facility (30 FERC ¶ 62,263 and 32 FERC ¶ 62,233).

The recertification is requested due to change of ownership from Cogentrix Carolina Leasing Corporation, to General Electric Credit Corporation. All other facility characteristics remain the same.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 88-385 Filed 1-8-88; 8:45 am]

BILLING CODE 6717-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-807-DR]

Major Disaster and Related Determinations; Arkansas

AGENCY: Federal Emergency Management Agency.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Arkansas (FEMA-807-DR), dated December 31, 1987, and related determinations.

DATED: December 31, 1987.

FOR FURTHER INFORMATION CONTACT: Neva K. Elliott, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472 (202) 646-3614.

Notice: Notice is hereby given that, in a letter dated December 31, 1987, the President declared a major disaster under the authority of the Disaster Relief Act of 1974, as amended (42 U.S.C. 5121 *et seq.*, Pub. L. 93-288), as follows:

I have determined that the damage in certain areas of the State of Arkansas from severe storms and flooding beginning December 24, 1987, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I, therefore, declare that such a major disaster exists in the State of Arkansas.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

Your are authorized to provide Individual Assistance in the affected areas. Your are also authorized to provide Public Assistance in the affected areas, if requested and necessary, and an acceptable State commitment for these purposes is provided. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under PL 93-288 for Public Assistance will be limited to 75 percent of total eligible costs in the designated areas.

The time period prescribed for the implementation of section 313(a), priority to certain applications for public facility and public housing assistance, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, and redelegated to me, I hereby appoint Robert D. Broussard of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following area of the State of Arkansas to have been affected adversely by this declared major disaster:

Crittenden County for Individual Assistance.

Robert H. Morris,

Deputy Director, Federal Emergency Management Agency.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

[FR Doc. 88-384 Filed 1-8-88; 8:45 am]

BILLING CODE 6718-01-M

FEDERAL RESERVE SYSTEM

First Commerce Corp., et al.; Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than January 29, 1988.

A. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *First Commerce Corporation*, New Orleans, Louisiana; to merge with First Commercial Bancshares, Inc., Chalmette, Louisiana, and thereby indirectly acquire First National Bank of St. Bernard Parish, Arabi, Louisiana, and Commercial Bank & Trust Company, Metairie, Louisiana.

B. **Federal Reserve Bank of St. Louis** (Randall C. Summer, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Farmers Bancshares, Inc.*, Valmeyer, Illinois; to acquire at least 80.4 percent of the voting shares of State Bank of Breese, Breese, Illinois.

2. *Homestate Bancorp, Inc.*, Indianapolis, Indiana; to become a bank holding company by acquiring 100 percent of the voting shares of Salem Bancorp, Inc., Salem, Indiana, and thereby indirectly acquire The State Bank of Salem, Salem, Indiana.

Board of Governors of the Federal Reserve System, January 6, 1988.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 88-389 Filed 1-8-88; 8:45 am]

BILLING CODE 6210-01-M

First Tennessee National Corp.; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23 (a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23 (a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of

Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specfically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than January 29, 1988.

A. **Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *First Tennessee National Corporation*, Memphis, Tennessee; to acquire 11.1 percent of GulfNet, Inc., New Orleans, Louisiana, a joint venture engaged in data processing and data transmission activities pursuant to § 225.25(b)(7) of the Board's Regulation Y. GulfNet, Inc. conducts such activities within the Southern United States.

Board of Governors of the Federal Reserve System, January 6, 1988.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 88-390 Filed 1-8-88; 8:45 am]

BILLING CODE 6210-01-M

Thomas J. McCracken; Change in Bank Control; Acquisition of Shares of Banks or Bank Holding Companies

The notificant listed below has applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than January 26, 1988.

A. **Federal Reserve Bank of Chicago** (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Thomas J. McCracken*, Hinsdale, Illinois; to acquire 20.9 percent of the voting shares of Frankford Financial Corp., Chicago, Illinois, and thereby indirectly acquire DuPage National Bank, West Chicago, Illinois.

