

device. The arresting system crew will maintain a listening watch on air and ground frequencies and have transmitting and receiving capability with the tower on the ground control frequency keeping personnel informed of the position of the system.

(b) *Operations.* (1) Normally all military aircraft takeoffs and landings are made toward an operational arresting system in the "ready" configuration. It is the pilot's responsibility to request the control tower operator to raise or lower the barrier or hook cable.

(Note.—For normal operations, request to raise the barrier or cable shall be interpreted to mean the runway approach end barrier or cable.) Example: "Duluth Tower, Joy 32 on base gear down and locked raise cable." When the pilot advises the control tower that he or she is ready for takeoff, a request for the barrier or cable to be raised may be made. The departure end cable will also be raised as for normal operations.

(2) When barrier/cable is requested, tower personnel advise the pilot of the indicated barrier/cable position as part of takeoff or landing information. Example: "Joy 32 cleared for takeoff, barrier indicates up."

(3) The barrier/cable operating status may be requested by the pilot at any time.

(4) The barrier/cable controls are in the down position except when the pilots or other authorized personnel request that the barrier/cable be raised.

(5) Tower personnel raise the departure end barrier and both approach and departure end cables for known or suspected radio failure landing by any arrestment capable military aircraft. If there is doubt regarding the ability of an aircraft to engage a system, the system should be activated.

(6) The standard emergency phraseology for the barrier to be raised to the up position is "barrier, barrier, barrier" and for the cable to be raised is "cable, cable, cable."

(7) Tower personnel initiate normal crash procedures when an aircraft engages the barrier/cable if these procedures have not previously been initiated.

(8) When there is a malfunction of the barrier or hook-cable mechanism or remote control system, the tower personnel notify Base Operations immediately.

Executed at _____
Dated _____
For the Federal Aviation Agency

(Signed) _____
(Title) _____
(Region) _____

(Address) _____
For the Air Force

(Signed) _____

(Title) _____
(MAJCOM) _____

(Address) _____
Patsy J. Conner,
Air Force Federal Register Liaison Officer.
[FR Doc. 87-12201 Filed 5-28-87; 8:45 am]
BILLING CODE 3510-01-M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Part 1254

Use of Privately Owned Microfilm Equipment To Copy Records in the National Archives and Presidential Libraries

AGENCY: National Archives and Records Administration.

ACTION: Final rule.

SUMMARY: The National Archives and Records Administration (NARA) is issuing regulations to govern the use of privately-owned or leased microfilm equipment to copy records in the National Archives and in the Presidential Libraries. The rule is intended to protect and preserve archival records. This rule provides specific criteria for approving requests to use microfilm equipment, and it establishes procedures for microfilming the records. The rule applies to individuals and organizations that wish to microfilm archival records. It also affects Federal agencies that wish to microfilm records after transfer to the National Archives.

EFFECTIVE DATE: May 29, 1987. NARA will begin accepting requests to microfilm records under this regulation immediately.

FOR FURTHER INFORMATION CONTACT: Adrienne C. Thomas or Nancy Allard at 202-523-3214 (FTS 523-3214).

SUPPLEMENTARY INFORMATION: The National Archives and Records Administration (NARA) issued a notice of proposed rulemaking on this subject on October 29, 1986 (51 FR 39547). NARA initiated this rulemaking out of concern for the preservation of its archival records and donated historical materials. As we pointed out in the preamble to the proposed rule, microfilming can be one of several methods of preserving records. Researcher use of microfilm or

microfiche copies of records minimizes damage to the original records which occurs through repeated handling of the documents. The existence of a microfilm copy also provides insurance against the loss of valuable information should an original record be damaged or destroyed.

We also noted that one of the concerns prompting the proposed rule was the potential for damage to records from improper handling during microfilming by privately owned microfilm equipment. In fact, there have been several observed instances this year where a private microfilmer has damaged documents while filming. Some damage occurred even as the commercial microfilmmers specifically demonstrated for the NARA staff their routine document handling techniques.

To ensure that the benefits of private microfilming outweigh the risk to the records, NARA proposed to establish conditions under which privately owned microfilm equipment could be used to film archival records and donated historical materials in the National Archives and Presidential Libraries for microfilm publications. Comments were received from six micropublishers; nine editors of microfilm publication projects; a micropublishing industry association; an organization representing historical associations; two members of Congress, and three components of Federal agencies. All comments have been considered carefully in the promulgation of this final rule.

Applicability to Federal Agencies

Two components of the Department of Justice (DOJ) and the Bureau of Land Management (BLM) commented on the applicability of the rule to Federal agencies. DOJ noted that the conditions imposed by the proposed rule would seriously impede DOJ's extensive program of microfilming records for litigation support. BLM suggested allowing the originating agency to borrow the records for microfilming in a Federal agency microphotographic facility.

NARA's mission includes making the records in the National Archives available to Federal agencies who need them to carry out official agency business. We agree that some accommodation must be made for Federal agency needs that will also ensure that the records are not mishandled during filming. Accordingly, we have modified § 1254.90 to handle separately Federal agency microfilming requests. Many of the equipment and microfilming standards and training requirements placed on private

microfilmmers will apply also to agencies and/or their contractor personnel; however, this regulation does not set the requirements for Federal agencies. NARA will notify Federal agencies of the requirements for specific microfilming projects on a case-by-case basis.

Submission of Requests to Microfilm Records by April 1

Four micropublishers objected to the requirement in § 1254.92(b) that requests must be submitted by the April 1 preceding the start of a fiscal year. Two of the comments pointed out that not all projects will require lengthy NARA evaluation or preparation.

NARA proposed an April 1 submission date for two reasons. First, when a micropublisher wishes to film a body of archival records, NARA must verify records arrangement, screen the records for possible restrictions, remove classification markings, and perform any document conservation action necessary before filming. These activities have required diversion of NARA resources from other scheduled records projects that would benefit the public. We have been especially concerned with the preservation resources being used to prepare records scheduled for microfilming by the micropublishers, regardless of the preservation priority placed on those records in NARA's long-range preservation plan.

Under this rule, we plan to hire temporary employees to perform as much of the preparation work as possible, including simple document conservation. Where more complicated conservation work must be done and the work is not scheduled to be done by NARA for a period of time, we will attempt to contract for the conservation services. The April 1 deadline was established to allow us six-months lead-time to accomplish the hiring and the preparatory work.

Second, the National Archives Building, where most private microfilming is done, has space available for a maximum of 10 microfilm cameras at any one time. With increased microfilming activity by micropublishers, NARA has faced problems scheduling the use of this space. We believe that the space can be more effectively scheduled with a longer lead time between the date when a request is made and the date when filming is to start.

