a bridgetender on a four-hour call instead of continually on site, to accommodate a vessel passage. At the same time, the LDOTD assured the parties that it is committed to: (1) Opening the bridge on less than four hours notice in the case of an emergency or economic hardship, (2) assigning a tender at the site to open the bridge on signal in the event of a temporary surge in waterway traffic, and (3) reverting to stationing a tender at the bridge, either part or full time, if the boat repair facility should be reactivated and generate the volume of waterway traffic to warrant this action. In view of the foregoing, the respondents stated that the proposed change in operating the bridge was acceptable.

Economic Assessment and Certification

This regulation is considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic imact has been found to be so minimal that a full regulatory evaluation is unnecessary. The basis for this conclusion is that the bridge averaged only one vessel opening every three days in 1984 and only one vessel opening every five days in 1985 through October. These few vessels can reasonably give four hours advance notice for a bridge opening, from ashore or afloat, by placing a collect call at any time to the bridge owner at the LDOTD District Office in Lafayette, Louisiana, telephone (318) 233-7404. Mariners requiring the bridge openings are repeat users of the waterway and scheduling their arrival at the bridge at the appointed time should involve little or no additional expense to them. Should the occasion arise to open the bridge on less than four hours notice for an emergency or to operate the bridge on demand for a temporary surge in waterway traffic, the LTOTD has committed to doing so. Since the economic impact of this regulation is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulation

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g).

2. Section 117.507 is revised to read as follows:

§ 117.507 Tigre Bayou

The draw of the S330 bridge, mile 2.3 near Delcambre, shall open on signal if at least four hours notice is given. The draw shall open on less than four hours notice for an emergency and shall open on signal should a temporary surge in waterway traffic occur.

Dated: December 13, 1985.

Clyde T. Lusk, Jr.,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 85-30510 Filed 12-24-85; 8:45 am]

BILLING CODE 4910-14-M

VETERANS ADMINISTRATION

38 CFR Part 3

Temporary Programs of Vocational Training

AGENCY: Veterans Administration.

ACTION: Final rules.

SUMMARY: The Veterans Administration (VA) has amended its adjudication regulations to implement certain provisions of Pub. L. 98-543, the Veterans' Benefits Improvement Act of 1984. These amendments are necessary to define Adjudication Division responsibilities with respect to newly established temporary vocational rehabilitation training programs. The effect of these amendments will be to provide authority for actions to insure participation in temporary vocational rehabilitation training programs.

DATES: These rules are effective February 1, 1985, as provided by law.

FOR FURTHER INFORMATION CONTACT: Robert M. White, Chief, Regulations Staff, Compensation and Pension Service, Department of Veterans Benefits (202) 389-3005.

SUPPLEMENTARY INFORMATION: On pages 36631-33 of the Federal Register of September 9, 1985, the VA published proposed amendments to 38 CFR 3.341 through 3.343. Interested persons were given until September 30, 1985, to submit comments, suggestions or objections to the proposed amendments. Since no comments, suggestions or objections were received, the amendments have been adopted as proposed.

The Administrator hereby certifies that these regulations will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act 5 U.S.C. 601-612. Therefore, pursuant to 5 U.S.C. 606(b), these regulations are exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604. The reason for this certification is that these regulations impose no regulatory burdens on small entities, and only claimants for VA benefits will be directly affected. Determined that these regulations are non-major for the following reasons:

(1) They will not have an annual effect on the economy of $100 million or more.

(2) They will not cause a major increase in costs or prices.

(3) They will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

List of Subjects in 38 CFR Part 3

Administrative practice and procedure, Claims, Handicapped, Health care, Pensions, Veterans, Veterans Administration.

The Catalog of Federal Domestic Assistance program numbers are 64.104 and 64.109.

Approved: November 27, 1985.

By direction of the Administrator.

Everett Alvarez Jr.,

Deputy Administrator.

PART 3—[AMENDED]

38 CFR Part 3, *Adjudication*, is amended as follows:

1. Section 3.341 is amended by adding paragraph (c) to read as follows:

§ 3.341 Total disability ratings for compensation purposes.

