

55. Amend § 563b.101 by correcting the phrase "protection or account" in the last sentence of Item 14, Notes 2(f) to read "protection of account".

PART 563c—ACCOUNTING REQUIREMENTS

56. The authority citation for Part 563c is revised to read as follows:

Authority: Sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); secs. 402–403, 407, 48 Stat. 1256–1257, 1260, as amended (12 U.S.C. 1725–1726, 1730); secs. 3(b), 12–14, 23, 48 Stat. 882, 892, 894–895, 901, as amended (15 U.S.C. 78c(b), m, n, w); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Comp., p. 1071.

§ 563c.102 [Amended]

57. Amend § 563c.102 by correcting the word "restrictions" in the second sentence of the statement text of I(1)(b) to read "restrictions".

PART 564—SETTLEMENT OF INSURANCE

58. The authority citation for Part 564 is revised to read as follows:

Authority: Sec. 5A, 47 Stat. 727, as added by sec. 1, 64 Stat. 256, as amended (12 U.S.C. 1425a); sec. 5B, 47 Stat. 727, as added by sec. 4, 80 Stat. 824, as amended (12 U.S.C. 1425b); sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1437); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); secs. 401–405, 407, 48 Stat. 1255–1260, as amended (12 U.S.C. 1724–1728, 1730); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Comp., p. 1071.

59. Amend § 564.9 by revising the second sentence of paragraph (b) to read as follows:

§ 564.9 Joint accounts.

(b) * * * The foregoing provisions of this paragraph (b) shall not be applicable with respect to any account evidenced by a certificate of deposit which was issued pursuant to the approval granted by § 563.3–3 of this chapter.

PART 569—PROXIES

60. The authority citation for Part 569 is revised to read as follows:

Authority: Secs. 402–403, 407, 48 Stat. 1256–1257, 1260, as amended (12 U.S.C. 1725–1726, 1730); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Comp., p. 1071.

§ 569.3 [Amended]

61. Amend § 569.3 by adding the word "a" after the phrase "directors or" and before the word "committee" in paragraph (b)(2); by removing the reference to "(1)" in paragraph (c); and by removing paragraph (c)(2).

PART 571—STATEMENTS OF POLICY

62. The authority citation for Part 571 is revised to read as follows, and the authority citations located at the ends of the sections are removed.

Authority: Sec. 5A, 47 Stat. 727, as added by sec. 1, 64 Stat. 256, as amended (12 U.S.C. 1425a); sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1437); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); secs. 402–403, 407, 48 Stat. 1256–1257, 1260, as amended (12 U.S.C. 1725–1726, 1730); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Comp., p. 1071.

§ 571.8 [Amended]

63. Amend § 571.8 by correcting the reference to "545.7–3a, 545.7–11," in the first sentence of the section to read "545.43, 545.72,".

PART 572—NET WORTH CERTIFICATES

64. The authority citation for Part 572 is revised to read as follows:

Authority: Sec. 2, 48 Stat. 128, as amended (12 U.S.C. 1462); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); secs. 401, 403, 405–407, 48 Stat. 1255–1257, 1259–1260, as amended (12 U.S.C. 1724–1728, 1728–1730); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–1948 Comp., p. 1071.

65. Amend § 572.1 by correcting the phrase "purchase of rounding" in the last sentence of paragraph (c)(2) to read "purchase or rounding"; and by revising the last sentence of paragraph (e)(3) to read as follows:

§ 572.1 Purchase of net worth certificates.

(e) * * *

(3) * * * The Corporation may consider that a supervisory problem is satisfactorily resolved if the institution is making adequate progress under a plan acceptable to the Corporation for the complete resolution of that supervisory problem.

PART 574—ACQUISITION OF CONTROL OF INSURED INSTITUTIONS

66. The authority citation for Part 574 is revised to read as follows:

Authority: Sec. 407, 48 Stat. 1260, as amended (12 U.S.C. 1730); sec. 408, 82 Stat. 5, as amended (12 U.S.C. 1730a).

§ 574.3 [Amended]

67. Amend § 574.3 by correcting the reference to "§ 546," in paragraph (c)(2)(iii) to read "Part 546, and § 546.1."

SUBCHAPTER F—REGULATIONS FOR SAVINGS AND LOAN HOLDING COMPANIES

PART 584—REGULATED ACTIVITIES

68. The authority citation for Part 584 is revised to read as follows, and the authority citations located at the ends of the sections are removed.

Authority: Sec. 5A, 47 Stat. 727, as added by sec. 1, 64 Stat. 256, as amended (12 U.S.C. 1425a); sec. 2, 48 Stat. 128, as amended (12 U.S.C. 1462); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); secs. 401–403, 405–407, 48 Stat. 1255–1257, 1259–1260, as amended (12 U.S.C. 1724–1728, 1728–1730); sec. 408, 82 Stat. 5, as amended (12 U.S.C. 1730a); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–1948 Comp., p. 1071.

§ 584.2–1 [Amended]

69. Amend § 584.2–1 by correcting the reference to "545.9, and 545.9–3" in paragraph (a) to read "and 545.71"; and by correcting the reference to "§ 545.9–1(k)(7)" in paragraph (b)(1)(v) to read "§ 545.50(b)".

§ 584.4 [Amended]

70. Amend § 584.4 by removing the word "of" from the phrase "specified in of § 584.2(b)" in paragraph (a).

§ 584.6 [Amended]

71. Amend § 584.6 by correcting the phrase "or such service corporation: *Provided*," in paragraph (c)(1) to read "of such service corporation: *Provided*,".

By the Federal Home Loan Bank Board.

Jeff Sconyers,

Secretary.

[FR Doc. 87–4820 Filed 3–6–87; 8:45 am]

BILLING CODE 6720–01–M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 101

[T.D. 87–28]

Change in the Customs Service Field Organization; Green Cove Springs, FL

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations by designating, on a permanent basis, Green Cove Springs, Florida, as a Customs station. Green Cove Springs was designated a Customs station on a temporary basis in 1984. Due to an increasing workload at the station, it now warrants permanent status. This action continues Customs nationwide effort to obtain more

efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the public.

EFFECTIVE DATES: The regulations are effective March 9, 1987, except for Amendment 2 which is effective October 9, 1986.

FOR FURTHER INFORMATION CONTACT: Denise Crawford, Office of Inspection and Control, (202-566-9425).

SUPPLEMENTARY INFORMATION:

Background

Customs ports of entry and stations are locations where Customs officers are placed for the purpose of accepting the entry of merchandise, collecting duties, examining baggage, clearing passengers, and enforcing the various provisions of the customs laws and other laws.