We agree with the commenters that our proposed April 1 deadline was set too far in advance for projects scheduled to begin later in a fiscal year and for small projects which require little preparation. Therefore, we have

modified this paragraph to provide that requests should be submitted six months in advance of the proposed starting date of the microfilming project. We have also added the provision that requests submitted with less advance notice will be considered and may be approved if space is available in the area set aside for private microfilming and if the records require minimal preparation for filming. This latter provision should help micropublishers especially at the Presidential Libraries, where requests can normally be accepted with less advance notice. To prevent any single micropublisher from reserving all the camera spaces in a NARA facility for a long period of time, we have also added two restrictions on submission of requests: Requests are limited to a single microfilming project and NARA will not accept additional requests from the same individual or organization to microfilm records at the same NARA facility while NARA is evaluating a pending request to microfilm records at that facility. NARA will establish the number of camera spaces available to a single project based upon the total number of projects approved for filming at that time.

Copyright Disclaimers and Filming of Uncopyrighted Targets

Five commenters objected to the provision in § 1254.92(c)(6) that a credit to the National Archives or Presidential Library be placed at the beginning of each roll or fiche and to the requirement in § 1254.92(c)(7) that uncopyrighted targets be used in filming. The commenters claimed unspecified increased costs and inefficiencies under these provisions. All but one commenter stated that the credit with its copyright disclaimer was not needed since the absence of copyright over Federal documents is well established. One micropublisher, on the other hand, claimed the right to copyright the editorial arrangement of the documents.

We have modified these paragraphs in response to the comments. Proposed § 1254.92(c)(6) has been renumbered § 1254.92(c)(5) and modified to require only that the credit must appear at the beginning of a microfilm publication and in any publicity material or descriptions of the publication. Proposed § 1254.92(c)(7) is now § 1254.92(c)(6) and has been modified to allow the use of copyrighted targets and other editorial materials when the National Archives and Records Administration is given a royalty-free worldwide license to sell the publication after seven years, or earlier if there is no commercial distributor.

Evaluating Requests

Section 1254.94(a) states that NARA will evaluate requests on the basis of the extent to which projects would further NARA efforts to preserve and make available historically valuable records. Three commenters found this criteria to be too vague. One of the commenters stated that any project that does not pose a threat to preservation of the records should be allowed.

We have decided to retain this provision. Where we are faced with the probability that we will receive more technically acceptable requests than we have staff and space to accommodate, some evaluative criteria are needed to determine which proposals should be approved. Under these circumstances, a proposal to film a heavily used group of records should be given priority over a proposal to film rarely requested records because the former proposal will better enhance the preservation of the records by enabling NARA to replace heavy reference use of the original records with use of the film in NARA research rooms and sale of the microfilm publication by the micropublisher. If space and staff constraints are not a problem, we do not expect to use this criteria in reaching our decision on a proposal.

Approving Only Requests to Microfilm a Complete Body of Records

This policy, stated in § 1254.94(b), generated strong opposition from three micropublishers and three editors of microfilm projects which use selective filming. NARA proposed this policy to enhance the preservation of the records being filmed. As we noted in this preamble and in the preamble to the notice of proposed rulemaking, the use of microfilm copies of records prevents damage to the original records resulting from repeated handling, thereby helping to preserve the original records. We are not able to retire records from reference use, however, if a complete copy of the records is not available.

The potential risk to the records during the microfilming process is justifiable only if future wear on the records can be avoided. Therefore, the final rule does not modify the requirement that only complete bodies of records will be approved for microfilming by private parties.

This policy does not prevent micropublishers from continuing to prepare selective microfilm publications. The micropublisher may apply under this regulation to film a complete body of records, provide NARA a copy of the film, and then select images from the

film to be used in the selective publication; the added filming costs could be offset by the ability of the micropublisher to send the film to an editor for selection rather than paying travel expenses to bring the editor to a NARA facility to select the records. If the micropublisher chooses to film a complete body of records and then create a selective micropublication, NARA will require that any descriptive material on the publication clearly states that only a selection of records is reproduced in the publication.

Alternatively, the micropublisher may choose to photocopy the selected records and film the photocopies, a practice followed at the Library of Congress where private microfilming is prohibited. The NARA lab can also film the documents on a reimbursable basis, following the fee schedule in 36 CFR Part 1258. Under these latter alternatives, the micropublisher would follow the general NARA procedures for access to the records found elsewhere in Part 1254 instead of this regulation.

Providing to NARA a Duplicate Negative Containing No Splices

Two commenters objected to the requirement in § 1254.94(d) to provide NARA a splice-free silver halide duplicate negative, citing additional production costs. We believe that the cost burden was caused by the requirement in the proposed rule that NARA's copy contain no editorial or other copyrighted material produced by the micropublisher. In order to provide NARA's copy, the micropublisher would have to prepare a special camera negative. As we have modified this final rule to allow the requester to film copyrightable material if NARA is granted a royalty-free license, the micropublisher will be able to make NARA's duplicate negative from the original camera negative that will be used for the microfilm publication. We have retained the requirement that NARA's copy be splice-free since that copy will become our microfilm master from which our duplicate preservation and research copies will be made.

Sale of Microfilm by NARA

The proposal that NARA could sell copies of the microfilm after two years raised strong disagreement. The commenters expressed concern that NARA would be unfairly competing with the micropublishers because NARA would be selling its copies at a much lower price before the micropublisher could recover development and marketing costs. All but two micropublishers stated that NARA should not sell privately

produced microfilm for at least five years. One micropublisher recommended at least a ten-year waiting period while the other objected to any NARA sales, except if the micropublisher goes out of business. Two other commenters also felt the two year period was too short; one of these recommended a seven year delay.

When we proposed the two year period, we were unfamiliar with the length of time needed by private micropublishers to recover their costs. Our concern was that the privately produced microfilm might become unavailable to the public after the micropublisher's initial marketing effort. There is no intent to compete unfairly with the private sector on the sale of their microfilm publications. We have, therefore, modified § 1254.94(d) to provide that NARA may sell copies of privately produced microfilm publications seven years after filming at NARA is completed, or earlier if there is no commercial distribution.

Disapproval of Requests to Microfilm Records Which Have Previously Been Microfilmed

Section 1254.94(f)(1) states that NARA normally will not approve requests to microfilm records which have previously been microfilmed and made available to the public. Two commenters suggested that this provision not apply when the existing microfilm is substandard. The National Archives has had a high quality microfilm publication program for over 40 years. Some NARA microfilm does not meet industry standards because the quality of the original documents precludes a perfect microform image or because the original microfilm made outside NARA was not of archival quality. As industry standards evolve with new technological advances, it is possible that microfilm which meets the standards in existence today will be judged "substandard" in the future. We do not think it appropriate to exempt all records for which film is below the prevailing industry standards, as one of the commenters recommended. The use of the words "normally not approve" indicates that there may be exceptions to this policy. NARA may grant exceptions in cases where NARA agrees that refilming the records is likely to produce a better image. In such cases, NARA will continue to sell its own publication after the records are refilmed. Therefore, we have not modified this section.

