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PART I



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**PART 235—MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOME OWNERSHIP AND PROJECT REHABILITATION****Subpart D—Eligibility Requirements—Rehabilitation Sales Projects**

Section 235.540 is amended to read as follows:

**§ 235.540 Maximum interest rate.**

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8½ percent per annum with respect to mortgages insured on or after August 25, 1973.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies Sec. 235, 82 Stat. 477; 12 U.S.C. 1715z.)

**PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS FOR RENTAL PROJECTS****Subpart A—Eligibility Requirements for Mortgage Insurance**

Section 236.15 is amended to read as follows:

**§ 236.15 Maximum interest rate.**

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 25, 1973.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies Sec. 236, 52 Stat. 498; 12 U.S.C. 1715z-1.)

**PART 241—SUPPLEMENTARY FINANCING FOR INSURED PROJECT MORTGAGES****Subpart A—Eligibility Requirements**

Section 241.75 is amended to read, as follows:

**§ 241.75 Maximum interest rate.**

The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 8½ percent per annum with respect to loans insured on or after August 25, 1973. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies Sec. 241, 82 Stat. 508; 12 U.S.C. 1715z-b.)

**PART 242—MORTGAGE INSURANCE FOR HOSPITALS****Subpart A—Eligibility Requirements**

Section 242.33 is amended to read as follows:

**§ 242.33 Maximum interest rate.**

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 25, 1973. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies Sec. 242, 82 Stat. 5999; 12 U.S.C. 1715z-7.)

**PART 244—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES****Subpart A—Eligibility Requirements**

In § 244.45 paragraph (a) is amended to read as follows:

**§ 244.45 Maximum interest rate.**

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 25, 1973.

(Sec. 1104, 80 Stat. 1275; 12 U.S.C. 1749aaa-3)

*Effective date.*—These amendments are effective as of August 25, 1973.

SHELDON B. LUBAR,  
Assistant Secretary-Commissioner for Housing Production and Mortgage Credit.

[FR Doc.73-19183 Filed 9-7-73; 8:45 am]

**Title 25—Indians****CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR****SUBCHAPTER M—FORESTRY****PART 141—GENERAL FOREST REGULATIONS****Sales of Timber**

The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

Beginning on page 9828 of the FEDERAL REGISTER of April 20, 1973 (38 FR 9828), there was published a notice of proposed rulemaking to revise §§ 141.7, 141.9, 141.12, 141.16, and 141.19 of Title 25 of the Code of Federal Regulations. The purpose of the revision is to increase the stumpage value limitation stated in §§ 141.7(c), 141.12, and 141.19(d) from \$500 to \$2,500; to increase the stumpage value limitation stated in § 141.9(b) from \$5,000 to \$10,000; to increase advance payments for allotment timber stated in § 141.16 from 15 to 25 percent of the stumpage value, calculated at the bid price, within 30 days of contract approval and before cutting begins, in contracts that are more than 3 years duration per to make additional payments in contracts that are more than 3 years duration permissive, rather than mandatory as now stipulated by regulation; and to make editorial changes. The regulations were proposed pursuant to the authority contained in secs. 7, 8, 36 Stat. 857, 25 U.S.C. 406, 407; and sec. 6, 48 Stat. 986, 25 U.S.C. 466; 47 Stat. 1417, 25 U.S.C. 413.

Interested persons were given 30 days in which to submit written comments, suggestions or objections with respect to the proposed regulations. No objections have been received and the proposed regulations are hereby adopted

without change and are set forth below.

The revised 25 CFR §§ 141.7, 141.9, 141.12, 141.16, and 141.19 shall become effective on October 10, 1973.

WILLIAM L. ROGERS,  
Deputy Assistant Secretary  
of the Interior.

AUGUST 31, 1973.

**§ 141.7 Timber sales from unallotted and allotted lands.**

(a) On reservations where the volume of timber available for cutting is in excess of that which is being developed by the Indians, open market sales of Indian timber will be authorized: *Provided*, That consent is given by the authorized representative of the tribe for tribal timber and by the owners of a majority Indian interest in trust or restricted timber on allotted lands. The consent of the Secretary is required in all cases.

(b) The Secretary may sell the timber on any Indian land held under a trust or other patent containing restrictions on alienations without the consent of the owners when in his judgment such action is necessary to prevent loss of values resulting from fire, insects, disease, windthrow, or other catastrophes.

