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on which our contemplated new class rate is focused. We, therefore, are considering in the absence of persuasive justification, exclusion of operations with this equipment from subsidy calculations in the future.

The Board's action herein is necessary in order to carry out the provisions of, and to exercise and perform its powers and duties under, the Federal Aviation Act of 1958, as amended, particularly sections 204(a), 406, 407(a) and 1002(b) thereof.

Accordingly, it is ordered, that:

1. An investigation be and it hereby is instituted to consider whether the Board should adopt a new class rate incorporating such changes in the elements entering into the determination of need and in the structure of the class rate formula as the Board may deem appropriate to make the rate more representative of the present operating characteristics of the local service carriers currently under Class Rate VII;

2. All local service carriers currently under Class Rate VII are hereby directed to submit to the Board within 45 days of the date of service of this order, the information specified in Attachment A to this order for the year ended March 31, 1976 and a pro forma or actual federal tax return for calendar year 1975;

3. All local service carriers currently under Class Rate VII, and all other interested persons, are invited to file comments on the proposal for changes in the class rate indicated above within 30 days from the date of service of this order; and

4. This order shall be served upon all local service carriers currently under Class Rate VII.

This order will be published in the **FEDERAL REGISTER**.

By the Civil Aeronautics Board.\*

[SEAL] **PHYLLIS T. KAYLOR,**  
*Acting Secretary.*

[FR Doc. 76-11991 Filed 4-23-76; 8:45 am]

[Docket Nos. 27131, 27183, 27230 and 27252]

#### **ALLEGHENY AIRLINES, INC., ENFORCEMENT PROCEEDING**

##### **Postponement of Hearing**

Notice is hereby given that the hearing in the above-entitled matter, now assigned to be held on May 4, 1976, (41 F.R. 15440, April 13, 1976), is indefinitely postponed.

Dated at Washington, D.C., April 20, 1976.

[SEAL] **JANET D. SAXON,**  
*Administrative Law Judge.*

[FR Doc. 76-11988 Filed 4-23-76; 8:45 am]

\* In the event that a new class rate cannot be quickly adopted, the data supplied pursuant to this order will be used to determine the subsidy rates for the six-month period July 1, 1976 to December 31, 1976 under the provisions of Class Rate VII.

\* Attachment A, Distribution of Reported Services and Financial Data to Selected Categories, is filed as part of the original document.

[Docket No. 21670]

#### **FRONTIER AIRLINES, INC., SUBSIDY MAIL RATES**

##### **Postponement of Hearing**

Notice is hereby given that the hearing in the above entitled proceeding has been postponed from May 18, 1976, (41 F.R. 14576, April 6, 1976), to June 8, 1976, at 9:30 a.m. (local time) in Room 1003, Hearing Room B, Universal North Building, 1875 Connecticut Avenue, N.W., Washington, D.C., before the undersigned Administrative Law Judge.

Dated at Washington, D.C., April 20, 1976.

[SEAL] **THOMAS P. SHEEHAN,**  
*Administrative Law Judge.*

[FR Doc. 76-11989 Filed 4-23-76; 8:45 am]

#### **K & W AIR ALASKA CO.**

##### **Long-Haul Motor Carrier Application for Air Freight Forwarder Authority; Notice to In- terested Persons**

Notice is hereby given, pursuant to § 296.84 of the Board's Economic Regulations (14 CFR 296.84), that an application for air freight forwarder operating authority, has been filed by:

**K & W Air Alaska Co., a Division of K & W  
Trucking Co., Inc., 101 Cooper Avenue  
North, St. Cloud, Minnesota 56301.**

The above named applicant is a long-haul motor carrier as defined by § 296.1 of the Board's Regulations.

Objections to this application may be filed with the Civil Aeronautics Board, Supplementary Services Division, pursuant to § 296.85 of the Board's Regulations within thirty (30) days of the publication of this notice.

Dated at Washington, D.C., April 19, 1976.

[SEAL] **JOHN V. COLEMAN,**  
*Chief, Supplementary Services  
Division, Bureau of Operating  
Rights.*

[FR Doc. 76-11990 Filed 4-23-76; 8:45 am]

#### **ENVIRONMENTAL PROTECTION AGENCY**

[FRL 515-2]

#### **NORTHERN GROUNDWATER SYSTEM OF GUAM**

##### **Request for EPA Determination Regarding Aquifers**

Section 1424(e) of the Safe Drinking Water Act (P.L. 93-523) authorizes the Administrator to determine, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health. After such a determination is made, no commitment for Federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge

zone so as to create a significant hazard to public health.