The significant difference between ports of entry and stations is that at stations, the Federal Government is reimbursed for:

(1) The salaries and expenses of its officers or employees for services rendered in connection with the entry or clearance of vessels; and

(2) Except as otherwise provided by the Customs Regulations, the expenses (including any per diem allowed in lieu of subsistence), but not the salaries of its officers or employees, for service rendered in connection with the entry or delivery of merchandise.

The list of designated Customs stations is set forth in § 101.4(c), Customs Regulations (19 CFR 101.4(c)).

As part of Customs continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the public, on November 19, 1984, Green Cove Springs, Florida, was designated as a temporary Customs station in accordance with § 101.4(d), Customs Regulations (19 CFR 101.4(d)). Subsequent to that designation, increasing requests for Customs services have been experienced at that location, and the Southeast Regional Commissioner of Customs believes permanent station status is warranted. Since staffing is readily available and the cost of services provided is reimbursable, it will not impose any budget burden. Therefore, the designation of Green Cove Springs, Florida, as a Customs station is being made permanent, effective retroactively to October 9, 1986. The station is supervised by the Jacksonville, Florida, port of entry within the Tampa, Florida, district.

By T.D. 77-241, published in the Federal Register on October 12, 1977 (42

FR 54937), the list of the Customs field organization set forth in Part 101, Customs Regulations (19 CFR Part 101), was extensively revised. The Customs stations designated by the Commissioner of Customs were set forth in § 101.4(c) together with the Customs districts within which they are located and the ports of entry having supervision over the Customs stations. This list has been amended numerous times since it was revised in 1977.

To reflect the designation of Green Cove Springs as a permanent station, this document further amends the list in § 101.4(c) by adding "Green Cove Springs, Fla.", under the column headed "Customs stations" and by adding "Tampa, Fla." and "Jacksonville" under the columns headed "District" and "Port of entry having supervision", respectively.

As part of this regulatory project, it has been determined that several of the stations listed in § 101.4(c) contain printing errors either in the district or port of entry having supervision. To avoid any confusion, this document also corrects those errors.

Executive Order 12291 and Regulatory Flexibility Act

Because this amendment is not a "major rule" within the criteria provided in section 1(b) of E.O. 12291, a regulatory impact analysis is not required. Further, because notice and public procedure are not required, this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Customs routinely establishes Customs stations throughout the U.S. to accommodate the volume of Customs-related activity in various parts of the country. Although this amendment may have a limited effect upon some small entities in the area affected, it is not expected to be significant because establishing stations in other areas has not had a significant economic impact upon a substantial number of small entities to the extent contemplated by this Act. Nor is it expected to impose, or otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Notice, Public Comment, and Delayed Effective Date

Because the amendment relating to Green Cove Springs, Florida, is a change in agency organization, pursuant to 5 U.S.C. 553(b)(B), notice and public comment are unnecessary. Also, because this amendment merely updates the Customs Regulations to reflect Customs current field organization,

pursuant to 5 U.S.C. 553(d)(3), a delayed effective date is not required.

Drafting Information

The principal author of this document was John E. Doyle, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 101

Customs duties and inspection, Imports, Organization and functions (Government agencies).

Amendments to the Regulations

PART 101—GENERAL PROVISIONS

1. The authority citation for Part 101, Customs Regulations (19 CFR Part 101), continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 1, 66, 1202 (Gen. Hdnote 11), 1624; Reorganization Plan 1 of 1965, 3 CFR 1965 Supp.

§ 101.4 [Amended]

2. To reflect the designation of Green Cove Springs, Florida, as a Customs station, the list of stations in § 101.4(c) is amended by inserting "Tampa, Fla." directly below "Miami, Fla." in the column headed "District", by inserting "Green Cove Springs, Fla." directly below "Fort Pierce, Fla." in the column headed "Customs stations" and by inserting "Jacksonville" directly below "West Palm Beach" in the column headed "Port of entry having supervision."

3. To correct printing errors in the list of stations, § 101.4(c) is further amended in the following manner:

(a) Under the column headed "Port of entry having supervision", the words "Del Rio", appearing directly below "Morgan City" are removed.

(b) The listing for the Dallas/Fort Worth, Texas, and Laredo, Texas, stations is revised to read as follows:

District	Customs stations	Port of entry having supervision
Dallas/Fort Worth, Tex.	Muskogee, Okla.	Tulsa.
Laredo, Tex.	Amistad Dam, Tex. ... Falcon Dam, Tex. Los Ebanos, Tex.	Del Rio. Roma. Rio Grande City.

(c) Under the column headed "Customs stations" and "Port of entry having supervision", the second listing for "Tucson, Ariz." and "Do.", respectively, are removed.

(d) The listing for the Great Falls, Montana, stations is revised to read as follows:

District	Customs stations	Port of entry having supervision
Great Falls, Mont....	Colorado Springs, Colo. Wild Horse, Mont.... Willow Creek, Mont.	Denver, Great Falls, Do.

Michael H. Lane,

Acting Commissioner of Customs.

Approved:

Francis A. Keating, II,

Assistant Secretary of the Treasury.

February 25, 1987.

[FR Doc. 87-4890 Filed 3-6-87; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 341

[Docket No. 76N-052B]

Bronchodilator Drug Products for Over-the-Counter Human Use; Final Monograph; OMB Approval of Requirements

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is announcing that the Office of Management and Budget (OMB) has approved the collection of information requirement concerning its final rule on over-the-counter (OTC) bronchodilator drug products. The agency is amending that regulation to reflect OMB's approval.

EFFECTIVE DATE: October 2, 1987.

FOR FURTHER INFORMATION CONTACT:

William E. Gilbertson, Center for Drugs and Biologics (HFN-210), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-295-8000.

SUPPLEMENTARY INFORMATION: In the Federal Register of October 2, 1986 (51 FR 35326), FDA issued a final rule in the form of a final monograph effective October 2, 1987, establishing conditions under which OTC bronchodilator drug products (drug products used in the symptomatic treatment of wheezing and shortness of breath of asthma) are generally recognized as safe and effective and not misbranded. In that document (51 FR 35339), FDA announced that it had submitted the final rule to the Office of Management and Budget (OMB) for approval of the collection of information requirement contained in § 341.76(d)(2)(i)(b).

OMB has approved the collection of information requirement under OMB control number 0910-0237. This document announces OMB's approval and amends the regulation to reflect that approval.

Because this amendment is nonsubstantive, notice and public procedure are unnecessary (5 U.S.C. 553(b)(B) and (d)).