(c) Unless otherwise authorized by the Secretary, sales from unallotted lands, allotted lands, or a combination of these two ownerships having a stumpage value exceeding \$2,500 will not be approved until an examination of the timber to be sold has been made by a qualified forest officer and a report setting forth all pertinent information has been submitted to the officer authorized to approve the contract as provided in § 141.13. In all such sales of timber exceeding \$2,500 in value, the timber shall be appraised and sold at not less than its appraised value.

**§ 141.9 Timber sales without advertisement.**

Sales of timber may be made without advertisement with the consent of the authorized representative of the tribe for tribal timber or with the consent of the owners of a majority Indian interest in trust or restricted timber on allotted lands, and the approval of the Secretary: (a) To Indians or non-Indians when the timber is to be cut in conjunction with the granting of a right-of-way or authorized occupancy, or must be cut to protect the forest from injury, or if it is impractical to secure competition by formal advertising procedures, or when otherwise specifically authorized by statutes or regulations; or (b) To Indians who are members of the tribe for stumpage value not exceeding \$10,000. Such contracts shall not be made for a longer term than 2 years. The stumpage rates in connection with such sales shall be established by the approving officer after due appraisal procedure. Timber contract forms executed under authority hereof shall be those stipulated for the sale of timber under § 141.12, and shall carry the bond requirement stipulated in § 141.14. No more than one such sale without advertisement may be made to any person or operating group of persons in any 1 calendar year. In the case of each nego-

tiated transaction the approving officer shall establish a documented record of the transaction, including a written determination and finding that the transaction is of a type or class allowing the negotiation procedures or warranting departure from the procedures provided in § 141.8; the extent of solicitation and competition, or a statement of the facts upon which a finding of impracticability of securing competition is based; and a statement of the factors on which the award is based, including a determination as to the reasonability of the price accepted.

§ 141.12 Contracts required.

Except as provided in § 141.19(c), in sales of timber with an appraised stumpage value exceeding \$2,500 the contract forms approved by the Secretary must be used unless a special form for a particular sale or class of sales is approved by the Secretary. The approved forms provide flexibility to meet variable conditions, but essential departures from the fundamental requirements of such contracts shall be made only with the approval of the Secretary. Unless otherwise directed, the contracts shall require that the proceeds be paid by remittance drawn to the Bureau of Indian Affairs and transmitted to the Superintendent. Contracts may be extended, modified, or assigned subject to approval of the approving officer, and may be terminated by the approving officer upon completion.

§ 141.16 Advance payment for allotment timber.

Unless otherwise authorized by the Secretary, and except in the case of lump sum sales, contracts for the sale of timber from trust allotments shall provide for the payment of 25 percent of the stumpage value, calculated at the bid price, within 30 days from the date of approval and before cutting begins. Additional advance payments may be specified in contracts that are more than 3 years in duration; however, no advance payment will be required that would make the sum of such payment and of advance deposits and advance payments previously applied against timber cut from the allotment exceed 50 percent of the bid stumpage value. The advance payments shall be credited against the allotment timber as it is cut and scaled, at the stumpage rates governing at the time of scaling.

§ 141.19 Timber cutting permits.

(a) Except as provided in § 141.20, all timber cutting that is not done under formal contract, pursuant to § 141.12, shall be done under timber cutting permit forms approved by the Secretary. Permits will be issued only with the consent of the Indian owner or the Secretary, for allotted lands, as authorized in § 141.13(b). Such consents to the issuance of cutting permits shall stipulate the minimum stumpage rates at which timber may be sold under permit.

(b) Free-use cutting permits may be issued for specified species and types of forest products by persons authorized under § 141.13 to execute timber con-

tracts. Timber cut under this authority may be limited as to sale or exchange for other goods or services.

(c) An Indian having sole beneficial interest in an allotment may be issued an approved form of special permit to cut and sell designated timber from such allotment. The special permit shall include provision for payment by the Indian of administrative expenses pursuant to § 141.18. Unless waived by the Secretary, the permit shall also require the Indian to make a deposit with the Secretary to be returned to the Indian upon satisfactory completion of the permit or to be used by the Secretary in his discretion for planting or other work to offset damage to the land or the timber caused by the Indian's failure to comply with the provisions of the permit. As a condition to granting a special permit under authority of this paragraph, the Indian may be required to provide evidence acceptable to the Secretary that he has arranged a bona fide sale of the timber to be cut, on terms that will protect the Indian's interests. In special cases, the Secretary may authorize exceptions to the requirement of sole beneficial interest in an allotment.