A petition has been submitted by the Honorable Ricardo J. Bordallo, Governor of Guam, requesting the Administrator of the Environmental Protection Agency to determine that the Northern Groundwater System of Guam is the sole or principal drinking water source for the northern area of Guam and that contamination of this source would create a significant hazard to public health. This petition, in the form of a letter to Mr. Paul De Falco, Regional Administrator, EPA Region IX, is reprinted in full below:

DEAR MR. DE FALCO: I am writing you to formally request to the designation of the Northern Groundwater System of Guam as our principal drinking water source under Section 1424(e) of the Safe Drinking Water Act.

The area I am proposing for designation includes all of northern Guam to the southern municipal boundaries of Agaña, Agaña Heights, and Chalan Pago-Ordó which also tends to follow the Fonte and Pago Rivers (please refer to the enclosed map). As such, this area is composed primarily of water-bearing limestone rock which is the principal source of drinking water for over 75,000 people on our island. The area also includes some intrusive volcanic formations, the runoff of which directly contributes to the replenishment of the groundwater lens system.

This fragile groundwater supply is currently endangered by rapid urbanization and Federal projects which may contribute hazardous wastes through insufficiently controlled construction and disposal practices. Therefore, I feel designation is an essential element in our overall program to conserve and protect our water resources.

This decision was reached only after my intensive review of all available technical information on our groundwater systems and the evaluation of the beneficial and adverse impacts of several alternatives to the one chosen. I have instructed the Administrator of the Guam Environmental Protection Agency to follow up this letter by providing you with all pertinent information.

I hope you will also realize the importance of preserving our groundwaters and will act quickly and favorably on this request. Thank you.

Sincerely yours,

**RICARDO J. BORDALLO,**  
*Governor of Guam.*

EPA intends to decide whether to make the requested determination at the earliest time consistent with a complete review of the relevant data and information, and a full opportunity for public participation. In this regard, the Agency solicits comments, data, and references to additional sources of information which will contribute to the factual record. In particular, EPA seeks information relevant to (a) that portion of the hydrologic system underlying the northern area of Guam which should be designated for protection as an aquifer which provides drinking water; (b) the surface boundary of the recharge area for the aquifer, which is the area that would be subject to regulation under this provision; (c) the boundary of the recharge source zone, that is, any area which drains into the recharge zone and thus contributes to the recharge of the

aquifer; (d) the location of sinkholes which are important to the recharge or local runoff; (e) the location of impermeable volcanic formations, the runoff from which contributes to the recharge of the aquifer; (f) any current or anticipated Federal financially assisted projects which may cause contamination of the aquifer; and (g) any other information deemed relevant to the determination.

Comments, data and references should be submitted in writing to the Regional Administrator, Region IX, Environmental Protection Agency, 100 California

Street, San Francisco, California 94111, ATTN: Guam Aquifer Designation, on or before June 25, 1976. Information which is available to the Agency concerning the Northern Groundwater System of Guam, including information submitted by Governor Bordallo and Guam governmental agencies, will be available to the public for inspection at this address.

Dated: April 19, 1976.

JOHN QUARLES,  
Acting Administrator.

[FR Doc.76-11589 Filed 4-23-76; 8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[Report 978]

### PETITIONS FOR RECONSIDERATION OF ACTIONS IN RULE MAKING PROCEEDINGS FILED

APRIL 16, 1976.

Docket or RM No.	Rule No.	Filed by—	Date received
19628		Vincent Gallooly, attorney for GTE Service Corp. and its affiliated domestic telephone operating companies.	Apr. 14, 1976
20553	Pt. 76, subpts. A and D.	Richard Hildreth and Vincent J. Curtis, Jr., attorneys for Papas Television, Inc. (KMPH-TV).	Apr. 9, 1976
20553	do.	James A. McKenna, Jr., and Norman P. Leventhal, attorneys for Spanish International Communications Corp., Telecorpus, Inc., and Bahia De San Francisco Television Co.	Apr. 14, 1976
20553	do.	Michael S. Horne and John B. Warden, attorneys for Association of Maximum Service Telecasters, Inc.	Do.

**NOTE.**—Oppositions to petitions for reconsideration must be filed within 15 d after publication of this public notice in the FEDERAL REGISTER. Replies to an opposition must be filed within 10 d after time for filing oppositions has expired.

#### FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc.76-11983 Filed 4-23-76; 8:45 am]

### WORLD ADMINISTRATIVE RADIO CONFERENCE (WARC) ADVISORY COMMITTEE FOR THE CITIZENS RADIO SERVICE

#### Notice of Meeting

In preparation for the 1979 World Administrative Radio Conference (WARC-79), the next meeting of the WARC Advisory Committee for the Citizens Radio Service will be held in Room 6331, Federal Communications Commission, 2025 "M" Street, N.W., Washington, D.C. 20554 on May 17, 1976 at 10 a.m. All interested individuals are invited to attend and participate in this Advisory Committee meeting, which will be to discuss and act upon the Working Group's Final Report to the FCC Steering Committee justifying the Working Group's frequency allocation recommendations.

The agenda for the May 17, 1976 meeting will be as follows:

1. Opening Remarks by the Chairman.
2. Discussion and action on the Final Report to the FCC Steering Committee justifying the Working Group's frequency allocation recommendations.
3. Other business.
4. Adjournment.

#### FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc.76-11984 Filed 4-23-76; 8:45 am]

### FEDERAL MARITIME COMMISSION

#### EURO-PACIFIC JOINT SERVICE

##### Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., San Juan, Puerto Rico and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before May 6, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

#### Notice of Agreement Filed by:

Edward Schmeltzer, Esquire, Morgan, Lewis & Bockius, 1800 M Street, N.W., Washington, D.C. 20036.

Agreement No. 9902-3 amends the basic agreement of the above-named joint service between Hapag-Lloyd and French Line (1) by adding Intercontinental Transport (ICT) B.V. as a party thereto; (2) by changing the proportions each party will share in the expenses of the joint service; (3) by adding a provision to replace the current fleet of combination breakbulk/container vessels with a fleet of up to eight full container-ships and (4) by establishing the effective date of this modification as the day following Commission approval or June 15, 1976, whichever is later.

By order of the Federal Maritime Commission.

Dated: April 21, 1976.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.76-11996 Filed 4-23-76; 8:45 am]

### LYKES BROS. STEAMSHIP CO. INC. AND SOUTHERN STEAMSHIP AGENCY INC.

#### Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., San Juan, Puerto Rico and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before May 3, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

#### Notice of Agreement Filed by:

R. J. Pinnan, Pricing Analyst, Lykes Bros. Steamship Co., Inc., 300 Poydras Street, New Orleans, Louisiana 70130.

Agreement No. 10200, as refilled, between the above named parties, is an agency agreement whereby Lykes ap-

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WEDNESDAY, APRIL 26, 1978



## highlights

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## Title 3—The President

Presidential Determination of April 22, 1978

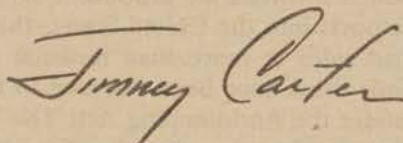
Welded Stainless Steel Pipe and Tube Industry

THE WHITE HOUSE,  
Washington, April 22, 1978.

TO CHAIRMAN DANIEL MINCHEW

Pursuant to Section 337(g)(2) of the Tariff Act of 1930, as amended, I have decided to disapprove of the Commission's determination concerning Certain Welded Stainless Steel Pipe and Tube, Investigation No. 337-TA-29. Enclosed is a copy of my determination.

Sincerely,



THE HONORABLE DANIEL MINCHEW

*Chairman*

*United States International Trade Commission*

*Washington, D.C. 20436*

### DISAPPROVAL OF THE DETERMINATION OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION IN THE MATTER OF: CERTAIN WELDED STAINLESS STEEL PIPE AND TUBE, INVESTIGATION NO. 337-TA-29

The United States International Trade Commission, acting under Section 337 of the Tariff Act of 1930, as amended, has ordered certain manufacturers, exporters, and importers of Japanese welded stainless steel pipe and tube to cease and desist from selling such products for consumption in the United States at prices below the average variable cost of production without commercial justification.

Under Section 337(g) of the Tariff Act of 1930, as amended, the President may, for policy reasons, disapprove a determination of the United States International Trade Commission issued under Section 337(f) by notifying the Commission of such disapproval within 60 days after receiving the determination of the Commission. I have today determined for policy reasons to disapprove the Commission's determination concerning "Certain Welded Stainless Steel Pipe and Tube, Investigation No. 337-TA-29," and have so notified the Commission.

The following major policy considerations entered into my decision to disapprove the Commission's determination:

1. The detrimental effect of the imposition of the remedy on the national economic interest;
2. The detrimental effect of the imposition of the remedy on the international economic relations of the United States;
3. The need to avoid duplication and conflicts in the administration of the unfair trade practice laws of the United States;



4. The probable lack of any significant benefit to U.S. producers or consumers to counterbalance the above considerations.