List of Subjects in 21 CFR Part 341

Labeling, Over-the-counter drugs. Therefore, under the Federal Food, Drug, and Cosmetic Act and the Administrative Procedure Act, Subchapter D of Chapter I of Title 21 of the Code of Federal Regulations is amended as follows:

PART 341—COLD, COUGH, ALLERGY, BRONCHODILATOR, AND ANTI-ASTHMATIC DRUG PRODUCTS FOR OVER-THE-COUNTER HUMAN USE

1. The authority citation for 21 CFR Part 341 continues to read as follows:

Authority: Secs. 201(p), 502, 505, 701, 52 Stat. 1041-1042 as amended, 1050-1053 as amended, 1055-1056 as amended by 70 Stat. 919 and 72 Stat. 948 (21 U.S.C. 321(p), 352, 355, 371); 5 U.S.C. 553; 21 CFR 5.11.

2. In § 341.76 by adding a parenthetical statement at the end of the section, to read as follows:

§ 341.76 Labeling of bronchodilator drug products.

(Collection of information requirement approved by the Office of Management and Budget under number 0910-0237.)

Dated: March 2, 1987.

John M. Taylor,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 87-4818 Filed 3-6-87; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 655

[FHWA Docket Nos. 79-37, 83-26, 85-1, 85-3, 85-15, 85-27 and 87-8]

National Standards for Traffic Control Devices; Manual on Uniform Traffic Control Devices

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule; amendments to material incorporated by reference and request for comments.

SUMMARY: This document contains notice of amendments to the Manual on Uniform Traffic Control Devices (MUTCD) which are being adopted by the Federal Highway Administration for inclusion therein. The MUTCD is incorporated by reference in 23 CFR Part 655, Subpart F and recognized as the national standard for traffic control devices on all public roads. The amendments affect various parts of the MUTCD and are intended to expedite traffic, improve safety and provide a more uniform application of highway signs, signals, and markings. Comments on certain editorial amendments to the MUTCD, specified in SUPPLEMENTARY INFORMATION under "Discussion of Editorial Changes", are requested. A conforming amendment to Part 655 is also being made to update the citation to the MUTCD.

DATES: Effective March 9, 1987.

Comments on the editorial amendments to the MUTCD must be received on or before April 3, 1987.

ADDRESS: Submit written comments, preferably in triplicate, on editorial changes to Docket No. 87-8, to the Federal Highway Administration, Room 4205, HCC-10, 400 Seventh Street, SW., Washington, DC 20590. All comments received will be available for examination at the above address between 8:30 a.m. and 3:30 p.m. ET, Monday through Friday. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard.

FOR FURTHER INFORMATION CONTACT:

Mr. Philip O. Russell, Office of Traffic Operations, (202) 366-2184, or Mr. Michael J. Laska, Office of Chief Counsel, (202) 366-1383, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday, except legal holidays.

SUPPLEMENTARY INFORMATION: The MUTCD is available for inspection and copying as prescribed in 49 CFR Part 7, Appendix D. It may be purchased for \$44.00 from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, Stock No. 950-036-00000-1. The purchase of a MUTCD includes a subscription service for adopted revisions.

This document contains the dispositions of proposals for changes in the MUTCD which were received or originated by the FHWA. Previous Federal Register actions regarding these requests are listed in the following table:

Item	Request No.	Title	Published in Federal Register FHWA Docket No.
1	1-4 (Chng.)	Manual Changes, Interpretations and Authority to Experiment (Section 1A-6)	Docket No. 85-27 (50 FR 51404, December 17, 1985)
2	II-5 (Chng.)	Recreational and Cultural Interest Area Signs	Docket Nos. 79-37 (45 FR 982 January 3, 1980); 85-1 (50 FR 10506, March 15, 1985);
3	II-33 (Chng.)	Hazardous Material Routing Sign	Docket Nos. 79-37 (45 FR 982 January 3, 1980); 79-37, Notice 2 (47 FR 5238, February 4, 1982); 83-26 (49 FR 1213, January 10, 1984); 79-37, 83-26, and 85-15 (50 FR 21857, May 29, 1985)
4	II-37 (Chng.)	YIELD Signs in Conjunction with STOP Signs	Docket Nos. 79-37 (45 FR 982, January 3, 1980); 79-37, Notice 2 (47 FR 5238, February 4, 1982); 79-35, 79-37, and 80-10 (48 FR 1047, January 10, 1983)
5	II-84 (Chng.)	Trail Markers on Interstates	Docket Nos. 83-26 (49 FR 1213, January 10, 1984); 79-31, 79-37, and 83-26 (49 FR 38940, October 2, 1984)
6	II-86 (Chng.)	Signs for STAA Truck Routes	Docket Nos. 79-37, 83-26, and 85-15 (50 FR 21857, May 29, 1985)
7	II-106 (Chng.)	Use of No Parking Symbol Sign (R8-3a) in Rural Areas	Docket No. 85-27 (50 FR 51404, December 17, 1985)
8	II-107 (Chng.)	Standards for and Applications of Lane-Use Control Signs at Intersections	Docket No. 85-27 (50 FR 51404, December 17, 1985)
9	II-109 (Chng.)	Cloverleaf With Collector-Distributor Roadways	Docket No. 85-27 (50 FR 51404, December 17, 1985)
10	III-30 (Chng.)	Wrong Way and Lane Use Pavement Marking Arrows	Docket No. 85-27 (50 FR 51404, December 17, 1985)
11	III-38 (Chng.)	Warrants for No-Passing Zones at Curves	Docket No. 85-27 (50 FR 51404, December 17, 1985)
12	III-39 (Chng.)	Delinquent Placement and Spacing	Docket No. 85-27 (50 FR 51404, December 17, 1985)
13	IV-6 (Chng.)	Alternative to Full Signalization at School Crossings	Docket No. 80-10 (48 FR 1047, January 10, 1983)
14	IV-52 (Chng.)	Median Width Criteria for Pedestrian Signals	Docket No. 85-27 (50 FR 51404, December 17, 1985)
15	IV-58 (Chng.)	A Required Yellow Clearance Interval and Left Turn Signal Displays	Docket No. 85-27 (50 FR 51404, December 17, 1985)
16	IV-66 (Chng.)	Warrants for Traffic Signal Installation	Docket No. 85-27 (50 FR 51404, December 17, 1985)
17	IV-67 (Chng.)	Accident Experience Warrant	Docket No. 85-27 (50 FR 51404, December 17, 1985)
18	IV-68 (Chng.)	Effects of Right Turn On Red on Volume Warrants	Docket No. 85-27 (50 FR 51404, December 17, 1985)
19	VI-3 (Chng.)	Temporary Payment Markings in Construction and Maintenance Areas	Docket Nos. 79-37 (45 FR 982 January 3, 1980); 79-37, Notice 2 (47 FR 5238, February 4, 1982); 83-26 (49 FR 1213, January 10, 1984); 79-37, 83-26, and 85-15 (50 FR 21857, May 29, 1985)
20	VI-33 (Chng.)	Location of Reflective Collars With Respect to Top of Cones	Docket No. 85-27 (50 FR 51404, December 17, 1985)
21	VI-34 (Chng.)	Size and Location of Additional Reflective Bands on Cones	Docket No. 85-27 (50 FR 51404, December 17, 1985)
22	VI-35 (Chng.)	ROAD (STREET) CLOSED Sign	Docket No. 85-27 (50 FR 51404, December 17, 1985)
23	VI-36 (Chng.)	Length of Construction Sign	Docket No. 85-27 (50 FR 51404, December 17, 1985)
24	VIII-16 (Chng.)	TRACKS OUT OF SERVICE Sign (R8-9)	Docket Nos. 79-37, 83-26, and 85-15 (50 FR 21857, May 29, 1985)
25	IV-68 (Chng.)	Delete Traffic Signal Preemption Drawing, Figure 8-8	Docket No. 85-27 (50 FR 51404, December 17, 1985)
26	IX-4 (Chng.)	U.S. Bicycle Route Marker (M1-9)	Docket No. 85-27 (50 FR 51404, December 17, 1985)
27	I-7 (Chng.)	Editorial Changes	Not Previously Published in FEDERAL REGISTER
28	IV-71 (Chng.)	Adoption Procedures for Symbols on Traffic Control Devices	Not Previously Published in FEDERAL REGISTER
29	VI-29 (Chng.)	Deferred Ruling	Not Previously Published in FEDERAL REGISTER
29	VI-29 (Chng.)	Vehicle Change Interval	Not Previously Published in FEDERAL REGISTER
29	VI-29 (Chng.)	Deferred Ruling	Not Previously Published in FEDERAL REGISTER
29	VI-29 (Chng.)	Minimum Diameter of Drums	Docket Nos. 79-37, 83-26, and 85-15 (50 FR 21857, May 29, 1985)