(d) Permits to be valid must be approved by the Secretary. The stumpage value which may be cut in 1 calendar year by any individual under authority of paragraphs (a) and (b) of this section shall not exceed \$2,500, but this limitation shall not apply to cutting under authority in paragraph (c) of this section. Essential departures from the fundamental requirements for issuance of special allotment timber cutting permits under authority of paragraph (c) of this section shall be made only with the approval of the Secretary.

[FR Doc.73-19099 Filed 9-7-73;8:45 am]

Title 40—Protection of the Environment  
 CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY  
 SUBCHAPTER D—GRANTS  
 PART 35—STATE AND LOCAL ASSISTANCE

Appendix A—Cost-Effectiveness Analysis

On July 3, 1973, notice was published in the FEDERAL REGISTER that the Environmental Protection Agency was proposing guidelines on cost-effectiveness analysis pursuant to section 212(2)(c) of the Federal Water Pollution Act Amendments of 1972 (the Act) to be published as appendix A to 40 CFR part 35.

Written comments on the proposed rulemaking were invited and received from interested parties. The Environmental Protection Agency has carefully considered all comments received. No changes were made in the guidelines as earlier proposed. All written comments are on file with the agency.

*Effective date.*—These regulations shall become effective October 10, 1973.

Dated September 4, 1973.

JOHN QUARLES,  
 Acting Administrator.

APPENDIX A

COST EFFECTIVENESS ANALYSIS GUIDELINES

a. *Purpose.*—These guidelines provide a basic methodology for determining the most cost-effective waste treatment management system or the most cost-effective component part of any waste treatment management system.

b. *Authority.*—The guidelines contained herein are provided pursuant to section 212 (2) (C) of the Federal Water Pollution Control Act Amendments of 1972 (the Act).

c. *Applicability.*—These guidelines apply to the development of plans for and the selection of component parts of a waste treatment management system for which a Federal grant is awarded under 40 CFR, Part 35.

d. *Definitions.*—Definitions of terms used in these guidelines are as follows:

(1) *Waste treatment management system.*—A system used to restore the integrity of the Nation's waters. Waste treatment management system is used synonymously with "treatment works" as defined in 40 CFR, Part 35.905-15.

(2) *Cost-effectiveness analysis.*—An analysis performed to determine which waste treatment management system or component part thereof will result in the minimum total resources costs over time to meet the Federal, State or local requirements.

(3) *Planning period.*—The period over which a waste treatment management system is evaluated for cost-effectiveness. The planning period commences with the initial operation of the system.

(4) *Service life.*—The period of time during which a component of a waste treatment management system will be capable of performing a function.

(5) *Useful life.*—The period of time during which a component of a waste treatment management system will be required to perform a function which is necessary to the system's operation.

e. *Identification, selection and screening of alternatives.*—(1) *Identification of alternatives.*—All feasible alternative waste management systems shall be initially identified. These alternatives should include systems discharging to receiving waters, systems using land or subsurface disposal techniques, and systems employing the reuse of wastewater. In identifying alternatives, the possibility of staged development of the system shall be considered.

(2) *Screening of alternatives.*—The identified alternatives shall be systematically screened to define those capable of meeting the applicable Federal, State, and local criteria.

(3) *Selection of alternatives.*—The screened alternatives shall be initially analyzed to determine which systems have cost-effective potential and which should be fully evaluated according to the cost-effectiveness analysis procedures established in these guidelines.

(4) *Extent of effort.*—The extent of effort and the level of sophistication used in the cost-effectiveness analysis should reflect the size and importance of the project.

f. *Cost-Effective analysis procedures.*—(1) *Method of Analysis.*—The resources costs shall be evaluated through the use of opportunity costs. For those resources that can be expressed in monetary terms, the interest (discount) rate established in section (f) (5) will be used. Monetary costs shall be calculated in terms of present worth values or equivalent annual values over the planning period as defined in section (f) (2). Non-monetary factors (e.g., social and environmental) shall be accounted for descriptively in the analysis in order to determine their significance and impact.