

## RULES AND REGULATIONS

them. The shares of minors, legal incompetents and deceased individual beneficiaries, enhanced by investment earnings, shall be held in individual Indian money (IIM) accounts unless otherwise provided as set out in this section. While held in IIM 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 IIM 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 IIM accounts and paid to them upon attaining their majority.

(2) 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 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/re-sell 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.

(c) The per capita shares of legal incompetents shall be held in IIM accounts

and administered pursuant to the provisions of § 104.5 of this chapter.

(d) 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.

(e) 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 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.

(f) All 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 exceeds \$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 § 104.3. 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.

MORRIS THOMPSON,  
Commissioner of Indian Affairs.

[FR Doc. 76-32608 Filed 11-4-76; 8:45 am]

#### Title 40—Protection of the Environment

##### CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

###### SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 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(c) 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 I" regulation).

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," F. 2d, 8 E.R.C. 1993 (D.C. Cir. 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 16272), 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

plants. In addition, the secondary treatment standards contained in 40 CFR Part 133 as amended by 41 FR 30786 (July 26, 1976) recommend that water quality limitations dictate disinfection requirements in order to avoid excessive use of disinfectants. Thus, the Agency is revoking fecal coliform BATEA effluent limitations and new source standards for the Apple Juice, Apple Products, Citrus Products, Frozen, Potato Products and Dehydrated Potato Products subcategories of the fruits and vegetables point source category.

This notice of revocation shall become effective on November 5, 1976.

In 40 CFR Part 407 promulgated March 21, 1974, the following sections as they apply to fecal coliform are revoked:

**Subpart A—Apple Juice Subcategory**

**§ 407.13 [Revoked]**

The limitation for fecal coliform is revoked.

**§ 407.15 [Revoked]**

The limitation for fecal coliform is revoked.

**Subpart B—Apple Products Subcategory**

**§ 407.23 [Revoked]**

The limitation for fecal coliform is revoked.

**§ 407.25 [Revoked]**

The limitation for fecal coliform is revoked.

**Subpart C—Citrus Products Subcategory**

**§ 407.33 [Revoked]**

The limitation for fecal coliform is revoked.

**§ 407.35 [Revoked]**

The limitation for fecal coliform is revoked.

**Subpart D—Frozen Potato Products Subcategory**

**§ 407.43 [Revoked]**

The limitation for fecal coliform is revoked.

**§ 407.45 [Revoked]**

The limitation for fecal coliform is revoked.

**Subpart E—Dehydrated Potato Products Subcategory**

**§ 407.53 [Revoked]**

The limitation for fecal coliform is revoked.

**§ 407.55 [Revoked]**

The limitation for fecal coliform is revoked.

Dated: November 1, 1976.

RUSSELL E. TRAIN,  
Administrator.

[FR Doc. 76-32646 Filed 11-4-76; 8:45 am]

[FRL 551-8]

**PART 120—WATER QUALITY STANDARDS**

**Navigation Waters of the State of Arizona  
Correction**

In FR Doc. 76-17914, appearing at page 25000 in the issue for Tuesday, June 22, 1976, in the table on page 25001, the middle column, the 3rd entry should read as set forth below:

3. Colorado River from Parker Dam to Imperial Dam (mainstem) ---	0.08	0.12	5	7
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**Title 41—Public Contracts and Property Management**

**CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS**

**SUBCHAPTER B—ARCHIVES AND RECORDS**

[FPMR Amendment B-35]

**PART 101-11—RECORDS MANAGEMENT**

**Annual Report On Federal Advisory Committees**

This regulation amends those portions of Part 101-11 that concern the annual report on Federal advisory committees.

Subpart 101-11.12, Annual Report on Federal Advisory Committees, is amended to reference new Standard Forms 248-A and 249-A (continuation forms), change the date the report is due, and update the mailing address.

The table of contents for Part 101-11 is amended as follows:

Sec.

**101-11.1204 [Reserved]**

101-11.4930-248-A Standard Form 248-A, Annual Report on Federal Advisory Committee (continuation sheet).

101-11.4930-249-A Standard Form 249-A, Membership List on Federal Advisory Committee (continuation sheet).

**Subpart 101-11.12—Annual Report On Federal Advisory Committees**

1. Section 101-11.1203 is amended as follows:

**§ 101-11.1203 Reports.**

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(1) Standard Form 248, Annual Report on Federal Advisory Committee, and, if applicable, Standard Form 248-A, Annual Report on Federal Advisory Committee (continuation sheet);

(2) Standard Form 249, Membership List on Federal Advisory Committee, and, if applicable, Standard Form 249-A, Membership List on Federal Advisory Committee (continuation sheet);

\* \* \*

(b) *Preparation of report.* The SF 248, Annual Report on Federal Advisory Committee; SF 248-A, Annual Report on Federal Advisory Committee (continuation sheet); SF 249, Membership List on Federal Advisory Committee; and SF

249-A, Membership List on Federal Advisory Committee (continuation sheet), shall be completed by the organizational element responsible for the support of the individual committee. The SF 250 and the letter of transmittal shall be completed at the department or agency level. Information for completion of SF 250 is compiled directly from data on appropriate SF 248 and SF 249. (These forms are illustrated in §§ 101-11.4930-248 through 101-11.4930-250.)

(c) *Due date.* This report is due on or before January 15 of each calendar year. Submit the report to the Office of Records Management, National Archives and Records Service (mailing address: General Services Administration (NR), Attn: Committee Management Report Coordinator, Washington, DC 20408).

2. Section 101-11.1204 is reserved as follows:

**§ 101-11.1204 [Reserved]**

3. Section 101-11.1205 is revised as follows:

**§ 101-11.1205 Inquiries.**

Inquiries concerning these regulations, forms, or reporting procedures should be directed to the Office of Records Management, National Archives and Records Service (mailing address: General Services Administration (NR), Attn: Committee Management Report Coordinator, Washington, DC 20408).

**Subpart 101-11.49—Forms and Reports**

Sections 101-11.4930-248 through 101-11.4930-250 are revised to illustrate the May 1976 edition of Standard Forms 248, 249, and 250, and §§ 101-11.4930-248-A and 101-11.4930-249-A are added to illustrate new Standard Forms 248-A and 249-A as follows:

**§ 101-11.4930-248 Standard Form 248, Annual Report on Federal Advisory Committee.**

**§ 101-11.4930-248-A Standard Form 248-A, Annual Report on Federal Advisory Committee (continuation sheet).**

**§ 101-11.4930-249 Standard Form 249, Membership List on Federal Advisory Committee.**

**§ 101-11.4930-249-A Standard Form 249-A, Membership List on Federal Advisory Committee (continuation sheet).**

**§ 101-11.4930-250 Standard Form 250, Annual Report on Federal Advisory Committees Summary Sheet.**

*Note.*—The forms listed in §§ 101-11.4930-248 through 101-11.4930-250 are filed as part of the original document and do not appear in the *FEDERAL REGISTER*.

(Sec. 205(c), 83 Stat. 390; 40 U.S.C. 486(c); Public Law 92-463, 5 U.S.C. App. I; and EO 11769.)