Disapproval of Requests for Records Which Have Been Approved for Filming by Another Party

One micropublisher questioned what would happen if NARA received requests from two parties to film the same records during the same year. The commenter recommended that a "first-come, first-served" policy be followed in such cases. Since we are dropping the April 1 deadline for submission of requests, we have essentially adopted a "first-come, first-served" policy. It is unlikely that we would receive a second request to film a body of records while we are evaluating the first request. If we did, however, we reserve the right to approve the second request if that request is superior to the first request; e.g., the second requester has a better record of microfilming in accordance with NARA specifications.

Disapproval of Requests for Records Which NARA Plans to Film or Which Relate Closely to Other Records Previously Filmed or Approved for Filming by NARA

One commenter stated that these provisions were too vague and open-ended, and other commenters informally asked NARA to define the term "closely related records." As NARA uses this term in the regulation, closely related records are series which are frequently used together and which should have a common microfilming format or share a common index in order to make the records most usable for the researcher. An example of closely related records are Southern Claims Commission Records, where approved claims are filed in one series and disallowed claims are filed in another series. Both series must be used by genealogists searching for individual applications. Requests to microfilm records of individual diplomatic posts, on the other hand, would not be denied under this provision because each series is frequently used without reference to another series.

We have modified § 1254.94(f)(3) to allow exceptions to this provision at the discretion of NARA.

Disapproval of Requests for Records With High Research Demand Which Would Have to be Closed for An Extended Period of Time for Filming

We agree with the commenters who noted that records having a high research demand are the ones that should be filmed. Our concern is the need to close records to researchers while the records are being prepared for microfilming and during the filming process. Depending on the size of the

body of records and the proposed microfilming schedule of the requester, the records could be closed to research for several weeks or months during NARA's peak research periods. We have retained the criterion, but have added a sentence to alert requesters that NARA is willing to work with them to develop filming schedules that avoid the need to close records for a long period. NARA may suggest, for example, that filming be done during a slow research period or that the filming schedule be broken into small segments.

Disapproval of Requests to Film Oversize Records, Bound Volumes, and Other Formats Requiring Special Equipment

One commenter stated that these categories of records should not automatically be denied for filming. Determinations should be made on the basis of filming the records safely, given actual equipment available and handling required for a defined set of records. We agree and have adopted the comment in § 1254.94(g)(6). Requesters are cautioned that the space available for use by micropublishers in NARA facilities may be inadequate for equipment acceptable for filming oversize records.

Disapproval of Requests to Microfilm in NARA Facilities Where No Space Is Available

One commenter termed this provision needlessly restrictive while another indicated that it would affect the commenter's microfilming plans. Section 1254.94(i) was included in the proposed rule to address the space problems which NARA has in some of its field locations. Space for private microfilming is very limited or not available in some of the National Archives Field Branches. We are not willing to move the records to another NARA facility for private microfilming because of the physical security difficulties which a temporary move would cause. Consequently, we have made no change to this paragraph.

We have added a new paragraph § 1254.94(j), which states that Federal agency microfilming takes precedence over private microfilming when there is insufficient space to accommodate both at the same time. The Department of Justice, for example, often needs to microfilm records for court cases. If an agency has a need to microfilm records while all space is occupied by private microfilming, a private microfilmer may be required to suspend microfilming temporarily. NARA's first statutory mission is to serve the needs of Federal agencies in carrying out the Government's business.

Fees for Microfilm Preparation

Several questions were raised concerning § 1254.96. One nonprofit organization asked whether they might use their own volunteers for some of the microfilm preparation work in lieu of being assessed a fee. While NARA has the authority to accept voluntary services and there may be instances where some of the preparation could be done by volunteers, we do not believe it is appropriate to address the issue in the regulation.

Two micropublishers requested that a schedule of fees be provided with the rule. No schedule was provided in the proposed rule since the fees for microfilm preparation will depend on the work which must be done to a specific body of records. We have not provided a formal fee schedule in this final rule for the same reason. We have modified § 1254.96(a) to specify that fees will be based on direct salary costs (including benefits) and supplies when NARA staff is used or on the cost to NARA when a contractor performs the work. Section 1254.96(b) has been modified to indicate that the fees will be itemized when provided to the requester.

The arrangement of records will be verified or corrected by an archives technician (hourly salary rate including 16% benefits ranges from \$8.24 to \$14.69 per hour). Screening records for possible restrictions on use requires an archivist (hourly salary rate including 16% benefits ranges from \$15.10 to \$23.53). Depending on the document fastener and the fragility of the document, removal of document fasteners may be performed by an archives technician (hourly salary rate including 16% benefits range from \$9.18 to \$11.94) or by a conservator aide or a professional conservator (hourly salary rate including 16% benefits ranges from \$8.27 to \$19.39). Similarly, document conservation actions may be performed by staff from the GS-5 to GS-12 level (hourly salary rate including 16% benefits ranges from \$8.27 to \$19.39), or by contract with a conservation center.

Equipment Standards

We have modified § 1254.98 to allow the use of specialized equipment with the approval of the Office of the National Archives.

Inspection of Film at Scheduled Intervals

One micropublisher objected to NARA inspection of the microfilm at scheduled intervals since the micropublisher does its own inspection and quality control. Three other

micropublishers and the micropublishing industry association were not troubled by the concept of NARA inspection by recommended a less frequent inspection. We have retained the requirement for NARA inspection since NARA must ensure that its microfilming standards have been met. We have modified § 1254.100(k) to adopt the proposed industry inspection schedule. We have also specified that film must be delivered to NARA within five calendar days after processing to ensure that we can test the film for proper processing.

Other

Several commenters stated that the proposed rule would have a significant impact on their small businesses. We believe that the final rule has been modified to accommodate the concerns raised in their comments. Accordingly, as required by the Regulatory Flexibility Act, it is hereby certified that this rule will not have a significant impact on small business entities. This rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981.

List of Subjects in 36 CFR Part 1254

Archives and Records.

For the reasons set forth in the preamble, Chapter XII of Title 36 of the Code of Federal Regulations is amended as follows:

PART 1254—AVAILABILITY OF RECORDS AND DONATED HISTORICAL MATERIALS

1. The authority citation for Part 1254 continues to read as follows:

Authority: 44 U.S.C. 2101-2118.

2. Section 1254.70 is revised to read as follows:

§ 1254.70 NARA copying services.

(a) The copying of records will be done by personnel of the National Archives and Records Administration with equipment belonging to NARA. NARA reserves the right to make a duplicate, at NARA expense, of any material copied. Such duplicates may be used by NARA to make additional copies for others.

(b) In order to preserve the original records, records which are available on microfilm will not be copied by other means as long as a legible copy (electrostatic, photographic, or microfilm) can be made from the microfilm.

