PAR T I:

PRIVACY ACT
OFR lists agencies fulfilling annual publication requirement .......................................................... viii

COLOR ADDITIVES
HEW/FDA provides for permanent listing of manganese violet and ultramarines (2 documents), effective 12–7–76; objections by 12–6–76................................................................. 48730

ELECTRIC DISTRIBUTION PLANTS
USDA/REA proposes guidelines and requirements for grounding of primary distribution lines; comments by 12–6–76 ................................................................. 48744

LOAN MANAGEMENT PROGRAMS
USDA/REA proposes new policy and general guidelines; comments by 12–6–76................................. 48744

NEW ANIMAL DRUGS
HEW/FDA approves safe and effective use of levamisole hydrochloride, piperazine dihydrochloride soluble powder and glyceryl guaiacolate in the treatment of horses (2 documents); effective 11–5–76 ................................................................. 48731, 48732

POULTRY
USDA/ARS amends National Improvement Program; effective 11–5–76.................................................. 48723

MEAT
USDA/APHIS promulgates standard of identity or composition for liver sausage and braunschweiger; effective 12–6–76................................................................. 48721

USDA/APHIS rules on importation from Taiwan, 12–5–76................................................................. 48722

USDA/APHIS relieves labeling restrictions for certain products; 12–6–76................................................................. 48721

INDIAN MONEY ACCOUNTS
Interior/BIA rules on protection of per capita shares of minors, legal incompetents, and deceased beneficiaries; effective 12–6–76................................................................. 48735

COAL LEASING
Interior/BLM proposal on exploration licenses; comments by 12–20–76................................................................. 48754

CONTINUED INSIDE
Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at the Town Hall, 36 North Lancaster Street, Annville, Pennsylvania.

Accordingly, the Administrator has determined the 100-year floodplain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.9(a), the Administrator has resolved the appeals presented by the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at Tillyburn Volunteer Fire Company, Routes 11 and 23, West Nanticoke, Pennsylvania.

### Source of flooding

<table>
<thead>
<tr>
<th>Location</th>
<th>Elevation in feet above mean sea level</th>
<th>Width in feet from bank of stream to 100-year flood boundary taking downstream curvature into account</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susquehanna River</td>
<td>243</td>
<td>0</td>
</tr>
<tr>
<td>Elys-Chambers R.R. (extended northwest)</td>
<td>243</td>
<td>0</td>
</tr>
<tr>
<td>River Rd., Bridge</td>
<td>542</td>
<td>0</td>
</tr>
<tr>
<td>Nanticoke R.R. Bridge</td>
<td>542</td>
<td>0</td>
</tr>
<tr>
<td>Mill St. (extended southeast)</td>
<td>541</td>
<td>0</td>
</tr>
<tr>
<td>Harveys Creek</td>
<td>550</td>
<td>0</td>
</tr>
<tr>
<td>Sylvania Trail</td>
<td>559</td>
<td>0</td>
</tr>
<tr>
<td>Route 23 (river crossing)</td>
<td>560</td>
<td>0</td>
</tr>
</tbody>
</table>

1 Outside corporate limits.
2 70 ft from bank to corporate limits.
3 500 ft from 100-year boundary to corporate limits.

Issued: October 6, 1976.

J. ROBERT HUNTER,
Federal Insurance Administrator.

---

**PART 104—INDIVIDUAL INDIAN MONEY ACCOUNTS**

Protection of Per Capita Shares of Minors, Legal Incompetents and Deceased Beneficiaries

October 26, 1976.

This notice is published in the exercise of rulemaking authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and Sections 403 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

Beginning on Page 53533 of the Federal Register of November 19, 1975 (40 FR 53533), there were published proposed revisions to § 60.10 of Part 60, Subchapter G, Chapter I, and § 60.5 of Part 60, Subchapter H, Chapter I, of Title 25 of the Code of Federal Regulations.

A notice of extension of time from January 19, 1976, the original deadline date, to April 5, 1976, for interested persons to submit to the Commissioner of Indian Affairs written comments on, or suggestions or objections to, the proposed revisions relating to the per capita payment aspects of the Indian Judgment Funds Act was published on page 5129 of the Federal Register of February 4, 1976 (41 FR 5129).

The written comments received from interested persons and organizations generally reflect opposition to the proposed revisions and generally register objection to any restrictions on the use of minors' shares except those imposed by parents, guardians or tribal governing bodies. Given the trust nature of minors' shares and the Secretary's responsibility as mandated in subsection (2) of section 3 of the Indian Judgment Funds Act of 1973, 87 Stat. 466, which direct the Secretary to preserve and protect the per capita shares of minors and other legally incompetent persons, we conclude that by formalizing the revisions to Part 60 and Part 104 the directive of the Congress will have been met.

The proposed revisions are hereby adopted. Any printing or typographical errors in the publication of the proposed revisions in 40 FR 53533 are corrected as set forth below.

Effective date. These regulations shall become effective December 6, 1976.

1. Section 60.10 of Part 60, Subchapter G, Chapter I, of Title 25 of the Code of Federal Regulations is revised to read as follows:

   § 60.10 Per capita payment aspects of plans and protection of funds accruing to minors, legal incompetents and deceased beneficiaries.

