

## TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN: 012092 AND 013192—Continued

Name of Acquiring Person, Name of Acquired Person, Name of Acquired Entity	PMN No.	Date Terminated
General Electric Company, George P. Ballas, George P. Ballas Leasing, Inc.....	92-0522	01/31/92
Mr. Harunori Takahashi, Robert H. Burns, Regent International Hotels Limited (Hong Kong Corp.).....	92-0525	01/31/92
Matsushita Electric Industrial Co., Ltd., Fleet Call, Inc., Fleet Call, Inc.....	92-0527	01/31/92
Mr. Harunori Takahashi, Regent International Hotels California Corporation, Regent International Hotels California Corporation.....	92-0529	01/31/92
The Alpine Group, Inc., Hitachi Koki Co., Ltd., Dataproducts New England, Incorporated.....	92-0530	01/31/92
Trammell Crow Equity Partners II, Ltd., Marcourt Investments Incorporated, Marcourt Investments Incorporated.....	92-0538	01/31/92

**FOR FURTHER INFORMATION CONTACT:**

Sandra M. Peay or Renee A. Horton,  
Contact Representatives, Federal Trade  
Commission, Premerger Notification  
Office, Bureau of Competition, room 303,  
Washington, DC 20580 (202) 326-3100.

By Direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 92-3194 Filed 2-10-92; 8:45 am]

BILLING CODE 6750-01-M

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration**

[Docket No. 91N-0130]

**Research Procurement Co.;  
Revocation of U.S. License No. 692**

**AGENCY:** Food and Drug Administration,  
HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing the revocation of the establishment license (U.S. License No. 692) and the product license issued to Research Procurement Co. for the manufacture of Source Plasma. A notice of opportunity for a hearing (NOOH) on a proposal to revoke the licenses was published in the Federal Register of May 31, 1991 (56 FR 24820). Research Procurement Co. neither requested a hearing nor submitted any data in support of a hearing in response to the NOOH.

**DATES:** The revocation of the above establishment and product licenses is effective on February 11, 1992.

**FOR FURTHER INFORMATION CONTACT:** Ann Reed Gaines, Center for Biologics Evaluation and Research (HFB-132), Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20892, 301-295-8188.

**SUPPLEMENTARY INFORMATION:** FDA is revoking the establishment license (U.S. License No. 692) and product license issued to Research Procurement Co. for the manufacture of Source Plasma. Research Procurement Co.'s business office is located at 9918A Holmes Rd.,

Kansas City, MO 64131, while Research Procurement Co.'s plasmapheresis facilities are located at 6040 Troost Ave., Kansas City, MO 64110.

By letter dated November 16, 1990, FDA advised Research Procurement Co. that FDA intended to initiate proceedings to revoke the licenses. Accordingly, FDA published a NOOH on the proposed revocation of the licenses in the Federal Register of May 31, 1991 (56 FR 24820), pursuant to 21 CFR 12.21(b), as provided in 21 CFR 601.5(b). In the NOOH, FDA explained the grounds for its determination that the licenses should be revoked. That information included the following: (1) The results of the most recent FDA inspection of Research Procurement Co. in September 1990; (2) the results of an FDA investigation of Research Procurement Co. conducted concurrently with the September 1990 inspection; (3) a determination by FDA that the deviations documented during the September 1990 inspection and investigation of Research Procurement Co. constituted a danger to public health; and (4) a determination by FDA that the inspectional history of Research Procurement Co. demonstrated a distinct pattern of continued noncompliance with, and careless disregard for, the regulations designed to assure the continued safety, purity, and potency of Source Plasma and to assure a continuous and healthy Source Plasma donor population. FDA noted that documentation in support of the proposed revocations had been placed on file for public examination with the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

The NOOH provided 30 days within which Research Procurement Co. was to submit any written request for a hearing, as specified in 21 CFR 12.21(b), and 60 days within which Research Procurement Co. was to submit any written data justifying a hearing. The NOOH further provided 30 days within which other interested persons could submit written comments on the proposed revocations. FDA advised Research Procurement Co., by

telephone, that the NOOH had been published, and forwarded a copy of the NOOH to Research Procurement Co., by facsimile transmission, on June 7, 1991.