3. Subpart F is added to read as follows:

Subpart F—Microfilming Archival Records**Sec.**

- 1254.90 General.
 1254.92 Requests to microfilm records.
 1254.94 Criteria for granting the requests.
 1254.96 Microfilm preparation.
 1254.98 Equipment standards.
 1254.100 Microfilming procedures.
 1254.102 Rescinding permission.

Subpart F—Microfilming Archival Records**§ 1254.90 General.**

(a) This subpart establishes rules and procedures governing the use of privately owned microfilm equipment to film archival records and donated historical materials in the National Archives Building, the Pickett Street facility, the Washington National Records Center, the National Archives Field Branches, and the Presidential Libraries.

(b) Persons or organizations wishing to microfilm Federal agency records in the custody of a Federal Records Center should contact the director of the Center about procedures for obtaining permission to film those records.

(c) Federal agencies needing to microfilm archival records in support of the agency's mission must contact the Assistant Archivist for the National Archives, as soon as possible after the need is identified, for information concerning standards and procedures for microfilming archival records.

§ 1254.92 Requests to microfilm records.

(a) Requests to microfilm archival records or donated historical materials in the National Archives Building, the Washington National Records Center, the Pickett Street facility, or the National Archives Field Branches must be made in writing to the Assistant Archivist for the National Archives (NM), NARA, Washington DC 20408. Requests to microfilm records or donated historical materials in a Presidential Library must be made in writing to the Assistant Archivist for Presidential Libraries (NL), NARA, Washington DC 20408.

(b) Request to use privately owned microfilm equipment should be submitted six months in advance of the proposed starting date of the microfilming project. Requests submitted with less advance notice will be considered and may be approved if space is available for the cameras in the area set aside for private microfilming and if the records require minimal preparation for filming. Only one microfilming project may be included in a request. NARA will not accept

additional requests from an individual or organization to microfilm records in a NARA facility while NARA is evaluating an earlier request from that individual or organization to microfilm records at that facility. NARA will establish the number of camera spaces available to a single project based upon the total number of projects approved for filming at that time.

(c) The request must include:

(1) A description of the records to be copied which includes the following elements:

- (i) Agency of origin or, for donated historical materials, title of the collection;
- (ii) Title of series or file segment;
- (iii) Date span; and
- (iv) Estimated volume in number of pages or cubic feet.

(2) The estimated amount of time (work-days) that the microfilm copying project will take; the date that the requester would like to begin the project; and the number of persons who would require training (see § 1254.100(b)).

(3) The number and a description of the equipment that will be used for copying including:

- (i) The name of the manufacturer and model number; and
- (ii) The type of light source to be employed (fluorescent, tungsten, or electronic flash) and if electronic flash (i.e., strobe) or fluorescent, whether the light source is filtered to omit ultraviolet radiation.

(4) A statement of the procedures which will be followed to ensure that all pages are copied, that the images on the microfilm are legible, and that the microfilm is properly processed. At a minimum, the procedures should meet the requirements specified in Part 1230 of this Chapter regarding the microfilming of permanent records.

(5) The requester must agree to credit the National Archives or the particular Presidential Library having custody of the original documents. The credit must appear at the beginning of a microfilm publication and in any publicity material or descriptions of the publication.

(i) If the original documents are Federal records, the requester must agree to include on the film this statement: "The documents reproduced in this publication are among the records of the (name or agency) in the custody of the National Archives of the United States. No copyright is claimed in these official U.S. Government records."

(ii) If the original documents are donated historical materials, the requester must agree to include on the film this statement: "The documents

reproduced in this publication are donated historical materials from (name of donor) in the custody of the (name of Presidential Library or National Archives). The donor has dedicated his/her literary rights to the public."

(6) If the person or organization producing the film plans to copyright the microfilm publication, the National Archives and Records Administration must be given a royalty-free worldwide license to sell the publication seven years after filming at the NARA facility is completed, or earlier if there is no commercial distributor.

§ 1254.94 Criteria for granting the requests.

(a) NARA will evaluate the requests on the basis of the extent to which completion of a proposed project would further NARA's efforts to preserve and to make available to the public the historically valuable records of the Government.

(b) NARA will approve only requests to microfilm a complete body of records, such as an entire series or a major continuous segment of a very large series which is reasonably divisible.

Microfilming a complete body of records means that all documents within the file unit(s) to be microfilmed will be consecutively copied, from the first to the last page, not skipping any pages in between except for pages that are exact duplicates or blank pages that are not included in a pagination scheme.

(c) NARA will normally approve only requests which include assurances that the project will adhere to the specifications in Part 1230 of this Chapter which concern microfilm stock standards, index placement, and microfilm processing for permanent records.

(d) NARA will approve only requests which specify that NARA will receive a first generation silver halide duplicate negative containing no splices made from the original camera negative of the microform record created in accordance with Part 1230 of this Chapter.

(1) NARA may use this duplicate negative microform to make duplicate preservation and reference copies. The copies may be made available for NARA and public use in NARA facilities and programs.

(2) NARA may also sell copies of the microform seven years after filming at the NARA facility is completed, or earlier if there is no commercial distributor. NARA may choose to add its own editorial material to the microform copies which NARA distributes or sells.

(e) NARA will not approve any request that does not include all of the information required by § 1254.92.

(f) NARA will normally not approve requests to microfilm records:

(1) Which have previously been microfilmed and made available to the public;

(2) Which have been approved for microfilming by another party; or

(3) Which NARA plans to film as a NARA microfilm publication or which relate closely to other records previously microfilmed or approved for microfilming by NARA. Exceptions to this provision may be granted at the discretion of NARA.

(g) NARA will normally not approve requests to microfilm the following categories of records:

(1) Records which include documents with general or specific restrictions on access that preclude their reproduction;

(2) Records which include documents which are known to be protected by copyright;

(3) Records of high intrinsic value which may be handled only by authorized NARA personnel;

(4) Records in vulnerable physical condition;

(5) Records having a high research demand and which would have to be denied to others for an extended period of time during the microfilming process. Where possible, NARA will assist requesters in developing filming schedules that avoid the need to close records for a lengthy period of time; and

(6) Oversize records, bound volumes, and other formats that would be subject to excessive stress and possible damage from special equipment planned to be used by the requester, as well as records fastened with grommets, heavy duty staples, miscellaneous fasteners, or wafers and other adhesives that cannot be removed without tearing or breaking documents.

(h) NARA will normally not approve requests from persons or organizations who have failed to produce usable microfilm or to honor commitments made in previous requests, or who have had a previous permission to microfilm records rescinded because of their conduct.

(i) NARA will not approve requests to microfilm records in NARA facilities in which there is insufficient space available for private microfilming. NARA will not move records from a facility lacking space for private microfilming to another NARA facility for that purpose.