In this case, the Commission found a tendency to restrain trade and commerce in the United States on the ground that sales below the average variable costs of production tended to reduce the domestic market share of other foreign competitors. The Commission did not base its finding on injury to the domestic welded stainless steel pipe and tube industry. The Commission cited a factual determination that total import penetration into the domestic market had increased only from 12.2% in 1972 to 12.7% in 1976. The primary effect of approving the cease and desist order would therefore likely be limited to a shifting among foreign suppliers of their share of the present level of imports into the domestic market. This result would provide little or no benefit to the United States welded stainless steel pipe and tube industry or its employees. Nor would it significantly promote competition in the domestic industry.

Sales below cost of welded stainless steel pipe and tube have been the subject of two antidumping investigations by the Department of the Treasury, one in 1972, and another which proceeded simultaneously with the Commission's Section 337 investigation. As a result of its more recent investigation, which involved six producers accounting for approximately 85% of Japanese imports into the United States, the Treasury Department found that four firms had sales at more than minimal margins below fair value. Sales from those four firms have been referred to the Commission for an injury determination under the Antidumping Act. The Treasury Department's determination under the Antidumping Act therefore provides adequate protection against unfair trade practices described in this petition. In fact, the cease and desist order's prohibition of unjustified sales below the variable cost of production provides a more difficult standard for petitioners to satisfy than that contained in the Antidumping Act of 1921, as amended, which prohibits injurious sales below the total cost of production.

In this case, the Commission did not suspend its investigation after notifying the Secretary of the Treasury of the potential applicability of the Antidumping Act to the same subject matter. This resulted in overlapping investigations and determinations. As a result of this duplication, the imposition of the cease and desist order would be viewed by our trading partners as a precedent and a departure from internationally agreed procedures for dealing with below cost sales. Such a result would be an irritant in relations between the United States and those governments whose firms are being subjected to duplicative investigations, often at considerable expense to the parties and governments concerned. If allowed to stand, the cease and desist order would be viewed by foreign governments as undesirable harassment of their producers and as an unjustified burden on international trade. It would invite retaliation against United States exports, would complicate our current efforts to negotiate revisions of the international trading rules, and would thus be detrimental to the national economic interest and to the international economic relations of the United States.

It is this Administration's policy to administer the unfair trade practice statutes of the United States expeditiously and fairly. Unnecessary duplications and conflicts in the administration of those laws result in confusion and the inefficient use of both private and governmental resources. Unfair trade practice laws should be administered so as to provide reasonable certainty to private parties as to which forum they should devote their resources in bringing their petition. To do otherwise is to impose an unreasonable burden upon the parties, both complainants and respondents.

In this case, the detrimental effect on the national economic interest, on the international economic relations of the United States, and on the sound

administration of unfair trade practice laws that would result from approval of the determination is not counterbalanced by any likely substantial benefits to the industry, its employees, or to competition in the United States. Therefore, the present use of Section 337 where other remedies are specifically provided for by law and are in fact utilized is not justified.

For the policy reasons stated above, the Commission's determination in Investigation No. 337-TA-29 is disapproved.

[FR Doc. 78-11494 Filed 4-24-78; 4:08 pm]



[3195-01]

PROCLAMATION 4565

# Law Day, U.S.A., 1978

*By the President of the United States of America*

## A Proclamation

More than any other country, the United States of America is founded upon law. Our people are enormously varied in ethnic and cultural background, in religious belief, and even in language and place of origin. What unites us in our diversity is a common commitment to the Constitution and the laws, and the liberties they represent. These are the basis of our very Nationhood.

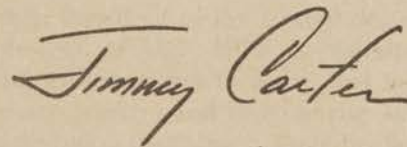
This year we once again set aside a special day to honor our commitment to the rule of law. For this year's observance, the American Bar Association has selected the theme of "Your Access to Justice." It is a most appropriate one, for it asks us to reflect not only upon how our legal system can be made more responsive to our needs, but also upon the nature of justice itself.

Access to justice involves issues that lie beyond the scope of any single group. The law is not the private property of lawyers, nor is justice the exclusive province of judges and juries. In the final analysis, true justice is not a matter of courts and law books, but of a commitment in each of us to liberty and to mutual respect. Accordingly, the efforts of the legal profession to elicit the help and advice of all Americans are to be commended.