Advance copies of the text changes to the MUTCD for all of the adopted requests will be distributed to everyone currently appearing on the FHWA Federal Register mailing list for MUTCD matters. Those wishing to receive an advance copy of the text changes or to be added to this mailing list should write to the Federal Highway Administration, Office of Traffic Operations, HTO-21, 400 Seventh Street, SW., Washington, DC 20590.

Discussion of Requests

These amendments are being processed in accordance with the rulemaking procedure of the Administrative Procedure Act (5 U.S.C. 553) and the Department of Transportation's regulatory policies and procedures.

Each request is assigned an identification number which indicates, by Roman numeral, the primary organizational part of the MUTCD affected and, by Arabic numeral, the order in which the request was received.

The FHWA has reviewed the comments received in response to the notices and the other information relating to the MUTCD and these proposals. The FHWA is acting on the following requests for change to the MUTCD. Each action and its basis is summarized below:

(1) Request I-4 (Chng.)—Manual Changes, Interpretations and Authority to Experiment (Section 1A-6)

This amendment to Section 1A-6 adopts procedures which are designed to improve the timeliness and completeness of amendments, interpretations, and experimentations.

Of the 18 commenters, 16 were in favor. The other 2 were neutral, and offered no specific comment on the proposal.

The amendment imposes no additional costs on highway agencies. No compliance date is needed for this amendment.

(2) Request II-5 (Chng.)—Recreational and Cultural Interest Area Signs

This amendment to Sections 2D-44, 2D-49, 2E-39, and 2F-41 combines all of the pertinent provisions on recreational and cultural interest area signing into one subpart, II-H Recreational and Cultural Interest Area Signs.

Twenty-one of the 22 commenters concurred with the FHWA proposal. Thirteen of the 21 commenters recommended that some changes be made to the test of the MUTCD as proposed by the FHWA. The FHWA accommodated most of the recommendations by making two changes to the amendment. First, the signs which are not intended to be used

as traffic control devices on roadways open to public travel will be acknowledged in the MUTCD as being a necessary part of the system of signs for recreational and cultural interest areas and will be referenced in the MUTCD in that context. Second, the signs which are intended to be used as traffic control devices on roadways open to public travel will be stratified according to their proper use on two types of roads that are derived from the FHWA Functional Classification System.

These signs have been allowed within public parks on recreational roads since August 30, 1974. Most public agencies responsible for recreational and cultural interest areas are using these signs. This amendment will have some impact on the highway agencies that are responsible for signs on the roads adjacent to and leading to these areas. To mitigate these costs, a compliance date of December 31, 1993, is established.

(3) Request II-33 (Chng.)—Hazardous Material Routing Sign

This amendment to Section 2B-43 adds a new subsection titled Hazardous Cargo Signs (R14-2, R14-3). The R14-2 or a word message alternate sign may be used to mark routes which have been designated for the transport of all hazardous materials. The R14-3 or a

word message alternate sign may be used to mark routes or entrances to routes where hazardous materials are prohibited. The amendment also adopts a symbol to be used on the Hazardous Cargo Symbol Signs (R14-2, R14-3).

Nineteen of the 26 commenters concurred with the need for adoption of uniform signs and the design proposed by the FHWA. In addition, three commenters expressed a need for signing, but preferred a word message or another symbol for the signs.

This amendment should provide safety benefits for both highway agencies and the trucking industry. To mitigate the costs to highway agencies of bringing their symbol signs into conformance with this standard, a compliance date of December 31, 1989, is established.

(4) Request II-37 (Chng.)—YIELD Signs in Conjunction With STOP Signs

This amendment to Section 2B-8 allows the use of a YIELD sign in conjunction with STOP signs under one set of circumstances. Figure 1—YIELD SIGNS IN CONJUNCTION WITH STOP SIGNS, which appeared in FHWA Docket 79-37, Notice 2 (47 FR 5238, February 4, 1982), and very specific language are added to Section 2B-8 to describe the special set of circumstances. The National Committee on Uniform Traffic Control Devices (NCUTCD) developed this specific language and has recommended its inclusion in the MUTCD.