Board of Governors of the Federal Reserve System, January 6, 1988.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 88-391 Filed 1-8-88; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 87F-0380]

Ciba-Geigy Corp.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the Ciba-Geigy Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of 4,4'-diamino-[1,1'-bianthracene]-9,9',10,10'-tetrone as a colorant in food-contact polymers.

FOR FURTHER INFORMATION CONTACT: Mary W. Lipien, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C Street SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 7B4024) has been filed by Ciba-Geigy Corp., Three Skyline Dr., Hawthorne, NY 10532, proposing that § 178.3297 *Colorants for polymers* (21 CFR 178.3297) be amended to provide for the safe use of 4, 4'-diamino-[1,1'-bianthracene]-9,9',10,10'-tetrone as a colorant in food-contact polymers.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: December 29, 1987.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 88-382 Filed 1-8-88; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 87F-0384]

Kuraray Co., Ltd; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the Kuraray Co., Ltd., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of bis(benzoate-0)(2-propanolato)aluminum as a component of adhesives used in the manufacture of multilayer containers intended to contact food.

FOR FURTHER INFORMATION CONTACT: Julius Smith, Center for Food Safety and Applied Nutrition (HFF-355), Food and Drug Administration, 200 C Street SW., Washington, DC 20204. 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 7B4035) has been filed by Kuraray Co., Ltd., 12-39 Umeda, 1-Chome, Kita-ku, Osaka, 530, Japan, proposing that § 175.105 *Adhesives* (21 CFR 175.105) be amended to provide for the safe use of bis(benzoate-0)(2-propanolato)aluminum as a component of adhesives used in the manufacture of multilayer containers intended to contact food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the

Federal Register in accordance with 21 CFR 25.40(c).

Dated: December 29, 1987.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 88-383 Filed 1-8-88; 8:45 am]

BILLING CODE 4160-01-M

Health Care Financing Administration

Medicaid Program; Hearing; Reconsideration of Disapproval of Texas State Plan Amendment

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of hearing.

SUMMARY: This notice announces an administrative hearing on February 17, 1988 in Dallas, Texas to reconsider our decision to disapprove Texas State Plan Amendment 86-14.

CLOSING DATE: Requests to participate in the hearing as a party must be received by the Docket Clerk by January 26, 1988.

FOR FURTHER INFORMATION CONTACT: Docket Clerk, Hearing Staff, Bureau of Eligibility, Reimbursement and Coverage, 300 East High Rise, 6325 Security Boulevard, Baltimore, Maryland 21207, Telephone: (301) 594-8261.

SUPPLEMENTARY INFORMATION: This notice announces an administrative hearing to reconsider our decision to disapprove a Texas State Plan Amendment.

Section 1116 of the Social Security Act and 45 CFR Parts 201 and 213 establish Department procedures that provide an administrative hearing for reconsideration of a disapproval of a State plan or plan amendment. HCFA is required to publish a copy of the notice to a State Medicaid Agency that informs the agency of the time and place of the hearing and the issues to be considered. (If we subsequently notify the agency of additional issues that will be considered at the hearing, we will also publish that notice.)

Any individual or group that wants to participate in the hearing as a party must petition the Hearing Officer within 15 days after publication of this notice, in accordance with the requirements contained in 45 CFR 213.15(b)(2). Any interested person or organization that wants to participate as amicus curiae must petition the Hearing Officer before the hearing begins in accordance with the requirements contained in 45 CFR 213.15(c)(1).

If the hearing is later rescheduled, the Hearing Officer will notify all participants.

The issue in this matter is whether Texas SPA 86-14 violates section 1902(a)(4) and 1902(a)(19) of the Social Security Act and implementing regulations at 42 CFR Part 434, Subpart C and Part 447, Subpart D.