To encourage the people of the United States to consider their individual responsibilities with respect to our legal system, the Congress, by joint resolution approved April 7, 1961 (75 Stat. 43, 36 U.S.C. 164) has requested the President to issue a proclamation calling upon the American people to observe the first day of May of each year as Law Day, U.S.A.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, ask all Americans to celebrate Monday, May 1, 1978, as Law Day, U.S.A., and to honor the principle of equal justice under law. I ask all public officials to display the flag of the United States on all public buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of April, in the year of our Lord nineteen hundred seventy-eight, and of the Independence of the United States of America the two hundred and second.



[FR Doc. 78-11573 Filed 4-25-78; 12:05 pm]



[3195-01]

PROCLAMATION 4566

# National Architectural Barrier Awareness Week, 1978

*By the President of the United States of America*

## A Proclamation

Physical access is often the key to whether people can enjoy their rights and freedoms, and exercise their responsibilities. Every day, however, millions of elderly and handicapped Americans are denied access to places of employment, houses of worship, shops, schools, public services, recreational areas and many other facilities that other Americans take for granted.

If all Americans are to have true access, we must remove the architectural barriers in our society that block some of our people from full participation and self-reliance. We must also remove the barriers of attitude and custom that have prevented many people from doing what they can.

The Congress expressed its commitment to the removal of physical barriers from Federal buildings by enacting the Architectural and Transportation Barriers Act in 1968. The Architectural and Transportation Barriers Compliance Board, created to enforce that act, will soon launch a national media campaign about barriers using the slogan, "Access America."

This Administration has taken steps to improve the access of handicapped citizens by issuing regulations under Section 504 of the Rehabilitation Act which require recipients of federal financial assistance to improve the accessibility of their programs to the disabled. We have also proposed a loan fund to assist institutions to pay for physical alterations when needed.

Many of the barriers that block people from opportunity and fulfillment are not subject to Federal regulation. Their elimination will require awareness and concern on the part of business and industry, state and local governments and organizations of all sorts, as well as individuals, in order that our society may provide access for full participation to all our people.

To encourage public awareness of the problems of such barriers, the Ninety-fifth Congress has adopted a joint resolution (H.J. Res. 578) requesting the President to issue a proclamation designating the third week in May of 1978 and of 1979 as National Architectural Barrier Awareness Week and calling for its appropriate observance.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby designate the third week of May, 1978 as National Architectural Barrier Awareness Week and ask all Americans to do all that lies within their power to remove these unnecessary barriers and to eliminate any lingering social and psychological stigma surrounding disabilities. Together we can make access a reality for all Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of April, in the year of our Lord nineteen hundred seventy-eight, and of the Independence of the United States of America the two hundred and second.

*Jimmy Carter*

[FR Doc. 78-11574 Filed 4-25-78; 12:14 pm]



29, 1971, by and between the Alger Delta Cooperative Electric Association and Upper Peninsula for the agreement for wholesale service by the Alger Delta Cooperative Electric Association from Upper Peninsula shall be changed as follows:

*Capacity and Contract Demand*—Article VII, Page 3: Customer has requested termination of point of service designated No. 5 on Exhibit A entitled "Fuller Park".

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed May 1, 1978. 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 petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 11234 Filed 4-25-78; 8:45 am]

[6560-01]

# ENVIRONMENTAL PROTECTION AGENCY

[FRL 888-7]

## GUAM—SOLE ON PRINCIPAL SOURCE AQUIFER AREA DESIGNATION

### Determination

AGENCY: Environmental Protection Agency.

ACTION: Notice of Determination; Northern Ground Water System of Guam.

SUMMARY: The Administrator of the Environmental Protection Agency has determined, according to the provisions of Section 1424(e) of the Safe Drinking Water Act (42 U.S.C. 300f, 300h-3(e); 88 Stat. 1660 et. seq.; Pub. L. 93-523), that the northern ground water system of Guam is a principal source of drinking water for the island of Guam and that, if the ground waters were contaminated, a significant hazard to public health would exist.

EFFECTIVE DATE: April 26, 1978.

FOR FURTHER INFORMATION CONTACT:

Regional Administrator, Environmental Protection Agency, Region IX, 215 Freemont Street, San Francisco, Calif. 94105, 415-556-2320.

**SUPPLEMENTARY INFORMATION:** The Safe Drinking Water Act was enacted on December 16, 1974. Section 1424(e) of the Act states:

"(e) If the Administrator determines, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health, he shall publish notice of that determination in the FEDERAL REGISTER. After the publication of any such notice, no commitment for Federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to public health, but a commitment for Federal financial assistance may, if authorized under another provision of law, be entered into to plan or design the project to assure that it will not so contaminate the aquifer."