There were 44 comments received in response to the notice of proposed amendments in the February 4, 1982, *Federal Register* (45 FR 5238). Thirteen commenters concurred. Of the 31 commenters who opposed the amendment, two did not give their reasons and six successfully use signs such as "RIGHT TURN NO STOP" with a STOP sign to provide the same right turn free flow traffic movement. The remaining 23 commenters were basically opposed to allowing a free flow right turn at any intersection approach controlled by either a STOP or YIELD sign.

Figure 1 and the specific language referred to in the preceding paragraphs were included in an official ballot of the American Association of State Highway and Transportation Officials. Of the 49 responses to this ballot, 34 States concurred, 3 concurred in part and 12 did not concur. The Institute of Transportation Engineers also supports this change.

The second paragraph of Section 2B-8, Warrants for Yield Signs, states that the YIELD sign should not *ordinarily* be used to control major traffic flows.

Based on our review of the current wording in the MUTCD, the docket comments and the results of the AASHTO ballot, the FHWA finds that the amendment describes one condition which can be controlled by the YIELD sign.

This change imposes no additional costs nor mandates direct action by highway agencies. No compliance date is required to implement this amendment.

(5) Request II-84 (Chng.)—Trail Markers on Interstates

This amendment removes language from Section 2D-51 which prohibited highway agencies from placing on the Interstate System informational plaques or shields designed to provide the traveling public with route guidance in following a trail of particular cultural, historical, or educational interest. States are encouraged to establish a policy for the use of these signs.

Eleven of the 20 commenters opposed the adoption of this amendment. The most common reasons given for opposing the amendment were (1) the possibility that the change could lead to unnecessary or prolific signing, and (2) other route guidance methods are available. The FHWA recognizes that in many cases maps and/or brochures are the preferred method of advising the few interested people of the location of trails. However, the issue of whether maps and/or brochures or informational plaques or shields will best serve a particular State's need is best determined by each State, not by the MUTCD.

Since trail marking is voluntary, this amendment imposes no additional costs on highway agencies. No compliance date is needed to implement this change.

(6) Request II-86 (Chng.)—Signs for STAA Truck Routes

This amendment revises Section 2A-11, adds a new subsection 2B-43c titled National Network Signs, and adopts a single symbol to be used on all route and services signing associated with the National Network. Word message signs are not acceptable for marking the National Network.

Twenty of the 26 commenters concurred in this amendment. In addition one State stated that they preferred to use maps to inform motorists of routes which are on the National Network. The use of signs is voluntary and maps or lists of routes were established as acceptable alternatives in the final rule published on June 5, 1984 (49 FR 23302; 23 CFR 658).

Because the signing of routes and services on the National Network is voluntary, the amendment will impose minor additional costs only on those highway agencies which decide to use signing as a method of identifying National Network routes. To offset these additional costs a compliance date of December 31, 1989, is established.

(7) Request II-106 (Chng.)—Use of No Parking Symbol Sign (R8-3a) in Rural Areas

The Michigan Department of Transportation requested that Section 2B-33 of the MUTCD be amended to establish the 12-by 12-inch R8-3a Sign as the minimum size No parking symbol sign for use in rural areas.

The FHWA did not support this request. A total of 18 comments were received. Of these 15 concurred with the FHWA position, 2 favored a change, and 1 was neutral. The request is denied. The minimum size of No Parking Symbol Sign (R8-3a) for use in rural areas remains 24 by 24 inches.

(8) Request II-107 (Chng.)—Standards for and Applications of Lane Use Control Signs at Intersections

This amendment to Sections 2B-17 and 2B-18 adds considerable flexibility in the use of Lane-Use control signs and adds no new requirements for their use.

Of the 24 commenters, 23 favored the amendment.

This amendment imposes no additional cost on State and local highway agencies. No compliance date is required for this amendment.

(9) Request II-109 (Chng.)—Cloverleaf With Collector-Distributor Roadways

This amendment to Section 2F-27 and Figure 2-37 allows the exits from the collector-distributor (CD) roadway to the exit ramps to be numbered with an appropriate suffix in basically the same manner as are the exits at a normal cloverleaf interchange.

All 18 commenters concur with this amendment.

Since the use of exit numbering for exits from CD roadways is discretionary, this amendment imposes no additional costs on highway agencies. No compliance date other than the effective date of this final rule is required.

(10) Request III-30 (Chng.)—Wrong Way and Lane Use Pavement Marking Arrows

This amendment of several provisions of Sections 2E and 3B improves the design and placement of the pavement marking arrows and provides better

detail concerning the role of arrows in wrong way and lane use control.

Twenty of the 22 commenters concurred in the proposed amendment.

The amendment does not place any new mandates on highway agencies but will improve the uniformity and effectiveness of pavement marking arrows at no additional cost. No compliance date is needed to implement this change.

(11) Request III-38 (Chng.)—Warrants for No-Passing Zones at Curves

This amendment to Section 3B-5 and Figure 3-8 provides that the speed portion of the warrants will be based on the off-peak 85 percentile or the posted speed limit, whichever is higher. The table in Section 3B-5 is also expanded to give minimum passing sight distances in 5 MPH increments. Based on docket comments, the FHWA has decided to add to the warrants a minimum passing sight distance for 25 MPH.

Of the 18 commenters, 17 concurred with the basis of this proposal.

This amendment imposes no additional mandates on highway agencies and should in some cases reduce the number of speed studies required. A compliance date of December 31, 1991, is established for this amendment.

(12) Request III-39 (Chng.)—Delineator Placement and Spacing

The proposed amendment to Section 3D-5 would have changed the height and offset distances for delineators from a "shall" condition to a "may" condition.

Seventeen of the 20 commenters supported this proposal. Two State Departments of Transportation and the NCUTCD commented that the MUTCD should contain recommended height and offset distances. After reevaluation of the comments the FHWA accepts these recommendations and will amend the first paragraph of Section 3D-5 to read: "Delineators, if used, should be mounted on suitable supports so that the top of the reflecting head is about 4 feet above the near roadway edge. They should be placed not less than 2 or more than 8 feet outside the outer edge of the shoulder, or if appropriate, in the line of the roadside barrier that is 8 feet or less outside the outer edge of the shoulder."

This change allows the use of engineering judgment when placing roadside delineators without imposing any additional costs. No compliance date is needed.

(13) Request IV-8 (Chng.)—Alternative to Full Signalization at School Crossings.

This request was initiated by the city of Seattle in 1974 to allow the use of traffic signals on the main street approaches and STOP signs (no signal display) on the side street approaches at intersections with pedestrian crossings. The concept has received prolonged review and has been addressed in a research study. A major concern with the concept is that its widespread application could result in the degradation of the meaning of a green traffic signal on a national basis and that widespread use could result in a deterioration in the authority and effectiveness of traffic signals and pedestrian safety, in general.