* * * * *

(c) *Temporary program of vocational rehabilitation.* (1) Each time a veteran is rated totally disabled on the basis of individual unemployability during the period beginning on February 1, 1985, and ending on January 31, 1989, the Vocational Rehabilitation and Counseling Division will be notified so that an evaluation may be made, as required by § 21.6513, to determine whether the achievement of a vocational goal by the veteran is reasonably feasible. Upon receipt of notice from the Vocational Rehabilitation and Counseling Division that any such veteran, for reasons other than those beyond the veteran's control, has failed to participate in the evaluation process, the veteran's rating shall be reduced, in accordance with § 3.105(e), to the rating applicable to the veteran's service-connected disabilities without consideration of indivdidual unemployability and shall remain so reduced for the duration of such failure.

(2) Veterans described in paragraph (c)(1) of this section from whom it is determined that the achievement of a vocational goal is reasonably feasible and for whom an individualized written plan of vocational rehabilitation is formulated will be required to pursue the program described in that plan.

Upon receipt of notice from the Vocational Rehabilitation and Counseling Division that any such veteran, for reasons other than those beyond the veteran's control, has failed to pursue (or to continue to pursue) such vocational rehabilitation program in accordance with § 21.6517, the rating board, in a promptly scheduled review of the veteran's rating, shall consider the results of the feasibility evaluation for that veteran together with any other evidence concerning the veteran's eligibility for a total disability rating based on individual unemployability and shall adjust the veteran's rating as necessary.

(38 U.S.C. 363)

2. In § 3.342, paragraph (b)(4) is revised and paragraph (c) is added to read as follows:

§ 3.342 Permanent and total disability ratings for pension purposes.

* * * * *

(b) * * *

(4) The following shall not be considered as evidence of employability:

(i) Employment as a member-employer or similar employment obtained only in competition with disabled persons.

(ii) Participation in, or the receipt of remuneration as a result of participation in, a therapeutic or rehabilitation activity under 38 U.S.C. 618. (But see §§ 3.262 and 3.271 with regard to income for pension purposes.)

(38 U.S.C. 618(f))

* * * * *

(c) *Temporary program of vocational rehabilitation training for certain pension recipients.* (1) When a veteran under age 50 is awarded disability pension during the period beginning on February 1, 1985, and ending on January 31, 1989, the Vocational Rehabilitation and Counseling Division will be notified so that an evaluation may be made, as required by § 21.6050, to determine that veteran's potential for rehabilitation. Upon receipt of notice from the Vocational Rehabilitation and Counseling Division that a veteran, for reasons other than those beyond the veteran's control, has failed to participate in the evalution process, the veteran's disability pension award shall be suspended effective the date of last payment and shall remain suspended for the duration of such failure.

(2) Veterans age 50 or older who are awarded disability pension during the period beginning on February 1, 1985, and ending on January 31, 1989, are also eligible to apply for participation in vocational rehabilitation training; however, such participation is strictly voluntary, and the provisions of paragraph (c)(1) of this section do not apply to such veterans.

(38 U.S.C. 524)

3. In § 3.343, paragraph (c) is revised to read as follows:

§ 3.343 Continuance of total disability ratings.

* * * * *

(c) *Individual unemployability.* (1) In reducing a rating of 100 percent service-connected disability based on individual unemployability, the provisions of § 3.105(e) are for application but caution must be exercised in such a determination that actual employability is established by clear and convincing evidence. When in such a case the veteran is undergoing vocational rehabilitation, education or training, the rating will not be reduced by reason thereof unless there is received evidence of marked improvement or recovery in physical or mental conditions or of employment progress, income earned, and prospects of economic rehabilitation, which demonstrates affirmatively the veteran's capacity to pursue the vocation or occupation for which the training is intended to qualify him or her, or unless the physical or mental demands of the course are obviously incompatible with total disability. Neither participation in, nor the receipt of remuneration as a result of participation in, a therapeutic or rehabilitation activity under 38 U.S.C. 618 shall be considered evidence of employability. (38 U.S.C. 618(f))

(2) If a veteran with a total disability rating for compensation purposes based on individual unemployability begins to engage in a substantially gainful occuption during the period beginning on February 1, 1985, and ending on January 31, 1989, the veteran's rating may not be reduced solely on the basis of having secured and followed such substantially gainful occupation unless the veteran maintains the occupation for a period of 12 consecutive months. For purposes of this subparagraph, temporary interruptions in employment which are of short duration shall not be considered breaks in otherwise continuous employment.