On November 20, 1975 the Honorable Ricardo J. Bordallo, Governor of Guam, petitioned the Environmental Protection Agency to designate the northern ground water system of Guam under the provisions of Section 1424(e) of the Act. The petition proposed that the area north of the southern municipal boundaries of Agana, Agana Heights and Chalan Pago-Ordot be designated.

A Notice of Receipt of this petition and a request for comments were published in the FEDERAL REGISTER on April 26, 1976. On June 7, 1976, the Regional Administrator, Region IX, sent copies of the above notice to several Federal agencies. Comments were subsequently received from two agencies. On November 11, 1976, the Regional Administrator requested several agencies to comment on a draft document supporting the designation. Comments have been received from four agencies. In general, the comments received by EPA acknowledge that the ground water system of northern Guam is a principal source of drinking water and the ground waters should be protected from contamination. In view of the apparent agreement among Federal agencies and the Government of Guam that the northern ground waters are a principal source of drinking water and that they should be protected from contamination, EPA elected not to hold a public hearing on the designation.

Notice is hereby given that pursuant to Section 1424(e) of the Safe Drinking Water Act (Pub. L. 93-523) the Administrator of the Environmental Protection Agency has determined that the northern ground water system of Guam is a principal source of drinking water for the island of Guam and that, if the ground waters were contaminated, a significant hazard to public health would exist.

On the basis of information available to EPA and that presented by

local and Federal agencies, the Administrator has made the following findings which are the basis for the determination noted above:

1. The northern ground water system of Guam is the principal source of drinking water for about 75,000 people (69 percent of Guam's 1975 population). Currently water treatment practice by the Government of Guam is limited to disinfection. Alternative sources of drinking water are available. However, their capacity to meet the total demands of Guam has not been fully evaluated and their development could represent a substantial commitment of time and fiscal resources.

2. The ground water system is vulnerable to contamination through the recharge zone. Contamination would pose a significant hazard to those people dependent on the system for drinking water.

One of the determinations which the Administrator must make in connection with the designation under Section 1424(e) is that the area's sole or principal source aquifer, "... if contaminated, would create a significant hazard to public health ..." EPA does not construe this provision to require a determination that projects planned or likely to be constructed will in fact create such a hazard; it is sufficient to demonstrate that approximately 75,000 people depend upon the northern ground water system as their principal source of drinking water and that the system is vulnerable to contamination through its recharge zone. Obviously, if the drinking water source for 75,000 people were contaminated, a significant hazard to public health would exist.

EPA is cognizant of the existing local controls to prevent contamination. While the existence and effectiveness of local controls are clearly relevant to the need for EPA review of Federal financially-assisted projects, Section 1424(e) does not make designation contingent upon the absence of local controls. Therefore, these factors do not properly bear on the decision whether or not to designate the northern ground water system of Guam. They do, however, influence the review process established by Section 1424(e).

This notice is concerned with those ground waters north of the southern municipal boundaries of Agana, Agana Heights and Chalan Pago-Ordot with dissolved solids concentrations less than 10,000 parts per million. Section 1424(e) of the Act requires that after publication of the Administrator's decision, "... no commitment for Federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be entered into for any project which the Administrator



determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to public health \* \* \*. The recharge zone in the case of Guam's northern ground water system is the area north of the Adelup-Pago fault, which is closely approximated by the municipal boundaries of Agana, Agana Heights and Chalan Pago-Ordot. The zone is interrupted by the Agana River basin, a portion of the Fonte River basin and raised volcanic (i.e., penetrating the overlying limestones) formations in the Mataguac Hill and Mount Santa Rosa area. Water from the Agana and Fonte Rivers may enter the ground waters through seepage from channel beds, and runoff from the exposed volcanic formations in the Mataguac Hill and Mt. Santa Rosa area enters the ground waters through infiltration. The Pago River flows along the eastern portion of the Adelup-Pago fault. Although precise measurements are not available, some water from the Pago River may enter the northern ground waters through seepage from the stream bed.

The portions of the Pago and Fonte River basins south of the Adelup-Pago fault are being designated as a streamflow source zone. Water from these areas may enter the northern ground waters through stream bed seepage.

Both the recharge zone and the streamflow source zone constitute the designated area. Federally assisted projects within this area are subject to Section 1424(e) review requirements. On September 29, 1977, EPA published proposed regulations for review of projects in areas designated under 1424(e). These proposed regulations will be implemented as interim guidelines for reviewing projects in Guam until promulgated during 1978. A copy of the proposed regulations is available at EPA Region IX offices.