(j) Federal agencies microfilming records in support of the agency's mission may use the space set aside for private microfilming. Agency

microfilming takes precedence over private microfilming when there is insufficient space to accommodate both at the same time.

§ 1254.96 Microfilm preparation.

(a) As part of its evaluation of a request to microfilm records, NARA will determine the amount of microfilm preparation that NARA must do before the records can be microfilmed and the estimated cost of such preparation. The fees for microfilm preparation will be based on direct salary costs (including benefits) and supply costs when NARA staff performs the work. When the work is performed by a NARA contractor, the fees will be the cost to NARA. Microfilm preparation includes:

(1) Verifying or correcting the arrangement of records after withdrawn items are reviewed and refilled when appropriate;

(2) Screening the records for possible restrictions on use;

(3) Declassifying security classified records;

(4) Removing document fasteners from documents when the fasteners can be removed without damage to the documents; and

(5) Taking any document conservation actions that must be accomplished in order to film the records, such as document flattening or mending.

(b) NARA will provide the requester detailed information on the fees for microfilm preparation in the letter of approval. Payment of fees will be made in accordance with § 1258.14 of this Chapter. When a body of records will require extensive microfilm preparation, a different payment schedule may be established at the discretion of NARA.

§ 1254.98 Equipment standards.

(a) Equipment must be designed for the microfilming of documents in roll form or standard fiche form and be operable from a table top. Only planetary type camera equipment may be used. Automatic feed devices may not be used. Book cradles or other specialized equipment designed for use with bound volumes, oversized records, or other formats will be approved by the Office of the National Archives on a case-by-case basis.

(b) The power consumption of the equipment normally must not exceed 1.2 kilowatts. Power normally available is 115 volts, 60 hz. Requests for electricity exceeding that normally available must be made at least 90 days in advance.

(c) Equipment having clamps or other devices to exert pressure upon or to affix the record to any surface in a way that might damage the record may not be used.

(d) The equipment must not use a heat generating light source in close enough proximity to the records to result in their physical distortion or degradation. All sources of ultraviolet light must be filtered.

§ 1254.100 Microfilming procedures.

(a) Equipment used must conform to the equipment standards in § 1254.98.

(b) Records must be handled in accordance with the training and instructions provided by NARA personnel so that documents are not damaged during copying and so that their original order is maintained. Only persons who have attended NARA training will be permitted to handle the records or supervise microfilming operations. Training will be offered only in Washington, DC.

(c) Records from only one file unit may be microfilmed at a time.

(d) Records may not be left unattended on the copying equipment or elsewhere.

(e) Under normal microfilming conditions, actual copying time per sheet must not exceed 30 seconds.

(f) Any lights used with the camera must be turned off when the camera is not in actual operation.

(g) Microfilm equipment may be operated only in the presence of the research room attendant or a designated NARA employee.

(h) The equipment normally should be in use each working day that it is in a NARA facility. The director of the NARA facility (as defined in § 1252.2 of this Chapter) will decide when equipment must be removed because of lack of regular use. The equipment must be promptly removed upon request of the facility director.

(i) NARA assumes no responsibility for loss or damage to microfilm equipment or supplies left unattended.

(j) NARA will inspect the microform output at scheduled intervals during the project to verify that the processed film meets the microfilm preparation and filming standards required by Part 1230 of this Chapter. To enable NARA to properly inspect the film, NARA must receive the film within 5 days after it has been processed. The person or organization producing the microfilm will provide NARA with a silver halide duplicate negative of the filmed records (see § 1254.94(d)) according to the schedule shown in (k). If the processed film does not meet the standards, NARA may require that the records be refilmed.

(k) When 10,000 or fewer images are filmed, the person or organization producing the microfilm will provide

NARA with a silver halide duplicate negative upon completion of the project. When the project involves more than 10,000 images, a silver halide duplicate negative of the first completed roll or segment of the project reproducing this image count will be provided to NARA for evaluation; subsequent completed segments of the project, in quantities approximating 100,000 or fewer images, will be provided to NARA within 30 days after filming unless NARA approved other arrangements.

§ 1254.102 Rescinding permission.

NARA may, at any time, rescind permission to microfilm records:

(a) If the person or organization fails to comply with the microfilming procedures in § 1254.100;

(b) If inspection of the processed microfilm reveals persistent problems with the quality of the filming or processing;

(c) If the person or organization fails to proceed with the microfilming or project as indicated in the request, or

(d) If the microfilming project is having an unanticipated adverse effect on the condition of the records or the space set aside in the NARA facility for microfilming.

Dated: May 5, 1987.

Frank G. Burke,

Acting Archivist of the United States.

[FR Doc. 87-12087 Filed 5-28-87; 8:45 am]

BILLING CODE 7515-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 704, 710, 712, 716, and 717

[OPTS-84025; FRL-3210-3]

Reporting and Recordkeeping Requirements; Technical Amendment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical amendment.

SUMMARY: EPA is revising the mailing address sections for Toxic Substances Control Act (TSCA) section 8 information submissions. This document revises the address to insert the correct one. The revision will help assure that TSCA submissions are properly sent to EPA headquarters.

DATE: This final rule is effective on May 29, 1987.

FOR FURTHER INFORMATION CONTACT: Edward A. Klein, Director, TSCA

Assistance Office (TS-799), Environmental Protection Agency, Rm. E-543, 401 M St. SW., Washington, DC 20460, Telephone: (202) 554-1404.

SUPPLEMENTARY INFORMATION: This document revises the address for submissions under the section 8(a) Preliminary Assessment Information Rule and sections 8(a), 8(c), and 8(d) of TSCA by inserting the current one. Other addresses published previously for these submissions should no longer be used. EPA is also giving notice of the address to which responses to the final Comprehensive Assessment Information Rule should be sent. Because these are non-substantive changes, notice and public comment are unnecessary.

This Federal Register notice also serves to notify persons of a change in the mailing address for submissions under section 8(e) of TSCA. The address given in the previous policy statement ("Statement of Interpretation and Enforcement Policy; Notification of Substantial Risk," 43 FR 11110; March 16, 1978) should no longer be used. Section 8(e) submissions should be sent to: Document Processing Center (TS-790), Office of Toxic Substances, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. ATTN: 8(e) Coordinator.

Lists of Subjects in 40 CFR Parts 704, 710, 712, 716, and 717

Chemicals, Environmental protection, Hazardous substances, Health and safety, Recordkeeping and reporting requirements, Significant adverse reactions.

Dated: May 18, 1987.

Charles L. Elkins,

Director, Office of Toxic Substances.

Therefore, 40 CFR Chapter I is amended as follows:

1. In Part 704:

a. The authority citation for Part 704 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

b. By adding a new § 704.9 to read as follows:

§ 704.9 Where to send reports.

Reports must be submitted by certified mail to: Document Processing Center (TS-790), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. ATTN: 8(a) Notification.