The Responsible Head of Research Procurement Co. responded to the NOOH by letter dated June 27, 1991. In that letter, the Responsible Head of Research Procurement Co. stated that the " \* \* \* time lapse since the (license suspension in September 1990), the cost involved to review the evidence in Washington with an attorney, makes it impossible as a small business to pursue my defense any further, not because I feel the allegations are correct, but because of the financial hardship it presents to us (sic)."

Research Procurement Co.'s response neither requested a hearing nor submitted data in support of a hearing on the proposed license revocations. No other written comments on the proposed revocations were received within the prescribed 30 days specified in the NOOH. Accordingly, under 21 CFR 12.38(a)(1), 601.7, 601.8, and the Public Health Service Act (sec. 351 (42 U.S.C. 262)), and the authority delegated in 21 CFR 5.67(d), the establishment license (U.S. License No. 692) and the product license issued to Research Procurement Co. for the manufacture of Source Plasma are revoked, effective February 11, 1992.

Dated: February 4, 1992.

Janet Woodcock,

Acting Director, Center for Biologics,  
Evaluation and Research.

[FR Doc. 92-3167 Filed 2-10-92; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 92F-0014]

**Ciba-Geigy Corp.; Filing of Food Additive Petition**

**AGENCY:** Food and Drug Administration,  
HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that Ciba-Geigy Corp. has filed a petition proposing that the food additive

regulations be amended to increase the level of safe use of 2-(2H-benzotriazol-2-yl)-4,6-bis(1-methyl-1-phenylethyl) phenol as a stabilizer in polycarbonate resins intended for contact with food.

**FOR FURTHER INFORMATION CONTACT:** Helen R. Thorsheim, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9511.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5) (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 2B4306) has been filed by Ciba-Geigy Corp., Seven Skyline Dr., Hawthorne, NY 10532-2188. The petition proposes to amend the food additive regulations in § 178.2010 *Antioxidants and/or stabilizers for polymers* (21 CFR 178.2010) to increase the level of safe use of 2-(2H-benzotriazol-2-yl)-4,6-bis(1-methyl-1-phenylethyl) phenol as a stabilizer in polycarbonate resins intended for contact with 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: February 4, 1991.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 92-3220 Filed 2-10-92; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 87F-0333]

**Kelco, Division of Merck & Co., Inc.; Filing of Food Additive Petition; Amendment**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the filing notice for a petition filed by Kelco, Division of Merck & Co., Inc., to provide for the safe use of gellan gum as stabilizer and thickener in foods, generally. Kelco, Division of Merck & Co., Inc., has amended its petition for gellan gum to request that the 5 percent limitation for acyl (glyceryl and acetyl) groups be removed.

**FOR FURTHER INFORMATION CONTACT:** Blondell Anderson, Center for Food Safety and Applied Nutrition (HFF-334),

Food and Drug Administration, 200 C Street, SW., Washington, DC 20204 202-254-9515.

**SUPPLEMENTARY INFORMATION:** In a notice published in the *Federal Register* of December 2, 1987 (52 FR 45867 at 45868), FDA announced that a petition (FAP 7A4022) had been filed by Kelco, Division of Merck & Co., Inc., 8355 Aero Dr., San Diego, CA 92123, proposing that 21 CFR part 172—Food Additives Permitted for Direct Addition to Food for Human Consumption be amended to provide for the safe use of gellan gum as a stabilizer and thickener in food, generally. Kelco, Division of Merck and Co., Inc., is further proposing that § 172.665 *Gellan gum* (21 CFR 172.665) be amended in paragraph (a) to remove the 5 percent limitation for acyl (glyceryl and acetyl) groups, as a result of the refining of the processing conditions of gellan gum.