Texas SPA 86-14 would allow coverage of personal care services in a personal care home/institution by removing the existing exclusion of such coverage from the State plan. The purpose of removing this exclusion is to allow Medicaid funding of personal care services furnished under a prepaid health plan (PHP) to Medicaid recipients in residential care facilities, under Texas' Residential Care Program (RCP).

Federal regulations at 45 CFR 201.2 require a State plan to include all information necessary to determine whether the plan can be approved. Although the amendment material submitted simply proposes to delete the existing reference to personal care home/institutions as an excluded setting for personal care coverage, the actual purpose of this amendment is to permit Medicaid coverage of personal care services under Texas' RCP, as described in the Texas Register. Thus, in order to approve the amendment, it is necessary to establish that the RCP is consistent with Medicaid statutory and regulatory requirements. In those areas where the RCP's provisions create doubt as to whether they meet these Medicaid requirements, HCFA does not believe that the State plan preprint's general assurances about meeting these requirements can be accepted as sufficient in themselves. Rather, HCFA believes the State in this situation must specifically establish that the questionable provisions of the RCP satisfy Medicaid requirements before the amendment can be approved.

Section 1902(a)(4) of the Act provides, in part, that a State plan must provide such methods of administration as the Secretary finds are necessary for the proper and efficient operation of the plan. Implementing regulations at 42 CFR Part 434 describe requirements for PHPs, including the requirement that the contract be on either a risk or a nonrisk basis. HCFA is unable to determine whether the proposed PHPs would operate on a risk or a nonrisk basis, and whether the applicable upper payment limit requirements (42 CFR 447.361 for risk-based contracts and 42 CFR 447.362 for nonrisk-based contracts) would be satisfied.

HCFA also believes that the Texas RCP raises a serious question about the appropriateness of Medicaid funding for personal care services when furnished in an institutional setting that is not subject to the Medicaid health and safety standards for institutional care, prescribed at 42 CFR Part 442, Subpart E. As described in the RCP, the room and board furnished to Medicaid recipients by the facility, along with the personal care services that would be funded by Medicaid, would add up to a level of institutional care which meets that of intermediate care facility (ICF) services; i.e., institutional care "above the level of room and board" to individuals who do not require the care of a hospital or skilled nursing facility (section 1905(c) of the Act and regulations at 42 CFR 440.150(a)). Thus, the State's proposal would enable it, in effect, to provide ICF-level institutional care that is not subject to the Medicaid ICF health and safety requirements. HCFA has determined this is inconsistent with section 1902(a)(19) of the Act, which requires care and services to be provided in a manner consistent with the best interests of the recipients.

The notice to Texas announcing an administrative hearing to reconsider our disapproval of its State plan amendment reads as follows:

Mr. Marlin W. Johnston,

Commissioner, Texas Department of Human Services, P.O. Box 2960, Austin, Texas 78769.

Dear Mr. Johnston: This is to advise you that your request for reconsideration of the decision to disapprove Texas State Plan Amendment 86-14 was received on December 3, 1987.

Texas SPA 86-14 would allow coverage of personal care servcies in personal care homes/institutions by removing the existing exclusion of such coverage from the State plan. The purpose of removing this exclusion is to allow Medicaid funding of personal care services furnished under a prepaid health plan (PHP) to Medicaid recipients in residential care facilities, under Texas' Residential Care Program.

You have requested a reconsideration of whether the plan amendment conforms to the requirements for approval under the Social Security Act and pertinent Federal regulations. There are three issues to be considered at the hearing. The first issue is whether the plan violates section 1902(a)(4) of the Social Security Act which provides, in part, that a State plan must provide such methods of administration as the Secretary finds are necessary for the proper and efficient operation of the plan. The second issue is whether the State has established that the proposed PHPs would operate on a risk or a nonrisk basis as required by 42 CFR Part 434 and whether the applicable upper payment limit requirements at 42 CFR 447.361 for risk-based contracts, and 42 CFR 447.362 for nonrisk-based contracts, would be satisfied. The third issue is whether the State's proposal would enable it to provide ICF-level institutional care that is not subject to the Medicaid ICF health and safety