The EPA will periodically review the factors upon which the designation of the northern ground-water system of Guam is based. If appropriate, EPA will reconsider the designation and publish notice of the Administrator's determination in the FEDERAL REGISTER.

The information upon which the above findings are based is available to the public and may be inspected during normal hours at the Office of the Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, California 94111. The available information includes:

1. A map outlining the recharge zone and streamflow source zone (i.e., the designated area).
2. A technical support document for designation of the northern ground water system of Guam under Section 1424(e) of the Safe Drinking Water Act.
3. A description of the interim project review guidelines.

The above information is also available at the U.S. Environmental Protection Agency, Public Information and Reference Unit, Room 2922, Waterside Mall, 401 M Street SW., Washington, D.C. 20460.

EPA, Region IX, is working with the Federal agencies that may be impacted by this determination. It is anticipated that interagency procedures will be developed whereby EPA will be notified of proposed commitments for projects which may contaminate the northern ground-water system of Guam. EPA, Region IX, will rely to the maximum extent possible on existing and future local mechanisms to control contamination and review projects which may degrade the northern ground-water system of Guam.

Dated: April 21, 1978.

BARBARA BLUM,  
Acting Administrator.

[FR Doc. 78-11404 Filed 4-25-78; 8:45 am]

## [6730-01]

### FEDERAL MARITIME COMMISSION

#### CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

##### Notice of Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 311 (p)(1) of the Federal Water Pollution Control Act, and have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

In addition, notice is also given that the operators indicated by an asterisk (\*) have established evidence of financial responsibility, with respect to the vessels indicated, as required by subsection (c) of section 204 Trans-Alaska Pipeline Authorization Act, and have been issued Federal Maritime Commission Certificates of Financial Responsibility (Alaska Pipeline) pursuant to Part 543 of Title 46 CFR.

Certificate No.	Owner/Operator and Vessels
01011.....	Aktieselskabet Det Ostasiatiske Kompagni: <i>Boringia</i> .
01150.....	Chevron Transport Corp.: <i>Chevron Frankfurt</i> .
02194.....	Compagnie Generale Maritime: <i>Renoir</i> .
02209.....	Flota Mercante Grancolombiana S.A.: <i>Ciudad De Quito</i> .
02367.....	Canadian Pacific (Bermuda) Ltd.: <i>Fort Walsh</i> .
02713.....	T. L. James Co., Inc.: <i>BT-128</i> .
02935.....	Cable & Wireless, Ltd.: <i>Edward Wilshaw</i> .
02956.....	Ashland Oil, Inc.: <i>Ellis 1302, STC-2005, STC-2506, Christy-211</i> .
03137.....	Cunard Steamship Co., Ltd.: <i>Atlantic Project, Atlantic Prosper</i> .
03273.....	Dunlap Towing Co.: <i>ZB-301</i> .
03855.....	Prometheus Shipping Corp.: <i>Spyrakis</i> .
03915.....	Mobil Oil Corp.: <i>Mobil Mouni Vernon</i> .
04262.....	Eddie Steamship Co., Ltd.: <i>Panamax Jupiter</i> .

