

gional Representative with respect to the issuance or denial of a permit would not be consistent with the purposes of the Refuse Act permit program, he shall, within 10 days of receiving such advice, forward the matter through channels to the Secretary of the Army to provide the Secretary with the opportunity to consult with the Administrator. Such consultation shall take place within 30 days of the date on which the Secretary receives the file from the District Engineer. Following such consultation, the Secretary shall accept the findings, determinations, and conclusions of the Administrator as to water quality standards and related water quality considerations and shall promptly forward the case to the District Engineer with instructions as to its disposition.

8. No permit will be issued in cases where the applicant, pursuant to 21(b)(1) of the Water Quality Improvement Act of 1970, is required to obtain a State or other appropriate certification that the discharge or deposit would not violate applicable water quality standards and such certification was denied.

REGULATIONS

The Department of the Army shall consult with EPA before promulgating regulations pursuant to the Refuse Act which relate to the subject of this memorandum of understanding. In no case will such regulations be issued unless at least 30 days prior to issuance, they shall have been forwarded to EPA for comment or unless prior to that time the Department of the Army and EPA have reached agreement. EPA shall consult with the Department of the Army prior to the issuance of guidelines, policies or procedures relating to the subject of this memorandum of understanding. In no event shall such guidelines, policies or procedures be issued prior to 30 days from the date they were forwarded to the Department of the Army for comment unless prior to that time the Department of the Army and EPA have reached agreement. In no event shall regulations, guidelines, policies or procedures which are inconsistent with the provisions of this memorandum of understanding be published or issued.

PERMIT CONDITIONS

1. Every permit issued shall:

(i) Require compliance with applicable water quality standards, including implementing schedules adopted in connection with such standards;

(ii) Include provisions incorporating into the permit changes in water quality standards subsequent to the date of the permit, and requiring compliance with such changed standards;

(iii) Provide for possible suspension or revocation in the event that the permittee breaches any condition of the permit;

(iv) Provide for possible suspension, modification or revocation if, subsequent to the issuance of a permit, it is discovered that the discharge or deposit contains hazardous materials which may pose a danger to health or safety.

2. Permits shall also be subject to conditions, as determined by EPA, to be necessary for purposes of insuring compliance with water quality standards or the purposes of the Federal Water Pollution Control Act. Such conditions may include, but are not necessarily limited to:

(i) Requirements for periodic demonstrations of compliance with water quality criteria, established implementation schedules, or prescribed levels of treatment;

(ii) Site and sampling accessibility;

(iii) Requirements for periodic reports as to the nature and quantity of discharges or deposits.

3. Regional Representatives of EPA may also provide District Engineers with advice as to the duration for which permits should be issued. Relevant considerations shall include the nature of the discharge, basin plans, and changing treatment technology.

TECHNICAL DATA

EPA, in consultation with the Department of the Army, shall develop and make available analytical procedures, methods and criteria to be employed in identifying the meaning and application of water quality standards and pursuant to which EPA's determinations and interpretations respecting water quality standards will be made.

AMENDMENT

If, in the course of operations within this memorandum of understanding, either party finds its terms in need of modification, he may notify the other of the nature of the desired changes. In that event, the parties shall within 90 days negotiate such amendments as are considered mutually desirable.

(Secretary of
the Army)

(Administrator of
the Environmental
Protection Agency)

[FR Doc.71-884 Filed 1-20-71; 8:49 am]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 81]

INSPECTION OF POULTRY AND POULTRY PRODUCTS

Notice of Proposed Rule Making

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that pursuant to sections 14 and 17 of the Poultry Products Inspection Act, as amended by the Wholesome Poultry Products Act (21 U.S.C. 451 et seq.), the Consumer and Marketing Service is considering amending § 81.301(b) of the regulations in 7 CFR Part 81 by adding Hong Kong to the list of countries specified therein.

Statement of considerations. The Federal Poultry Products Inspection Act prohibits the importation of slaughtered poultry and poultry products into the United States unless they comply with the rules and regulations made by the Secretary of Agriculture to assure that imported poultry or poultry products comply with the standards provided for in the Act. The laws and regulations of Hong Kong concerning these matters have been reviewed and appear to be acceptable. Further, on-site review of the export poultry inspection program of Hong Kong indicates that it is the equivalent of that maintained in the United States, and that reliance can be placed upon certificates issued by the Hong Kong officials for export of slaughtered poultry and poultry products to the United States.

Any person who wishes to submit written data, views, or comments pertaining to the proposed amendment may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, DC 20250,

within 30 days after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours in a manner convenient to the public business (7 CFR 1.27(b)). Further, any interested person who desires opportunity for oral presentation of views on this matter should communicate with the Director, Technical Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, DC 20250 (Telephone Area Code 202-388-7623) so that arrangements can be made for such oral presentation within the aforesaid 30-day period. A transcript of all oral presentations will be made and filed in the office of the Hearing Clerk where it will be available for public inspection as provided above for written submissions. Comments on the proposal should refer to the date and page number of this issue of the FEDERAL REGISTER.

Done at Washington, D.C., on January 18, 1971.

KENNETH M. MCENROE,
Deputy Administrator, Meat
and Poultry Inspection Program.

[FR Doc.71-856 Filed 1-20-71; 8:49 am]

[7 CFR Part 1101]

MILK IN KNOXVILLE, TENNESSEE, MARKETING AREA

Notice of Proposed Termination of Certain Provisions of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of certain provisions of the order regulating the handling of milk in the Knoxville, Tenn., marketing area is being considered.

All persons who desire to submit written data, views, or arguments in connection with the proposed termination should file the same with the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 7 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The provisions proposed to be terminated are as follows:

In § 1101.51, in the introductory text of paragraph (a), "and (2)" and all of subparagraphs (2), (3), and (4) of paragraph (a).

The termination of these provisions will eliminate the supply-demand adjuster now provided in the order. During 1970 the amount of the adjustment ranged from zero to minus 44 cents and averaged minus 22 cents for the year.