§ 704.33 [Amended]

c. In § 704.33 paragraph (h) is removed.

§ 704.83 [Amended]

d. In § 704.83 paragraph (g) is removed.

§ 704.85 [Amended]

e. In § 704.85 paragraph (e) is removed.

§ 704.142 [Amended]

f. In § 704.142 paragraph (h) is removed.

§ 704.175 [Amended]

g. In § 704.175 paragraph (f) is removed.

2. In Part 710:

a. The authority citation for Part 710 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

b. Section 710.39 is amended by revising paragraph (b) to read as follows:

§ 710.39 Reporting form and instructions for submitting information.

(b) Complete instructions for completing the reporting form and preparing a computer tape report are given in the EPA publication entitled "Instructions for Reporting for the Partial Updating of the TSCA Chemical Inventory Data Base." Reporting forms and instruction booklets may be obtained from the following address: Document Processing Center (TS-790), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. ATTN: Inventory Update Rule. Telephone: (202) 382-3698 or (202) 755-4880.

3. In Part 712:

a. The authority citation for Part 712 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

b. Section 712.28 is amended by revising paragraph (c) to read as follows:

§ 712.28 Form and instructions.

(c) Forms must be sent (preferably by certified mail) to: Document Processing Center (TS-790), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. ATTN: 8(a) PAIR Reporting.

4. In Part 716:

a. The authority citation for Part 716 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

b. Section 716.30 is amended by revising paragraph (c) to read as follows:

§ 716.30 Submission of copies of studies.

(c) Copies of health and safety studies and the accompanying cover letters must be submitted, preferably by certified mail, to: Document Processing Center (TS-790), Office of Toxic Substances, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. ATTN: 8(d) Health and Safety Reporting Rule (Notification/Reporting).

c. Section 716.35 is amended by revising paragraph (c) to read as follows:

§ 716.35 Submission of lists of studies.

(c) Lists of health and safety studies should be submitted, preferably by certified mail, to: Document Processing Center (TS-790), Office of Toxic Substances, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. ATTN: 8(d) Health and Safety Reporting Rule (Notification/Reporting).

5. In Part 717:

a. The authority citation for Part 717 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

b. Section 717.17 is amended by revising paragraph (c) to read as follows:

§ 717.17 Inspection and reporting requirements.

(c) *How to report.* When required to report, firms must submit copies of records (preferably by certified mail) to: Document Processing Center (TS-790), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. ATTN: 8(c) Allegations.

[FR Doc. 87-12276 Filed 5-28-87; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6752]

List of Communities Eligible for the Sale of Flood Insurance; Michigan et al.

AGENCY: Federal Emergency Management Agency.

ACTION: Final Rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the fourth column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 457, Lanham, Maryland 20706, Phone: (800) 638-7418.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 646-2717, Federal Center Plaza, 500 C Street, Southwest, Room 416, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from further flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the sixth column of the table. In the communities listed where a flood map has been published, section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Director finds that the delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance."

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

PART 64—[AMENDED]

The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et. seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

2. Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

§ 64.6 List of eligible communities.

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified
Michigan:			
Evangeline, township of Charlevoix County.....	260800—New	Apr. 13, 1987, Emerg.....	
Houghton, township of Keweenaw County.....	260799—New	do.....	
James, township of Saginaw County.....	260802—New	do.....	
Marquette, city of Marquette County.....	260716	do.....	
Stronach, township of Mainstay County.....	260801—New	do.....	
Oklahoma: Mayes County unincorporated areas.....	400458	Apr. 8, 1987, Emerg.....	Nov. 22, 1987.
Michigan:			
Drummond Island, township of Chippewa County.....	260803—New	Apr. 16, 1987, Emerg.....	Do
Fairbanks, township of Delta County.....	260804	do.....	Do
Nahma, township of Delta County.....	260688	do.....	Do