   (a) The per capita shares of living competent adults shall be paid directly to
them. The shares of minors, legal incompetents and deceased individual beneficiaries, enhanced by investment earnings, shall be held in individual Indian money (TIM) accounts, unless otherwise provided as set out in this section. While held in TIM accounts, said shares shall be invested pursuant to 25 U.S.C. 162a and shall be the property of the minors or legal incompetents or the estates of the deceased individual beneficiaries to whom the per capita payments were made.

(b) (1) Unless otherwise provided in paragraph (b) (2) of this section, minors' per capita shares, until the minors attain the age of 18 years, shall be retained in individually segregated TIM accounts and handled as provided in § 104.4 of this chapter. Should it be determined that the funds are to be invested pursuant to a trust, minors who will have reached the age of 18 years within six months after the establishment of the trust shall have their funds retained at interest in TIM accounts and paid to them upon attaining their majority.

(c) A private trust for the minors' per capita shares may be established subject to the approval of the tribal governing body and the Secretary on the following conditions:

(i) The tribal governing body specifically requests the establishment of such trust, and the trust provides for segregated amounts to each individual minor, based on his per capita share, and

(ii) The trust agreement specifically provides that the investment policy is to be followed is that of preserving the trust corpus and of obtaining the highest interest rates current money markets can safely provide. The trust agreement must further provide that maturity dates of investments cannot exceed the period of the trust and that only the following types of investment shall be made: United States Treasury obligations; Federal agency obligations; repurchase/reseal agreements; United States Treasury bills; Bankers' acceptance, provided the assets of the issuing bank exceed $1 billion or the issuing bank pledges full collateral; Certificates of deposit, provided the assets of the issuing bank exceed $1 billion or the issuing bank pledges full collateral; Commercial paper, provided it is rated prime-2 by Moody or A-2 by Standard and Poor or is obligation of a company with outstanding unsecured debt rated Aa by Standard and Poor.

(e) The per capita shares of legal incompetents shall be held in TIM accounts and administered pursuant to the provisions of § 104.5 of this chapter.

(f) The shares of deceased individual beneficiaries, plus all interest and investment income accruing thereto, shall be paid to their heirs and legatees upon their determination as provided in 43 CFR, Part 4, Subpart D.

(g) All per capita shares, including all interest and investment income accruing thereto, while they are held in trust under the provisions of this section, shall be exempt from Federal and State income and estate taxes and shall not be considered as income or resources when determining the extent of eligibility for assistance under the Social Security Act, as amended.

(h) The per capita shares or portions thereof, including all interest and investment income accruing thereto, which are not paid out but which remain unclaimed with the Federal Government shall be maintained separately and be enhanced by investment, and shall, unless otherwise provided in an effective plan or in enabling legislation, be subject to the provisions of the Act of September 22, 1961, 75 Stat. 584. No per capita share or portion thereof shall be transferred to the U.S. Treasury as "Monies Belonging to Individuals Whose whereabouts are Unknown."

2. Section 104.4 of Part 104, Subchapter J, Chapter I, of Title 25 of the Code of Federal Regulations is revised to read as follows:

§ 104.4 Minors.

(a) Funds, other than a per capita share of judgment funds which exceed $100 in total amount at the time actual payment is made, including the investment income accruing thereto, of a minor may be disbursed in such amounts deemed necessary in the best interest of the minor for the minor's support, health, education, or welfare to parents, legal guardians, fiduciaries, or to persons having the control and custody of the minor under plans approved by the Secretary, or the minor directly, upon such conditions as the Secretary may prescribe. The Secretary will require modification of an approved plan whenever deemed in the best interest of the minor.

(b) A per capita share of judgment funds which exceeds $100 in total amount at the time actual payment is made, including the investment income accruing thereto, of a minor shall not be disbursed until the minor reaches 18 years of age.

At that time, unless the minor is under legal disability, the minor shall be entitled to withdraw his judgment funds and accrued investment income as provided in § 104.5. If the minor is under legal disability upon reaching his majority, his judgment funds and accrued investment income thereon shall be handled pursuant to § 104.5.

Monroe Thompson,
Commissioner of Indian Affairs.

Title 40—Protection of the Environment
CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY
SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS
[FR 640-4]
PART 407—CANNED AND PRESERVED FRUITS AND VEGETABLE PROCESSING POINT SOURCE CATEGORY
Revocation of Fecal Coliform Effluent Limitations

On March 21, 1974 effluent limitations guidelines, new source performance standards and new source pretreatment standards were promulgated pursuant to sections 301, 304 (b), 306 and 307(a) of the Federal Water Pollution Control Act (the Act), 33 U.S.C. 1311, 1314(b), 1316 and 1317(c), for five subcategories of the Canned and Preserved Fruits and Vegetables point source category, (40 CFR Part 407, subparts A through E) (the "Phase 1" regulations).

On March 11, 1976 the United States Court of Appeals for the District of Columbia Circuit rendered its decision concerning petitions for review of the Phase I regulations in "American Frozen Food Institute, et al v. Train," 95 S.C. 1976. The Court remanded the Phase I fecal coliform best available technology economically achievable effluent limitations guidelines and new source performance standards to the Administrator for reconsideration. The Court found that the industry had not had sufficient opportunity to comment on the fecal coliform regulations and thus remanded them. However, the Agency had already reconsidered the issue of fecal coliforms. In the Phase II regulations for Fruits and Vegetables (41 FR 12972), fecal coliform standards were omitted because information did not indicate significant levels of coliforms from fecal origin in wastewaters from most fruit and vegetable processing