Certificate No.	Owner/Operator and Vessels
04601.....	American Tunaboat Association: <i>Charger</i> .
04625.....	American Commercial Lines, Inc.: <i>Joe Bobzien</i> .
05581.....	Latvian Shipping Co.: <i>Lielupe</i> .
05691.....	Canadian Tugboat Co., Ltd.: <i>Jervis Crown, CZ-1</i> .
06038.....	Suomen Hoivrylaiva Osakeyhtio Finska Angfartygs Aktiebolaget: <i>Pollux</i> .
06510.....	Compagnie Nationale Algerienne De Navigation: <i>Ben M'Hidi, Touggourt, Tebessa, Ouarsenis</i> .
07269.....	Nemuro Dalichl Gyogyo Seisan Kumiai: <i>Fukuyoshi Maru No. 8</i> .
07577.....	Atlantic-Mediterranean Shipping Corporation: <i>Tipu</i> .
07640.....	Exxon Co., U.S.A.: <i>Erron Galveston</i> .
08131.....	Empresa Navegacion Caribe: <i>24 De Febrero</i> .
08196.....	Nortramp I/S: <i>Nordhval</i> .
08474.....	Knossos Shipping Inc.: <i>Atlantico</i> .
08475.....	Thessaly Shipping Inc.: <i>Pacifico</i> .
08948.....	VEB Deutfracht/Seerederei: <i>Weimar, Ernst Moritz Arndt</i> .
09311.....	National Steel & Shipbuilding Co.: <i>AFDL-37</i> .
09423.....	TEH-HU Cargocean Management Co., Ltd.: <i>Victorious</i> .
10829.....	Egyptian Navigation Co.: <i>Alagmi</i> .
11011.....	Power Corp. Of Canada, Ltd.: <i>Jean Parisien</i> .
11349.....	Duth Harbor Seafoods, Ltd.: <i>Dipper, Viceroy</i> .
11948.....	Ardgown Shipping Co., Ltd.: <i>Ilyric</i> .
12434.....	United Arab Shipping Co. (S.A.G.): <i>Al Fujairah, Ararat, Fathulkhair, Tabuk</i> .
12734.....	Ritchie Towing Co., Inc.: <i>GWG 208</i> .
12996.....	Ocean Marine Services Partnership No. 1: <i>Ocean King, Ocean Marlin</i> .
13009.....	Itala Crociere Internazionale S.P.A.: <i>Leonardo Da Vinci</i> .
13040.....	Part Rederiet Star 6, Torshavn Paroe Islands: <i>Star Ocean</i> .
13110.....	Belco Petroleum Corp. Of Peru: <i>GAF-1, BC-1191, Susan Lynn, Elizabeth, BB-1</i> .
13182.....	Lesue Shipping Inc.: <i>Leslie B</i> .
13200.....	Canal Freight Lines, Inc.: <i>STCO-202, STCO-201, STCO-200</i> .
13229.....	Jaczon Rederij En Haringhandel N.V.: <i>Klipper</i> .
13258.....	Williams Drilling Co., a Division of Elpac Inc.: <i>Williams Rig No. 2, Williams Rig No. 3, Williams Rig No. 5, Williams Rig No. 6, Williams Rig No. 7, Williams Rig No. 8, Williams Rig No. 9, Williams Rig No. 11</i> .
13343.....	Sealand Shipping Management Ges. M.B.H.: <i>Montreux</i> .
13423.....	Afran Bahamas Ltd.: <i>Afran Stream</i> .
13456.....	Radiant Claude Inc.: <i>Atlantic Freezer</i> .
13462.....	Coroneta Line Co., Ltd.: <i>Matti</i> .
13469.....	Capitol Maritime Inc.: <i>Nassauka</i> .
13494.....	Roma Reederei GMBH & Co. KG: <i>Fonnes</i> .
13507.....	Trade Banner Line Inc.: <i>Trade Master</i> .
13531.....	Heliopsis Inc.: <i>Unas</i> .
13579.....	Taylor Corp., Ltd.: <i>Miranda</i> .
13593.....	Maritime Co. Esperides, S.A.: <i>Nireus</i> .
13594.....	Ace Auto Line Co., Ltd.: <i>Haul Akarita</i> .
13595.....	Hae Chang Fisheries Co., Ltd.: <i>Hae Chang No. 101</i> .
13596.....	Alkaid Shipping Co., Ltd.: <i>Alvega</i> .
13597.....	CONTI-OSG Associates (II): <i>Continental Trader</i> .
13599.....	Ocean Aries Tankship Co., S.A.: <i>Bokuho</i> .
13600.....	Autoshipping Ltd.: <i>Constantia</i> .
13601.....	Pantheon Shipping Co., S.A.: <i>Maroudio</i> .
13604.....	Fourth Shipmor Associates: <i>Overseas Washington</i> .
13605.....	RKS Heavy Trans: <i>Mammoth Scan</i> .
13606.....	Koushin Kaiun Kabushiki Kaisha: <i>Blue Shimonoseki</i> .
13608.....	Farpepan, S. L.: <i>Ancorda D'Ouro</i> .
13611.....	Sociedad Cooperativa de Produccion Pesquera Atun Mexicanos, S.C.L.: <i>Cuauhtemoc</i> .
13614.....	P.C. 2902 Inc.: <i>PC-2506</i> .
13615.....	Westminster Dredging Co., Ltd.: <i>W. D. Seaway</i> .
13623.....	Akritas Shipping Co., S.A.: <i>Akritas</i> .
13624.....	Amfitriti Shipping Co., S.A.: <i>Amfitriti</i> .
13625.....	Killini Shipping Co., S.A.: <i>Amethyst</i> .
13626.....	Navegantes Primeros Oceanica, S.A.: <i>Maria</i> .