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified
Missouri: Marquand, city of Madison County.....	290894—New	do.....	Do
Texas: Crane, city of Crane County.....	480501	do.....	July 16, 1976.
Tennessee: Pegram, town of Cheatham County.....	470291A	Apr. 9, 1987, Emerg.; Apr. 9, 1987, Reg.....	Nov. 5, 1976.
New York: Highland, town of Sullivan County.....	360822C	Aug. 30, 1974 Emerg.; Mar. 4, 1987, Reg.; Mar. 4, 1987, Susp.; Apr. 16, 1987, Rein.....	Mar. 4, 1987.
New Hampshire: Sugar Hill, town of Grafton County. ¹	330074B	Sept. 15, 1975, Emerg.; Apr. 2, 1986, Reg.; Apr. 2, 1986, Susp.; Apr. 16, 1987, Rein.....	Apr. 2, 1986.
Michigan: Masonville, town of Delta County.....	260687B	Mar. 31, 1982, Emerg.; Mar. 31, 1982, Reg.....	Jan. 20, 1978 and Mar. 1, 1979.
Alabama: Flint City, city of Morgan County.....	010354	Apr. 17, 1987, Emerg.....	Nov. 26, 1976.
Colorado: Larkspur, town of Douglas County.....	080317—New	Mar. 27, 1987 Emerg.....	Do
Nebraska: Phelps County, unincorporated areas.....	310465	do.....	Aug. 16, 1987.
North Carolina: Bath, town of Beaufort County.....	370288	Apr. 8, 1987, Emerg.; Apr. 8, 1987, Reg.....	Feb. 4, 1978.
South Carolina:			
Lockhart, town of Union County.....	450241	Apr. 8, 1987, Emerg.....	Jan. 26, 1978.
Union County, unincorporated areas.....	450185	do.....	May 26, 1978.
North Dakota:			
Gascoyne, city of Bowman County.....	380677—New	do.....	Do
Rhame, city of Bowman County.....	380678—New	do.....	Do
Michigan:			
Bay, township of Charlevoix County.....	260796—New	do.....	Do
Cherry Valley, township of Lake County.....	260798—New	do.....	Do
Michigan: Osceola, township of Osceola County.....	260797—New	do.....	Do
Missouri: Fortescue, town of Holt County.....	290887	do.....	Do
Oklahoma: Osage County, unincorporated areas.....	400146	Feb. 23, 1987.....	Dec. 23, 1980.
Texas: Henderson County, unincorporated areas.....	481174	Apr. 8, 1987, Emerg.....	Nov. 22, 1977.
Oklahoma:			
Adair County, unincorporated areas.....	400501	Feb. 17, 1987, Emerg.....	Jan. 2, 1981.
Payne County, unincorporated areas.....	400493	Jan. 28, 1987, Emerg.....	Nov. 23, 1981.
Tuttle, town of Grady County.....	400443	Feb. 10, 1987, Emerg.....	June 25, 1976.
Texas:			
Fort Bend County, unincorporated areas.....	480228	Mar. 19, 1987, Emerg.; Mar. 19, 1987, Reg.....	Aug. 5, 1986.
Prairie View, city of Waller County.....	481544	Apr. 8, 1987, Emerg.; Apr. 8, 1987, Reg.....	Apr. 15, 1982.
Illinois: Braceville, village of Grundy County.....	171018—New	Apr. 23, 1987, Emerg.....	Do
Michigan: Union, township of Grand Traverse.....	260805—New	Apr. 23, 1987, Emerg.....	Do
New York:			
New Hempstead, village of Rockland County.....	361619	do.....	Do
Wesley Hills, village of Rockland County.....	361620	do.....	Do
Minnesota: Brookston, city of St. Louis.....	270419	July 9, 1975, Emerg.; Apr. 27, 1987, Withdrawn.....	Apr. 27, 1987.
Vermont: Wells, town of Rutland County. ¹	500271	June 25, 1975, Emerg.; Sept. 18, 1986, Susp.; Apr. 29, 1987, Rein.....	Sept. 10, 1976.
Reinstatements into the Regular Program			
Pennsylvania: Burrell, township of Armstrong County. ¹	421303B	Feb. 11, 1987, Rein.....	Nov. 1, 1986.
Tennessee: Waynesboro, city of Wayne County.....	470201	Mar. 10, 1987, Rein.....	Jan. 16, 1987.
Pennsylvania:			
Stewart, township of Fayette County. ¹	421640B	Feb. 19, 1987, Rein.....	Jan. 1, 1987.
Metal, township of Franklin County. ¹	421653B	Mar. 12, 1987, Rein.....	Sept. 1, 1986.
Greenwood, township of Clearfield County. ¹	421523A	Mar. 18, 1987, Rein.....	Aug. 1, 1987.
Minnesota: Tintah, city of Traverse County.....	270482	Mar. 9, 1987, Rein.....	Aug. 19, 1986.
Vermont:			
Bloomfield, town of Essex County. ²	500045A	Mar. 3, 1987, Rein.....	May 7, 1976.
Woodbury, town of Washington County. ¹	500314A	Mar. 3, 1987, Rein.....	Do
Tennessee: Bradford, city of Gibson County.....	470057B	Mar. 27, 1987, Rein.....	Feb. 16, 1983.
Virginia: Unincorporated Areas, Mathews County.....	510096A	do.....	Feb. 4, 1987.
Pennsylvania: Arona, borough of Westmoreland County.....	420871B	Feb. 11, 1987, Rein.....	Dec. 1, 1986.
Wisconsin:			
Kingston, village of Green Lake County. ¹	550168B	Apr. 2, 1987, Rein.....	Sept. 1, 1986.
New Berlin, city of Waukesha County.....	550487C	do.....	Mar. 18, 1986.
Tennessee: Campbell County, unincorporated areas. ¹	470018	Apr. 6, 1987, Rein.....	Aug. 5, 1987.
Iowa: Jefferson, city of Green County.....	190396A	Oct. 29, 1986, Rein.....	Sept. 1, 1986.
Region I			
Vermont: Johnson, village of Lamoille County.....	500232D	April 3, 1987, suspension withdrawn.....	Apr. 5, 1974, Feb. 1, 1979 and Apr. 3, 1987.
Region II			
New York: Essex, town of Essex County.....	361149C	do.....	Dec. 20, 1977 and Apr. 3, 1987.
Region III			
Delaware:			
New Castle, city of New Castle County.....	100026B	do.....	Dec. 26, 1975, May 1, 1974 and Apr. 3, 1987.
Newport, town of New Castle County.....	100054C	do.....	Dec. 20, 1974, June 15, 1978 and Apr. 3, 1987.
Pennsylvania: Northampton, township of Somerset County.....	422520C	do.....	Jan. 3, 1975, Aug. 22, 1980, Sept. 24, 1984 and Apr. 3, 1987.
West Virginia: Elkins, city of Randolph County.....	40177D	do.....	Feb. 15, 1974, Apr. 9, 1976 and Apr. 3, 1987.
Region VI			
Arkansas: Bald Knob, city of White County.....	050222D	do.....	Mar. 8, 1974, Jan. 16, 1976 and Apr. 3, 1987.
Region VII			
Missouri: Miner, village of Scott County.....	290687C	do.....	July 30, 1976, Jan. 9, 1979, Dec. 21, 1984 and Apr. 3, 1987.

¹ Regular Conversions.² Emergency Program.

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Current effective map date
Region I			
Maine: Hudson, town of, Penobscot County.....	230392	Apr. 17, 1987, suspension withdrawn.....	Apr. 17, 1987.
Vermont: Johnson, town of, Lamoille County.....	500063	do.....	Do.

State and location *	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Current effective map date
Region IV			
Mississippi: Warren County, unincorporated areas.....	280198	do.....	Do.
South Carolina:			
Charleston County, unincorporated areas.....	455413	do.....	Do.
McClellanville, town of, Charleston County.....	450039	do.....	Do.
Walterboro, city of, Colleton County.....	450058	do.....	Do.
Region V			
Indiana: La Fontaine, town of, Wabash County.....	180267	do.....	Do.
Wisconsin: Dousman, village of, Waukesha County.....	550480	do.....	Do.
Region II			
New York:			
Alexander, town of, Genesee County.....	360277	May 4, 1987, suspension withdrawn.....	June 4, 1987.
Alexander, village of, Genesee County.....	361496	do.....	Do.
Beekmantown, town of, Clinton County.....	360166	do.....	Do.
Peru, town of, Clinton County.....	361384	do.....	Do.
Region IV			
North Carolina:			
Bridgeton, town of, Craven County.....	370436	do.....	Do.
Craven County, unincorporated areas.....	370072	do.....	Do.
Havelock, city of, Craven County.....	370265	do.....	Do.
New Bern, city of, Craven County.....	370074	do.....	Do.
South Carolina: Marion, city of, Marion County.....	450142	do.....	Do.
Tennessee: Spring Hill, city of, Maury County.....	470278	do.....	Do.
Region V			
Michigan: Chocoma, township of, Marquette County.....	260448	do.....	Do.
Minnesota: Moorhead, city of, Clay County.....	275244	do.....	Do.
Region VI			
Texas:			
Bellaire, city of, Harris County.....	480289	do.....	Do.
Denton County, unincorporated areas.....	480774	do.....	Do.
Region VIII			
Colorado: Estes Park, town of, Larimer County.....	080193	do.....	Do.

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified
Region I—Minimal Conversions			
Maine: Somerville, town of, Lincoln County.....	230512A	Apr. 3, 1987, suspension withdrawn.....	Apr. 3, 1987.
Region VII			
Kansas: Council Grove, city of Morris County.....	200234B	do.....	Dec. 28, 1973, Oct 31, 1975, and Apr. 3, 1987.