Dated: February 4, 1992.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 92-3221 Filed 2-10-92; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 92D-0040]

**Priority Enforcement Strategy for Problem Importers; Regulatory Procedures Manual Chapter 9-87; Revision; Availability**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing the availability of the revised Regulatory Procedures Manual (RPM), Chapter 9-87 "Priority Enforcement Strategy For Problem Importers." The revision lists criteria for consideration for priority attention, and for consideration of legal actions (warning letters, recalls, seizures, injunctions, and prosecutions) in import cases.

**ADDRESSES:** Submit written requests for single copies of the revised RPM Chapter 9-87 to Import Operations (HFC-131), Office of Regional Operations, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857. Requests should be identified with the docket number found in brackets in the heading of this document. Send two self-addressed adhesive labels to assist that office in processing your requests. RPM Chapter 9-87 is available for public examination in the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420

Parklawn Dr., Rockville, MD, between 9 a.m. and 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Mary J. Ayling, Import Operations (HFC-131), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-6553.

**SUPPLEMENTARY INFORMATION:** The agency advises that this revision to RPM Chapter 9-87 represents its current definition of a problem importer. RPM Chapter 9-87 may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

The statements made in the revised chapter are not intended to create or confer any rights, privileges, or benefits on or for any private person, but are intended merely for internal guidance.

Dated: February 4, 1992.

Gary Dykstra,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 92-3166 Filed 2-10-92; 8:45 am]

BILLING CODE 4160-01-M

**Health Care Financing Administration**

**Hearing: Reconsideration of Disapproval of Pennsylvania State Plan Amendment (SPA)**

**AGENCY:** Health Care Financing Administration, HHS.

**ACTION:** Notice of hearing.

**SUMMARY:** This notice announces an administrative hearing on March 17, 1992 at 10 a.m. in room 3030, 3535 Market Street, Philadelphia, Pennsylvania to reconsider our decision to disapprove Pennsylvania SPA 88-05. **CLOSING DATE:** Requests to participate in the hearing as a party must be received by the Docket Clerk by February 26, 1992.

**FOR FURTHER INFORMATION CONTACT:** Docket Clerk, HCFA Hearing Staff, GF, 1849 Gwynn Oak Avenue, Meadowwood East Building, Baltimore, Maryland 21207, Telephone: (410) 597-3013.

**SUPPLEMENTARY INFORMATION:** This notice announces an administrative hearing to reconsider our decision to disapprove Pennsylvania State plan amendment (SPA) number 88-05.

Section 1116 of the Social Security Act (the Act) and 42 CFR part 430 establish Department procedures that provide an administrative hearing for reconsideration of a disapproval of a State plan or plan amendment. The Health Care Financing Administration (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 at 42 CFR 430.76(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 at 42 CFR 430.76(c).

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

Pennsylvania SPA 88-05 seeks protection under section 1902(r)(2) of the Act from income and resource policies which Pennsylvania believes are more liberal than those which are used by the Supplemental Security Income (SSI) and Aid to Families with Dependent Children (AFDC) programs.

The issues in this matter are whether: (1) The proposed income policies have the potential for exceeding the Federal financial participation (FFP) limits at section 1903(f) of the Act and, therefore, violate section 1902(a)(4) and (19) of the Act; (2) the proposed resource policy concerning property used in a trade or business is more restrictive than SSI policy and therefore does not qualify for approval under section 1902(r)(2) of the Act; and, (3) contrary to section 1902(a)(17) of the Act, the proposed post-eligibility changes contain standards for determining the extent of medical assistance to be received which are not in accordance with the standards prescribed by the Secretary for the post-eligibility process.