The FHWA provided notice on January 10, 1983, at 48 FR 1047 that action on the request was being deferred pending availability of additional research or study data. No such research or study results have since been provided.

The FHWA is, therefore, denying this request for a change in the absence of definitive research results and in recognition of widespread concern for maintenance of traffic signal credibility. This would not preclude a new request, if data, in the future, become available definitively supporting the change and demonstrating that it would not adversely affect the credibility of traffic signals.

Continuance of existing installations was approved as part of MUTCD official ruling Sg-44 on April 17, 1975. These installations should be removed or converted to conforming installations by December 31, 1996.

(14) Request IV-52 (Chng.)—Median Width Criteria for Pedestrian Signals

Sections 4C-5, 4D-7 and 7D-9 are amended to allow engineering judgment in determining whether a given median is sufficient enough to serve as a pedestrian refuge and to provide consistency in these sections relative to median width considerations.

There were 19 commenters, 17 of which were in favor of the amendment.

This amendment provides greater latitude in determining the need for a traffic signal and in the timing of pedestrian clearance intervals and imposes no additional cost. No compliance date is needed to implement this amendment.

(15) Request IV-58 (Chng.)—A Required Yellow Arrow Clearance Interval and Left Turn Signal Displays

Sections 2B-17, 4B-5, 4B-6, 4B-12 and 4B-18 are amended. A yellow arrow indication is required for a clearance display following a Green Arrow. The amendment eliminates the optional use

of the circular yellow indication for this purpose. The amendment also allows the use of a flashing arrow indication and clarifies various design requirements for Left Turn displays.

Section 4B-15, fifth paragraph requires that "A clearance interval shall be provided between the termination of a GREEN ARROW indication and the showing of a green indication to any conflicting traffic movement." Presently this clearance indication may be via a Steady Yellow Arrow indication, or optionally Circular Yellow indication in signal faces used exclusively to control a single directional movement. This amendment eliminates the use of the optional Circular Yellow indication for this purpose.

Also, the following modification is made to 4B-18 to clarify the intent of the MUTCD relative to left turn signals.

1. In the first sentence of the fourth paragraph, delete the word "automatic".

2. In the second sentence of the fourth paragraph, the word "automatic" is replaced by the word "programmed".

3. The fifth paragraph which pertains to the change from flashing to stop-and-go operation is deleted.

4. In the first sentence of the sixth paragraph, delete the word "automatic".

5. A seventh paragraph is added to explain the design requirements for flashing arrows.

Of the 24 commenters, 14, including the NCUTCD, were in favor of the changes. Nine commenters were opposed to the change and 1 commenter wanted final action on the request to be deferred. Of the 9 opposed, 4 agreed in principle, but raised questions concerning the target value of the yellow arrow. This has not caused a problem at locations where the yellow arrow is now used.

This amendment causes some financial impact where existing 8 inch circular yellow indications will have to be replaced with 12 inch yellow arrows. A compliance date of December 31, 1997, is established to mitigate the cost of changing the indications. The remainder of the amendment is editorial in nature or to clarify the existing intent; therefore no compliance date is provided.

(16) Request IV-66 (Chng.)—Warrants for Traffic Signal Installations.

Section 4C-2 of the MUTCD is amended to make it clear that the satisfaction of a warrant is not, in itself, a mandate for a signal. This amendment will stipulate the need for an engineering study, considering factors, other than those outlined in the warrant, to indicate whether installation of a

signal will improve safety and/or operations.

There were 21 commenters, 20 of which were in favor of the request and 1 opposed.

This amendment will provide more explicit guidelines in justifying a signal. This amendment imposes no additional cost on State and local highway agencies. No compliance date is needed to implement this change.

(17) Request IV-67 (Chng.)—Accident Experience Warrant

The wording in Section 4C-8 is amended so that the wording in Warrant 6 is compatible with each jurisdiction reporting level.

There were 18 commenters all of which were in favor of the amendment.

This change makes the Accident Experience Warrant more realistic but imposes no additional costs. No compliance date is needed to implement this change.

(18) Request IV-68 (Chng.)—Effects of Right Turn On Red on Volume Warrants

This amendment to Section 4C-2 allows consideration of Right Turn Movements on the Volume Warrants.

There were 19 commenters, 18 of which were in favor of the request and one was neutral.

This amendment increases the usefulness of the Volume Warrants but imposes no additional costs. No compliance date is needed to implement this change.

(19) Request VI-3 (Chng.)—Temporary Pavement Markings in Construction and Maintenance Areas

This amendment to Parts III and VI requires temporary pavement markings as follows: (a) Temporary lane stripes and/or skip centerline stripes on all facilities of at least 4-feet long with a maximum 36-foot gap, or in areas of severe curvature, 2-feet long with a maximum 18-foot gap, (b) no passing zones should be striped in accordance with the requirements for permanent markings set forth in Sections 3B-4 and 3B-5 of the MUTCD, (c) edgelines, when used, should be in accordance with the requirements for permanent markings set forth in Section 3B-6 of the MUTCD, and (d) temporary pavement markings shall be fully retroreflective.

This amendment allows the use of raised pavement markers as provided for in Section 3B-15, Raised Pavement Markers Supplementing Other Markings and Section 3B-16, Substituting for Pavement Markings. A group of at least three retroreflective markers may be substituted for a broken line segment.

Nearly all of the 30 commenters agreed on the need for temporary markings and/or signs to indicate centerlines, lane lines, and no passing zones in construction and maintenance work zones. Twelve commenters concurred with the FHWA proposal. Seven commenters objected only to the length of broken line segments, their spacing or the type of traffic control devices used to control no passing. Four commenters requested that action on this amendment be deferred pending additional research results. Six commenters opposed adoption of the amendment but did not provide specific reasons for their position.

The FHWA finds that the safety and traffic operations can be improved in construction and maintenance work zones through the consistent use of uniform temporary pavement markings and other traffic control devices. If subsequent research finds that fewer markings are appropriate, then the standards herein can be amended.

This amendment imposes some additional costs on and requires direct action by some highway agencies. To offset these costs a compliance date of December 31, 1988, has been established.

(20) Request VI-33 (Chng.)—Location of Reflective Collars With Respect to Top of Cones

This amendment to Sections 6C-3 and 3F-2 provides an unobstructed hand hold at top of cones from 3 inches to 4 inches.

All 18 of the commenters concurred with the basis of this change. The NCUTCD recommended that the text be revised to read "Reflectorization of cones shall be provided by a minimum 6-inch white band placed approximately 3 inches from the top".