(38 U.S.C. 363(a))

* * * * *

[FR Doc. 85-30409 Filed 12-24-85; 8:45 am]
BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 421

[FRL-2941-1]

Nonferrous Metals Manufacturing Point Source Category, Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: EPA is correcting errors in the preamble and effluent limitations guidelines and pretreatment standards for the nonferrous metals manufacturing point source category which appeared in the **Federal Register** on September 20, 1985 (50 FR 38276).

FOR FURTHER INFORMATION CONTACT: Mr. Ernst P. Hall at (202) 382-7126.

SUPPLEMENTARY INFORMATION: EPA has promulgated regulations for the nonferrous metals manufacturing point source category in two phases because of the diversity and complexity of the category. Phase I was promulgated on March 8, 1984 (49 FR 8742). Phase II was promulgated on September 20, 1985 (50 FR 38276). The Phase II regulation contained errors which are discussed briefly below and are corrected by this notice.

First, the preamble to the Phase II regulation incorrectly referred to a BAT regulation for the secondary indium and secondary nickel subcategories when no BAT regulations are promulgated for those subcategories. The correct reference is to NSPS. Second, the Phase II regulation erroneously changed the Phase I PSES compliance date to September 20, 1988 for subparts J, K, L, and M. As stated in the March 8, 1984 Phase I final rule, the PSES compliance date for these subparts is March 8, 1987. For subparts N through AE, the PSES compliance date under Phase II is September 20, 1988.

Also, subpart I—Metallurgical Acid Plants Subcategory contained an error. The Preamble to the final Phase II rule clearly explained that EPA was expanding the applicability of the existing BPT requirements to molybdenum metallurgical acid plants. As part of this expanded applicability, the final Phase II preamble discussion explicitly noted that "[t]he pollutants specifically regulated at BPT are arsenic, cadmium, copper, lead, zinc, *flouride, molybdenum,* TSS and pH." (emphasis added). (50 FR 38301). However, due to a typographical error in preparing the final regulations for **Federal Register** publication, the Agency omitted to include the two pollutants flouride and molybdenum in the BPT table at 40 CFR 421.92 for the metallurgical acid plant subcategory. Today's notice corrects this error.

Finally, the summary of process wastewater sources in the Primary Zirconium and Hafnium subcategory in Section V(A) of the preamble (50 FR 38282) needs to be corrected to indicate that only 14 of the 18 process wastewater sources with allowances in this category are included in the summary. The remaining four are described in detail in the zirconium and hafnium development document. The final regulations for this category provide allowances for each of the zirconium and hafnium process waste water sources.

Dated: December 11, 1985.

Lawrence J. Jensen,

Assistant Administrator for Water.

The follrwing corrections are made in FRL 2872-1, the Nonferrous Metals Manufacturing Point Source Category; Effluent Limitations Guidelines; Pretreatment Standards and New Source Performance Standards published in the **Federal Register** on September 20, 1985 (50 FR 38276).

1. The sixth full paragraph in the third column on page 38292 which reads, "The sources of process wastewater receiving an allowance in the primary zirconium and hafnium subcategory are listed below along with the pollutants typically found in each:" is revised to read as follows:

"*Fourteen of the remaining 18* sources of process wastewater receiving an allowance in the primary zirconium and hafnium subcategory are listed below, along with the pollutants typically found in each. *The other four sources are described in detail in the accompanying development document for this subcategory.*"

2. On page 38310, second column, line 8, change "BAT" to "NSPS".

3. On page 38310, third column, line 46, change "BAT" to "NSPS".

4. On page 38312, third column, line 14, change "BAT" to "PSES".

5. Section 421.4 on page 38342, column 2, is correctly revised to read as follows:

§ 421.4 Compliance date for pretreatment standards for existing sources (PSES).