In general, the Medicaid statute requires States to use the eligibility criteria of the SSI program in determining eligibility for aged, blind, and disabled individuals, and the criteria of the AFDC program for families with dependent children. (See section 1902(a)(10)(A) of the Act.) Under section 1902(r)(2) of the Act, States may use more liberal methodologies than are used by the cash assistance programs in determining Medicaid eligibility for certain groups of individuals. Also, States may not use more liberal methodologies in determining income eligibility if those methodologies would result in the FFP limits provided for at section 1903(f) of the Act being exceeded.

Because FFP limits under section 1903(f) remain unchanged, application of

more liberal income methods under section 1902(r)(2) to those eligibility groups which are subject to section 1903(f) limits might result impermissibly in these limits being exceeded.

HCFA has elected to disapprove policies that will result in FFP limits being exceeded. Disapproval authority is found under sections 1902(a)(4) and (19) of the Act. Under section 1902(a)(4) of the Act, States must provide such methods of administration as are found by the Secretary to be necessary for the proper and efficient operation of the plan. HCFA believes the decision not to approve policies which will result in FFP limits being exceeded is consistent with this requirement as it is the most efficient manner of handling the interface between the eligibility requirements and FFP limits. Under section 1902(a)(19) of the Act, the plan must provide such safeguards as may be necessary to assure that eligibility for care and services under the plan will be determined, and such care and services will be provided, in a manner consistent with simplicity of administration and the best interests of the recipients.

#### Eligibility Groups

In its SPA, Pennsylvania has identified some of its eligibility groups to be covered under section 1902(r)(2) of the Act as AFDC and SSI related categorically needy nonmoney payment and medically needy only applicants/recipients. This characterization is not specific enough for HCFA to clearly identify which groups are covered and which are not. Section 1902(r)(2) of the Act does not apply to all eligibility groups. Rather, certain groups (e.g., deemed cash assistance recipients) are excluded. In the absence of a clear specification of eligibility groups, HCFA disapproved those policies where groups are identified as AFDC and/or SSI related categorically needy nonmoney payment groups. Where such a policy is also identified as applying to the medically needy, any approval of the policy will apply to the medically needy only.

The statutory basis for this disapproval would also be section 1902(a)(4) and (a)(19) of the Act. HCFA believes the uncertainty caused by the amendment by its failure to specify to which groups the policies are to apply does not contribute to proper and efficient administration of the plan, nor is it consistent with simplicity of administration and the best interest of recipients.

#### Eligibility Groups and FFP Limits

Section 1903(f) of the Act sets limits

on the amount of income applicants/recipients can have and still have FFP available for their medical care. However, the FFP limits do not apply to all eligibility groups.

Rather, section 1903(f)(4) of the Act excludes certain groups from application of the FFP limits. HCFA believes the State's broad characterization of its eligibility groups discussed above creates similar problems with regard to determining to which groups in SPA 88-05 the FFP limits apply. Therefore, HCFA also disapproved, as violating the FFP limits, and policy where the applicable groups are identified as being AFDC and/or SSI related categorically needy nonmoney payment groups.

HCFA believes the statutory basis for this disapproval would also be sections 1902(a)(4) and (a)(19) of the Act. The uncertainty caused by the amendment by its failure to specify to which groups the policies are to apply does not contribute to proper and efficient administration of the plan, nor is it consistent with simplicity of administration and the best interest of recipients.

#### Income Policies—Supplement 11 to Attachment 2.6-A

##### AFDC-Related

##### Lump Sum

Under the amendment, the receipt of a lump sum would normally be treated as a resource. However, when it would be more beneficial to the applicant/recipients to treat the lump sum in accordance with the AFDC cash assistance rules, those rules would be applied.

##### Work Expenses Deduction

Under the amendment, AFDC-related cases with earned income are entitled to a work expense deduction of actual and verified monthly work expenses of \$75, whichever is greater.