The FHWA finds that 3 inches is the absolute minimum needed for a hand hold at the top of cones. Therefore, the amendment will provide that the 6-inch band of retroreflective material be placed a minimum of 3, but no more than 4 inches, from the top.

This change improves the night performance of cones by keeping the retroreflective collars cleaner and provides a larger area of retroreflective material at no cost to highway agencies. To offset the impact on contractors and collar suppliers a compliance date for this amendment of December 31, 1989 is established.

(21) Request VI-34 (Chng.)—Size and Location of Additional Reflective Bands on Cones

This amendment to Sections 6C-3 and 3F-2 provides an additional; 4-inch band

of retroreflective material to be placed 2 inches below the present standard 6-inch band on 28-inch cones. It should be understood that the retroreflective bands may be individual bands or may be fabricated as one unit with a 2-inch band of nonretroreflective orange material separating the retroreflective material.

With this latter provision, all 18 commenters concurred with the amendment.

The amendment will improve the visibility of 28-inch cones at a negligible cost to highway agencies. To offset the impact on contractors and collar suppliers the compliance date for this amendment is December 31, 1989.

(22) Request VI-35 (Chng.)—ROAD (STREET) CLOSED Sign

The amendment to Section 6B-8 eliminates the mandatory use of the ROAD (STREET) CLOSED Sign (R11-2) by changing the "shall" condition to a "may" condition. This does not preclude highway agencies from adopting more rigid criteria for the sign's use.

Seventeen of the 20 commenters concurred with the FHWA position, 2 commenters favored retaining the mandatory language and 1 commenter, the NCUTCD proposed that the text be revised from mandatory (shall) to recommended (should) language.

This amendment imposes no additional costs on highway agencies. No compliance date is needed to fully implement the change.

(23) Request VI-36 (Chng.)—Length of Construction Sign

The proposed amendment to Section 6B-36 would have allowed the use of the Length of Construction Sign (G20-1).

Eighteen of the 19 commenters supported the FHWA position. The NCUTCD proposed that the text be revised from mandatory to recommended language.

Upon further evaluation the FHWA has decided to amend Section 6B-36 to a "should" condition rather than a "may" condition as proposed. This will encourage highway agencies to use the G20-1 sign where it is needed to give motorists specific guidance information.

The amendment will impose no additional costs on highway agencies. No compliance date is needed to fully implement the change.

(24) Request VIII-16 (Chng.)—TRACKS OUT OF SERVICE Sign

This amendment revises Sections 8B-1 and 8C-1, adds a new Section (8B-10) and adds the TRACKS OUT OF SERVICE Sign (R8-9). The R8-9 Sign

may be used to indicate to motorists that the tracks are not currently used. The sign is intended for use only when the Railroad Crossing (Crossbuck) Sign (R15-1, 2) and other grade crossing protection devices are removed or covered.

Only one of the 21 commenters opposed this amendment.

Traffic operations should be improved at the sites where this sign is used. This amendment does not impose additional costs. No compliance date is needed to implement this change.

(25) Request VIII-18 (Chng.)—Delete Traffic Signal Preemption Drawing, Figure 8-8

This amendment to Section 8C-6 deletes Figure 8-8.

All 19 commenters concurred with the proposal.

This deletion will impose no additional cost on highway agencies. No compliance date is needed to implement this change.

(26) Request IX-4 (Chng.)—U.S. Bicycle Route Marker (M1-9)

This amendment to Section 9B-20 reverses the location of the symbol and the route number and reduces the size of the numbers of the route number on the M1-9 sign.

All 19 commenters concurred with this proposal.

There will be minimal costs associated with this change. To offset these costs, a compliance date of December 31, 1989, is established.

Discussion of Editorial changes

In accordance with the FHWA procedures published in FHWA Docket 83-18 (48 FR 30145, June 30, 1983) the FHWA invites comments to FHWA Docket 87-8 on the following editorial changes (Requests I-7 and IV-71):

The FHWA is making the following editorial changes to the MUTCD. The changes and their bases are summarized below.

(27) Request I-7 (Chng.)—Adoption Procedures for Symbols on Traffic Control Devices

This amendment to Section 1A-2 requires that all symbols used on or as signs, signals or markings must be developed and adopted in accordance with the procedures set forth in Section 1A-4. The amendment also excludes symbols from the general provisions of Sections 2B-44, Other Regulatory Signs, and 2C-41, Other Warning Signs.

This amendment is consistent with Section 2A-9, Design, the general principle of uniformity which is stressed throughout the MUTCD and the

understanding of those persons who are familiar with the MUTCD and its development.

This revision imposes no additional costs on highway agencies. No compliance date is needed to implement this change.

(28) Request IV-71 (Chng.)—Vehicle Change Interval

The NCUTCD requested specific wording changes to Section 4B-15 to clarify existing language relative to an "all-way red clearance interval".

In particular, paragraph 4 of Section 4B-15 refers to an "all-way red clearance interval". An all-way red is not applicable to certain multi-phase signal operations. For example, when a protected left turn phase operating concurrently with a through phase terminates, the through phase normally remains green, so there could not be an all-way red. Therefore the FHWA is amending the wording of the fourth paragraph from "short all-way red" to "red".

This wording change recognizes certain multi-phase signal operations.

This amendment to the MUTCD provides clarification and imposes no additional costs on highway agencies. No compliance date is needed to implement this change.

Discussion of Actions to be Deferred or Extended

(29) Request VI-29 (Chng.)—Minimum Diameter of Drums

Action on this request is being deferred pending the completion of a research study.

In consideration of the foregoing and under the authority of 23 U.S.C. 109(d), 315, and 402(a), and the delegation of authority in 49 CFR 1.48(b), the Federal Highway Administration hereby adopts the Manual of Uniform Traffic Control Devices as amended herein and amends Part 655 of Title 23 CFR by amending Section 655.601(a) to read as set forth below.

Regulatory Impact

The Federal Highway Administration has determined that this document contains neither a major rule under Executive Order 12291 nor a significant regulation under the regulatory policies and procedures of the Department of Transportation. As stated herein the economic impact of these amendments is so minimal as not to require preparation of a full regulatory evaluation. For the same reasons and under the criteria of the regulatory Flexibility Act, the FHWA hereby certifies that this action will not have a

significant economic impact on a substantial number of small entities.

Since the editorial amendments contained in this document are technical in nature, the FHWA finds good cause to make the editorial amendment final without the opportunity for comment under the Administrative Procedure Act. However, interested parties may comment on the editorial amendments by April 3, 1987 and such comments will be placed in FHWA Docket 87-8 and considered. For the same reasons, opportunity for prior comment is not required under the regulatory policies and procedures of the Department of Transportation.