The PSES compliance deadline in subparts A through M is March 8, 1987. The PSES compliance deadline for plants in subparts N through AE is September 20, 1988.

§ 421.92 [Corrected]

6. Section 421.92, on page 38343, first column, the table is correctly revised to read as follows:

* * * * *

SUBPART I—METALLURGICAL ACID PLANT

Pollutant or pollutant property	BPT effluent limitations: Maximum for any 1 day	BPT effluent limitations: Maximum for monthly average
	mg/kg (pounds per million pounds of 100% sulfuric acid capacity	
Cadmium	0.180	0.090
Copper	5.000	2.000
Lead	1.600	0.790
Zinc	3.600	0.900
Fluoride [1]	212.800	121.000
Molybdenum [1]	40.180	20.790
Total suspended solids	304.000	152.000
pH	[2]	[2]

[1] For Molybdenum Acid Plants Only.
[2] Within the range of 6.0 to 9.0 at all times.

[FR Doc. 85-30250 Filed 12-24-85; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 85-154; RM-4927]

FM Broadcast Station in Mount Pleasant, SC

AGENCY: Federal Communications Commission.

AGENCY: Final rule.

SUMMARY: Action taken herein substitutes Channel 283C2 for Channel 285A at Mount Pleasant, South Carolina, and modifies the license of Station WDXZ to specify operation on the higher powered channel, at the request of Southeast Communications, Inc.

EFFECTIVE DATE: January 27, 1986.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau (202) 634-6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio.

The Authority citation for Part 73 continues to read:

Authority: Secs. 4 and 303, 48 Stat. 1066, as amended 1082, as amended; 47 U.S.C. 154, 303. Interpret 47 U.S.C. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 1083, as amended, 47 U.S.C. 301, 303, 307. Other statutory and executive order provisions authorizing or interpreted or applied by specific sections are cited to text.

Report and Order (Proceeding Terminated)

In the Matter of amendment of § 73.202(b), table of allotments, FM broadcast stations. (Mount Pleasant, South Carolina) (MM Docket No. 85-154, RM-4927

Adopted: December 16, 1985.

Released: December 19, 1985.

By the Chief, Policy and Rules Division.

1. The Commission has before it for consideration the *Notice of Proposed Rule Making*, 50 Fed. Reg. 23733, published June 5, 1985, soliciting comments on the proposal to substitute Channel 283C2 for Channel 285A at Mount Pleasant, South Carolina, at the request of Southeast Communications, Inc. ("Southeast"). The *Notice* also proposed to modify the license of Station WDXZ to specify operation on the higher-powered channel. Comments were filed by Southeast and Christ Church Parish Broadcasting, Inc. ("Christ Church") and reply comments were filed by Southeast and Resort Broadcasters of Charleston, Inc. ("Resort").

2. As stated in the *Notice*, the Commission may not modify the license of Station WDXZ if another party expresses an interest in the higher powered channel unless an additional equivalent channel is allocated. See, *Modification of FM and TV Station Licenses*, 98 F.C.C. 2d 916 (1984). Both Christ Church and Resort have expressed such an interest and no second equivalent channel is available at Mount Pleasant. However, Christ Church has now withdrawn it interest in the new allocation and Resort's interest was not timely filed as comments but were filed as reply comments.[1]

3. Channel 283C2 can be allocated to Mount Pleasant in compliance with the Commission's minimum distance separation requirements if the transmitter site is restricted to an area at least 17.0 kilometers (10.6 miles) southwest of the community to avoid short-spacing to Station WNOK, Channel 284 at Columbia, South Carolina, and to ensure placement of the transmitter on land. In view of the foregoing and the stated need for a wide coverage area FM station, the Commission believes that the public interest would be served by the allocation of Channel 283C2 to Mount Pleasant, South Carolina.

[1] In adopting § 1.420(g), the Commission stated that ". . . its policy of granting modification to stations seeking to upgrade their facilities is not violative of the *Ashbacker* mandate in situations where no other interest in the proposed superior class of channel is expressed in comments." 98 F.C.C. 2d 916, 919 (1984).