##### Self-Employment Deduction

Under the amendment, AFDC-related medically needy only applicants/recipients with self-employment income are given a deduction for depreciation, personal business and entertainment expenses, personal transportation, purchase of capital equipment, and payments on the principal of loans for capital assets or durable goods.

Income policies for the AFDC program are set forth in 45 CFR 233 *et seq.* HCFA believes the income policies proposed by the State are more liberal than those used by the AFDC program.

However, HCFA believes that, while

the State's proposal is more liberal than AFDC, it also has the potential for exceeding the FFP limits at section 1903(f) of the Act. Additional deductions, such as the State proposes, could result in individuals' incomes exceeding the FFP limits. Therefore, HCFA believes, to the extent that the FFP limits apply to the groups which the State proposes to cover under its proposal, the income disregards cited above cannot be approved under section 1902(r)(2) of the Act. Where the FFP limits do not apply to a particular group, the income disregards cited above were approved under section 1902(r)(2) of the Act for that group.

#### *AFDC and SSI-Related*

##### **Deduction for Recurring Medical Expenses**

Under the amendment, SSI and AFDC-related medically needy-only applicants/recipients are permitted to project verified recurring and predictable medical expenses for the six month eligibility period.

This policy involves a disregard from income in the amount of certain medical expenses projected to be incurred for the medically needy. The policy is more liberal than the methods used by the cash assistance programs (which do not have a spenddown or a deduction of projected verified and predictable medical expenses). However, as with the income policies discussed above, HCFA believes this policy has the potential for violating the FFP limits in section 1903(f) of the Act. If an individual has income above the maximum allowed for FFP purposes and projects expenses which are in fact not incurred, he or she could receive medical assistance which is not entitled to FFP. Since the State plan does not contain a methodology for identifying instances where this occurs and for ensuring that any claims for FFP made on behalf of individuals in this situation will be withdrawn, HCFA disapproved this policy as violating sections 1902(a)(4) and (a)(19) of the Act. A provision of the amendment which has the potential for generating claims for FFP on behalf of individuals with income in excess of the cap and which does not include a mechanism to protect against submission of such claims is not a method of administration consistent with the proper and efficient operation of the plan. In addition, it is not consistent with simplicity of administration and the best interests of recipients.

##### **Treatment of Veterans Administration Aid and Attendance and Housebound Allowances**

Under the amendment, these allowances are not income in the eligibility or the post eligibility determination process.

In determining AFDC eligibility, States need not take into account Department of Veterans Affairs aid and attendance and housebound allowances for a member of the AFDC assistance unit so long as these amounts are used to purchase care which is not covered under the AFDC need standard and the care is not purchased from another member of the assistance unit. Similarly, such allowances are not counted under the SSI program for eligibility purposes (20 CFR 426 subpart K). Thus, there is no need for a section 1902(r)(2) amendment to permit use of this deduction. Therefore, HCFA approved the eligibility portion of this provision because it does not conflict with the requirements of section 1902(r)(2).

With regard to post-eligibility, section 1902(r)(2) of the Act is applicable only to cash assistance eligibility methodologies. It is not applicable to the post-eligibility process. Thus, HCFA disapproved this portion of SPA 88-05 under section 1902(a)(17) of the Act because it does not contain the methodology specified by the Secretary for determining the extent of assistance to be provided under the post-eligibility process.

#### *SSI-Related*

##### **Support and Maintenance In-Kind**

Support and maintenance in-kind is not counted as income.

SSI income methodologies are set forth in regulations at 20 CFR 416.1130. Briefly, these regulations provide that in-kind support and maintenance is counted as income for SSI purposes with its value determined under specific rules of that program. Thus, the State's proposed policy is more liberal than SSI. HCFA believes a possible violation of the FFP limits under section 1903(f) of the Act is applicable to this policy. Thus, HCFA disapproved this portion of SPA 88-05, for the same reasons and under the same conditions as discussed above in relation to AFDC policies.