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Current effective map date
Region I—Minimal Conversions			
Maine:			
Frenchboro, town of, Hancock County.....	230594	Apr. 17, 1987, suspension withdrawn.....	Apr. 17, 1987.
Troy, town of, Waldo County.....	230269	do.....	Do.
Region II			
New York: Laurens, village of, Otsego County.....	361351	do.....	Do.
Region III—Minimal Conversions			
Pennsylvania: Elk, township of, Tioga County.....	421154B	May 1, 1987, suspension withdrawn.....	May 1, 1987.
Region IV			
Florida: Mayo, town of, Lafayette County.....	120132	do.....	Do.
Kentucky: Glasgow, city of, Barren County.....	210007	do.....	Do.
Region V			
Illinois: Clinton County, unincorporated areas.....	170044	do.....	Do.
Indiana: Randolph County, unincorporated areas.....	180429	do.....	Do.
Michigan:			
Tekonsha, village of, Calhoun County.....	260565	do.....	Do.
Wolverine Lake, village of, Oakland County.....	260480	do.....	Do.
Ohio: New Waterford, village of, Columbiana County.....	390663	do.....	Do.
Wisconsin:			
St. Croix Falls, city of, Polk County.....	550337	do.....	Do.
Stratford, village of, Marathon County.....	550256	do.....	Do.
Waldo, village of, Sheboygan County.....	550432	do.....	Do.
Wilson, village of, St. Croix County.....	550389	do.....	Do.
Region VII—Minimal Conversions			
Iowa: Griswold, city of, Cass County.....	190346	do.....	Do.
Kansas: Rozel, city of, Pawnee County.....	200260	do.....	Do.
Nebraska:			
Loup City, city of, Sherman County.....	310215	do.....	Do.
Webster County, unincorporated areas.....	310232	do.....	Do.

Code for reading fourth column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension; Rein.—Reinstatement.

Harold T. Duryee,

Administrator, Federal Insurance
Administration.

[FR Doc. 87-11844 Filed 5-28-87; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[Gen. Docket No. 85-305]

Subscription Television; Change in Classification; Correction

AGENCY: Federal Communications
Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects an error which appeared in the March 2, 1987 Federal Register (52 FR 6152).

FOR FURTHER INFORMATION CONTACT: Martin Blumenthal (202) 254-6530.

SUPPLEMENTARY INFORMATION: Section 2.106 was amended by adding a new footnote NG148. We are correcting that footnote to read NG149. A later action, published March 11, 1987, (52 FR 7417) also added NG148. This is correct, however as this action was assigned the footnote officially released before the March 2 action.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 87-12052 Filed 5-28-87; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 22

Reinstatement of Positions of the Public Mobile Services Rules

AGENCY: Federal Communications
Commission (FCC).

ACTION: Final rule.

SUMMARY: A Commission's order eliminating §§ 22.13(f), 22.43(b)(2) and 22.44(c) of the FCC's rules, 47 CFR 22.13(f), 22.43(b)(2), and 22.44(c) (1985), was stayed and subsequently vacated by the U.S. Court of Appeals for the District of Columbia Circuit. As a result these rule sections are still in effect. However, they were eliminated from the Code of Federal Regulations. This Order reinstates these rule sections in the CFR.

EFFECTIVE DATE: May 29, 1987.

FOR FURTHER INFORMATION CONTACT: Carmen Borkowski, Mobile Services Division, Common Carrier Bureau; Tele: (202) 632-6450.

List of Subjects in 47 CFR Part 22

Communications common carriers,
Radio.

Albert Halprin,

Chief, Common Carrier Bureau.

PART 22—[AMENDED]

1. The authority citation for Part 22 continues to read:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended (47 U.S.C. 154, 303).

2. Section 22.13 is amended by adding paragraph (f) to read as follows:

§ 22.13 General application requirements.

(f) *State certification*—(1) *General rule.* Licensees are required to comply with all applicable state certification requirements. Applicants may, but are not required to include evidence of state certification when filing FCC Form 401 or 489. The licensee under this part must complete construction in accordance with section 22.43 of the rules. A licensee must have all requisite state authority and be in operation within a year of the license grant or the license will automatically expire and must be submitted for cancellation.

(2) *Denial of state certification.* A pending application will be returned as unacceptable for filing where the applicant is denied state certification necessary to construct and/or operate the proposed facilities, and the state appeal process has been exhausted. Such applications will not be retained on file while the applicant pursues subsequent state applications. Where an applicant has been denied the necessary state certification and has exhausted the state appeal process, the applicant shall not resubmit its application to the Commission until after obtaining state certification.

(3) *Applicant's duty to inform.* The application shall include in Form 401 information regarding any adverse action which has been taken regarding the state certification application. The applicant shall promptly and fully advise the Commission of any adverse action regarding state certification taken while the application is pending.

3. Section 22.43 is amended by adding paragraph (b)(2) to read as follows:

§ 22.43 Period of construction.

(b) * * * *

(2) *State certification.* No extension will be granted when state certification has been denied and all state appeals have been exhausted. If an applicant requests an extension due to lack of state certification, one 8-month extension may be granted when state

law permits construction before certification is obtained. No more than two 8-month extensions may be granted when state law prohibits construction before certification is obtained. Lack of state certification must be due to a cause beyond applicant's control, and extensions will not be granted if there is lack of diligence in pursuing state certification. If the licensee files for state certification within 90 days of the license grant, a presumption of due diligence is created.

4. Section 22.44 is amended by adding paragraph (c) to read as follows:

§ 22.44 Termination of authorization

(c) *State certification.* Where the holder of an authorization is denied state certification and the state appeal process is exhausted before the end of the one year period, the license will be forfeited. If the licensee regains state certification before the end of the one year period, a request for reinstatement may be considered.

[FR Doc. 87-12051 Filed 5-28-87; 8:45 am]

BILLING CODE 6712-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1043

[Ex Parte No. MC-183]

Clarification of Insurance Regulation

AGENCY: Interstate Commerce
Commission.

ACTION: Final rules and clarification
form.

SUMMARY: The Commission is issuing a final rule to correct an inadvertent error in an earlier proceeding concerning the regulations under § 1043.4, Title 49 of the Code of Federal Regulations. The correction will permit property brokers to file security other than a prescribed broker's surety bond as evidence of financial responsibility. The Commission is also correcting the language of the prescribed surety bond Form BMC-84 (Rev. 1977) to clarify that both shippers and motor carriers are entitled to the protection of the bond, and to reflect current statutory citations resulting from recodification of the Interstate Commerce Act. The current Form BMC 84 (Rev. 1977) will be accepted until the new revised Form BMC-84 forms are printed by the industry. Because of the proximity of the expiration date of OMB approval of Form BMC-84 (September 30, 1987) and the expense to insurers of printing too