Incorporation by Reference

The MUTCD has been incorporated by reference in 23 CFR Part 655 under the provisions of 5 U.S.C. 552(a) and 1 CFR Part 51 and approved by the Director of the Federal Register as of April 1, 1986. The MUTCD was last revised on December 12, 1985 (50 FR 50784). The MUTCD citation included in 23 CFR 655 will be revised to reflect the amendments contained in this document.

List of Subjects in 23 CFR Part 655

Design standards, Grant programs—transportation, Highways and roads, Signs, Traffic regulations, Incorporation by reference.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: February 27, 1987.

R.A. Barnhart,

Federal Highway Administrator, Federal Highway Administration.

The FHWA hereby amends Chapter 1 of Title 23, Code of Federal Regulations, by amending Part 655 as set forth below.

PART 655—TRAFFIC OPERATIONS

1. The authority citation for 23 CFR Part 655, Subpart F continues to read as follows:

Authority: 23 U.S.C. sections 109(d), 114(a), 217, 315, 402(a), 23 CFR 1204.4; and 49 CFR 1.48(b).

§ 655.601 [Amended]

2. In § 655.601, paragraph (a) is amended by revising the first sentence to read as follows:

§ 655.601 Purpose.

* * * * *

(a) Manual on Uniform Traffic Control Devices for Streets and Highways, FHWA, 1978, as amended February 1987. * * *

[FR Doc. 87-4767 Filed 3-6-87; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 178

[T.D. ATF-247; Correction]

Commerce in Firearms and Ammunition; Correction

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Temporary rule (Treasury decision); correction.

SUMMARY: This document changes the word "revising" to the word "adding" in paragraph 8 of FR Doc. 87-822, published in the *Federal Register* on January 16, 1987, at 52 FR 2050.

FOR FURTHER INFORMATION CONTACT: Daniel E. Crowley, ATF Specialist, Firearms and Explosives Operations Branch, Bureau of Alcohol, Tobacco and Firearms, (202) 566-7591.

SUPPLEMENTARY INFORMATION:

Paragraph 1. In the left column of page 2050, paragraph 8 should read:

Par. 8 Section 178.99 is amended by adding titles for paragraphs (a), (b) and (c) and by adding paragraphs (d) and (e) to read as follows:

W.T. Drake,
Acting Director.
February 17, 1987.

[FR Doc. 87-4891 Filed 3-6-87; 8:45 am]

BILLING CODE 4810-31-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 917

Permanent Program Amendments From the Commonwealth of Kentucky Under the Surface Mining Control and Reclamation Act of 1977

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

ACTION: Final rule.

SUMMARY: OSMRE is announcing the approval of program amendments

submitted by Kentucky as modifications to the Commonwealth's permanent regulatory program (hereinafter referred to as the Kentucky program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendments which were submitted on September 5, 1986, and modified on December 4, 1986, pertain to a bond pool program for Kentucky coal mine operators.

After providing for public comments and conducting a thorough review of the program amendments, the Director has determined that the amendments meet the requirements of SMCRA and the Federal regulations and is approving these amendments. The Federal rules at 30 CFR Part 917 codifying decisions concerning the Kentucky program are being amended to implement these actions.

This final rule is being made effective immediately to expedite the State program amendment process.

EFFECTIVE DATE: March 9, 1987.

FOR FURTHER INFORMATION CONTACT: W. Hord Tipton, Director, Lexington Field Office, Office of Surface Mining Reclamation and Enforcement, 340 Legion Drive, Suite 28, Lexington, Kentucky 40504. Telephone: (606) 233-7327.

SUPPLEMENTARY INFORMATION:

I. Background on the Kentucky State Program

On December 30, 1981, Kentucky resubmitted its proposed regulatory program to OSMRE. On April 13, 1982, following a review of the proposed program as outlined in 30 CFR Part 732, the Secretary of the Interior conditionally approved the State's program. The approval was effective upon publication of the notice of conditional approval in the May 18, 1982 *Federal Register* (47 FR 21404-21435).

Information pertinent to the general background, revisions, modifications, and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval of the Kentucky program can be found in the May 18, 1982 *Federal Register* notice. Subsequent actions concerning the conditions of approval and program amendments are identified in 30 CFR 917.11, 917.15, 917.16 and 917.17.

II. Submission of Program Amendments

On September 5, 1986, Kentucky submitted to OSMRE, pursuant to 30 CFR 732.17, certain amendments to the Kentucky program. The amendments pertained to the establishment and

implementation of a bond pool to supplement reduced performance bonds for surface mining operations. The revisions would complement the provisions of Kentucky Senate Bill No. 130 (codified at KRS 350.700 through 350.755) which was approved by OSMRE on July 18, 1986 (51 FR 26002). The proposed rules also were intended to address the requirement at 30 CFR 917.16(c)(1) that Kentucky, prior to implementation of Senate Bill No. 130, submit and obtain OSMRE approval of regulations to implement the bill. The submission included emergency rules at 405 KAR 10:200E and regular rules at 405 KAR 10:200 which would supersede the emergency rules upon promulgation and approval.

On October 6, 1986, OSMRE announced receipt of the rules and opportunity for public comment and a public hearing in the *Federal Register* (51 FR 35532). The public comment period closed on November 5, 1986. The public hearing scheduled for October 31, 1986, was not held because no one requested an opportunity to testify.

On December 4, 1986, Kentucky submitted modifications to the proposed rules at 405 KAR 10:200. The proposed amendments had completed Kentucky's promulgation process and therefore, would replace and supersede the emergency rules at 405 KAR 10:200E, upon approval.

On December 24, 1986, OSMRE announced in the *Federal Register* a reopening of the comment period to allow for public comment on the modified proposed rules (51 FR 46690). The comment period ended January 8, 1987.

III. Director's Findings

As explained by Kentucky in its submission of the proposed regulations at 405 KAR 10:200, the regulations must be read together with the statutory provisions contained in Senate Bill 130 and codified at KRS 350.700-350.755. Senate Bill 130 was approved by the Director, OSMRE, on July 18, 1986 (51 FR 26002). The regulations complement the statutory provisions and do not duplicate them; therefore, a summary of the statutory provisions is included below.

Senate Bill 130

KRS 350.700 establishes the bond pool fund, to be administratively assigned to the Natural Resources and Environmental Protection Cabinet (NREPC). Fund monies will be collected and placed in an interest-bearing account and used for these purposes only: (1) To reclaim permit areas