#### *Resources—SSI-Related*

##### **Property Used in a Trade or Business**

Under the amendment, the applicant/recipients' equity interest in property used in a trade or business essential to self-support is excluded, subject to a maximum of \$15,000. The exclusion is applicable only if the property produces

an annual net return of at least 6 percent of the excludable equity value.

The State maintains that this policy is more liberal than SSI. However, the Omnibus Budget Reconciliation Act of 1989 removed the limit on the value used in a trade or business which can be excluded as a resource under the SSI program. While SSI places no limit on the amount of this deduction, the State proposes a limit of \$15,000. The result is that the State's policy is actually more restrictive rather than more liberal than SSI. As such, HCFA disapproved this portion of the plan under section 1902(r)(2) of the Act.

The notice to Pennsylvania announcing an administrative hearing to reconsider the disapproval of its SPA reads as follows:

Mr. John White, Secretary, Department of Public Welfare, Room 333, Health and Welfare Building, Harrisburg, Pennsylvania 17120

Dear Mr. White: I am responding to your request for reconsideration of the decision to disapprove Pennsylvania State Plan Amendment (SPA) 88-05.

Pennsylvania SPA 88-05 seeks protection under section 1902(r)(2) of the Social Security Act (the Act) for income and resource policies which Pennsylvania believes are more liberal than those which are used by the Supplemental Security Income (SSI) and Aid to Families with Dependent Children programs.

The issues in this matter are whether: (1) The proposed income policies have the potential for exceeding the Federal financial participation (FFP) limits at section 1903(f) of the Act and, therefore, violate section 1902(a)(4) and (19) of the Act; (2) the proposed resource policy concerning property used in a trade or business is more restrictive than SSI policy and therefore does not qualify for approval under section 1902(r)(2) of the Act; and, (3) contrary to section 1902(a)(17) of the Act, the proposed post-eligibility changes contain standards for determining the extent of medical assistance to be received which are not in accordance with the standards prescribed by the Secretary for the post-eligibility process.

I am scheduling a hearing on your request for reconsideration to be held on March 17, 1992 at 10 a.m. in room 3030, 3535 Market Street, Philadelphia, Pennsylvania. If this date is not acceptable, we would be glad to set another date that is mutually agreeable to the parties. The hearing will be governed by the procedures prescribed at 42 CFR part 430.

I am designating Mr. Stanley Katz as the presiding officer. If these arrangements present any problems, please contact the Docket Clerk. In order to facilitate any communication which may be necessary between the parties to the hearing, please notify the Docket Clerk of the names of the individuals who will represent the State at the hearing. The Docket Clerk can be reached at (410) 597-3013.

Sincerely,

Gail R. Wilensky,

Administrator.

[Section 1116 of the Social Security Act (42 U.S.C. section 1316); 42 CFR section 430.18] (Catalog of Federal Domestic Assistance Program No. 13.714, Medicaid Assistance Program)

Dated: February 2, 1992.

Gail R. Wilensky,

Administrator, Health Care Financing Administration.

[FR Doc. 92-3150 Filed 2-10-92; 8:45 am]

BILLING CODE 4120-03-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AZ-040-02-4320-02]

#### Meeting of the Safford District Grazing Advisory Board

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of meeting.

**SUMMARY:** The Bureau of Land Management (BLM), Safford District announces a forthcoming meeting of the Safford District Grazing Advisory Board.

**DATES:** Friday, March 6, 1992, 9 a.m.

**ADDRESSES:** BLM Office, 425 E. 4th St., Safford, Arizona 85546.

**SUPPLEMENTARY INFORMATION:** This meeting is held in accordance with Public Law 92-463. The agenda for the meeting will include:

1. Discussion of Hot Well Dunes Recreation Area.
2. BLM Management Update.
3. Business from the Floor.
4. Tour to Hot Well Dunes Recreation Area and southwest portion of Tanque Grazing Allotment.

The meeting will be open to the public. Interested persons may make oral statements to the Board. A written copy of the oral statement may be required to be provided at the conclusion of the presentation. Written statements may also be filed for the Board's consideration. Anyone wishing to make an oral statement must notify the District Manager by 4:15 p.m., Thursday, March 5, 1992, at 425 E. 4th St., Safford, AZ 85546.

At the conclusion of the meeting, Board members will depart via BLM provided vehicles for a tour of the Hot Well Dunes Recreation Area and the southwest portion of the Tanque Grazing Allotment Number 51080. Members of the public may accompany the tour, but must provide their own transportation. It is expected the Board members will return to Safford by 4 p.m.

Summary minutes of the meeting will be maintained in the District Office and will be available for public inspection and reproduction (during regular business hours) within thirty (30) days following the meeting.

Dated: January 31, 1992.

Ray A. Brady,

District Manager.

[FR Doc. 92-3129 Filed 2-10-92; 8:45 am]

BILLING CODE 4310-32-M

## Fish and Wildlife Service

### Receipt of Application for Permit

The public is invited to comment on the following application for a permit to conduct certain activities with marine mammals. The application was submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing marine mammals (50 CFR 18).

#### Applicant

**Name:** U.S. Fish & Wildlife Service  
File no. 690715, Alaska Fish & Wildlife Research Center.

**Address:** 1011 E Tudor Road,  
Anchorage, Alaska 99503.

**Type of Permit:** Scientific Research.

**Name and Number of Animals:**  
Walrus (*Odobenus rosmarus divergens*)

**Summary of Activity to be Authorized:** Renewal of permit to continue take of up to 5 walrus which may be chemically immobilized using any disassociative, narcotic and/or barbiturate immobilizing drugs, tagged (double tagged on flippers), radio-tagged with satellite-linked transmitters, and administered oxytetracycline HCL (for protection from secondary pneumonia and to mark the teeth for future identification). The renewal would allow for continuation of the following take activities with an unspecified number of walrus: (1) Collection of biological samples from walrus found dead or that die during the activities conducted under this permit; (2) Import of biological samples; and (3) Recapture of tagged walrus for replacement of malfunctioning radio-transmitters. In addition, as part of the radio-tagging process, an unspecified number of animals may be inadvertently harassed during subsequent radio-tracking flights. The study is for purposes of scientific research to aid in the understanding of the population dynamics of the species.

**Source of Marine Mammals for Research:** Bering Sea.

**Period of Activity:** April 1992 to August 1994.

Concurrent with the publication of this notice, the Office of Management Authority is forwarding copies of the application to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Written data or comments and/or requests for a public hearing on this application should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, room 432, Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication. Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Director.

Documents and other information submitted with this applications are available for review by any party who submits a written request for a copy of such documents to, or by appointment during normal business hours (7:45-4:15) in, the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, room 432, Arlington, Virginia 22203. Phone: (703/358-2104); FAX: (703/358-2281).

Dated: February 5, 1992.

Susan Jacobsen,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 92-3130 Filed 2-10-92; 8:45 am]

BILLING CODE 4310-55-M

## INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 31968]

### The Buffalo Creek Railroad Co.; Acquisition and Operation Exemption—Buffalo Creek and Gauley Railroad Co.

The Buffalo Creek Railroad Company (BCR), a noncarrier, filed a notice of exemption to acquire and operate the entire 18.6-mile rail system of Buffalo Creek and Gauley Railroad Company (Gauley), extending between milespost 0.0, at or near Dundon, and milepost 18.6, at or near Widen, in Clay County, WV. The notice of exemption became effective on November 22, 1991, 7 days after it was filed (see 49 CFR 1150.32(b)), and the transaction apparently has been consummated.<sup>1</sup>

<sup>1</sup> According to BCR's verified notice, the parties intended to consummate the transaction on November 24, 1991. They apparently did so, since

Continued