

federal register

FRIDAY, JUNE 23, 1972

WASHINGTON, D.C.

Volume 37 ■ Number 122

Pages 12373-12475

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(Revised as of June 1, 1972)

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[A Cumulative checklist of CFR issuances for 1972 appears in the first issue of the Federal Register each month under Title 1]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402



Area Code 202

Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1972, and specifies how they are affected.

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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of Labor

Section 213.3315 is amended to show that one position of Secretary to the Deputy Manpower Administrator is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (6-23-72), subparagraph (25) is added to paragraph (a) of § 213.3315 as set out below.

§ 213.3315 Department of Labor.

(a) *Office of the Secretary.* * * *

(25) One Secretary to the Deputy Manpower Administrator.

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.72-9523 Filed 6-22-72; 8:49 am]

PART 213—EXCEPTED SERVICE

Department of Housing and Urban Development

Section 213.3384 is amended to show that the following positions are excepted under Schedule C: One Special Assistant to the Secretary and one Staff Assistant and one Secretary to the Special Assistant.

Effective on publication in the FEDERAL REGISTER (6-23-72), subparagraph (31) is added to paragraph (a) of § 213.3384 as set out below.

§ 213.3384 Department of Housing and Urban Development.

(a) *Office of the Secretary.* * * *

(31) One Special Assistant to the Secretary and one Staff Assistant and one Secretary to the Special Assistant.

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.72-9524 Filed 6-22-72; 8:50 am]

Title 7—AGRICULTURE

Chapter XVIII—Farmers Home Administration, Department of Agriculture

SUBCHAPTER A—GENERAL REGULATIONS

[FHA Instruction 424.2]

PART 1804—PLANNING AND PERFORMING DEVELOPMENT WORK

Subpart B—Associations—Planning and Performing Development

DELETION OF SUBPART

Subpart B of Part 1804, Associations—Planning and Performing Development (36 F.R. 1095, 1098), is deleted from Chapter XVIII of Title 7 of the Code of Federal Regulations. The procedure for planning and performing development work has been incorporated in Subpart A of Part 1823 of this Chapter. Subpart B of Part 1804 is hereby reserved.

(Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; Order of Act. Secretary of Agriculture, 36 F.R. 21529; Order of Assistant Secretary of Agriculture for Rural Development and Conservation, 36 F.R. 21529)

Dated: June 19, 1972.

JOSEPH H. LINSLEY,
Chief, Organization and Directives Management Branch,
Farmers Home Administration.

[FR Doc.72-9506 Filed 6-22-72; 8:47 am]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 100—STATEMENT OF ORGANIZATION

In § 100.4, District No. 7 of subparagraph (2) of paragraph (c) is revised by adding "Albany, N.Y." in alphabetical sequence under the listing of Class A ports of entry and by deleting "Albany, N.Y." from the listing of Class C ports of entry. As amended, District No. 7 of § 100.4(c) (2) reads as follows:

§ 100.4 Field Service.

(c) *Suboffices.* * * *

(2) *Ports of entry for aliens arriving by vessel or by land transportation.* * * *

DISTRICT NO. 7—BUFFALO, N.Y.

CLASS A

Albany, N.Y.
Alexandria Bay, N.Y.
Buffalo, N.Y.
Cape Vincent, N.Y.
* Champlain, N.Y.
* Chateaugay, N.Y.
Clayton, N.Y.
* Fort Covington, N.Y.
Lewiston, N.Y.
* Massena, N.Y.
* Mooers, N.Y.
Morristown, N.Y.
* Niagara Falls, N.Y.
* Ogdensburg, N.Y.
Oswego, N.Y.
Rochester, N.Y.
Rouses Point, N.Y.
* Thousand Islands Bridge, N.Y.
* Trout River, N.Y.
Youngstown, N.Y.

CLASS B

Cannons Corners, N.Y.
Churubusco, N.Y.
Hogansburg, N.Y.
Jamison's Line, N.Y.
Waddington, N.Y.

CLASS C

Sodus Point, N.Y.

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

§ 103.2 [Amended]

The last sentence of subparagraph (1) *Requirements* of paragraph (b) *Evidence* of § 103.2 *Applications, petitions, and other documents* is deleted and the following four sentences are inserted in lieu thereof: "Under the conditions herein-after prescribed, the term 'official records,' as used herein, includes Service files, arrival manifests, arrival records, Service index cards, Immigrant Identification Cards, Certificates of Registry, Declarations of Intention issued after July 1, 1929, Alien Registration Receipt Cards (Form AR-3, AR-103, or I-151), passports, and reentry permits. To constitute an 'official record' the Service index card must bear a designated immigrant visa symbol and have been prepared in processing immigrant admissions or adjustments to permanent resident status. The other cards, certificates, declarations, permits, and passports must have been issued or have been endorsed by the Service to show admission for permanent residence. Except as otherwise provided in Part 101 of this chapter,

and in the absence of countervailing evidence, such official records shall be regarded as establishing lawful admission for permanent residence."

PART 214—NONIMMIGRANT CLASSES

§ 214.2 [Amended]

The eighth sentence of subparagraph (6) *Employment* of paragraph (f) *Students* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended to read as follows: "Subsequent applications to continue employment for practical training must contain the recommendation of that school, shall be submitted to the office of the Service having jurisdiction over the actual place of employment, and shall be supported by a letter from the applicant's employer stating the occupation in which the applicant is employed and describing the duties he is performing."

PART 238—CONTRACTS WITH TRANSPORTATION LINES

§§ 238.3 and 238.4 [Amended]

1. The listing of transportation lines in paragraph (b) *Signatory lines* of § 238.3 *Aliens in immediate and continuous transit* is amended by adding the following transportation lines in alphabetical sequence: "Allegheny Airlines, Inc.," "Cayman Airways, Ltd.," "Greyhound Lines-East, Division of Greyhound Lines, Inc.," and "Windward Islands Airways International."

2. The listing of transportation lines in paragraph (b) *Signatory lines* of § 238.3 *Aliens in immediate and continuous transit* is amended by deleting the following transportation lines: "Mackey Airlines, Inc." and "Mohawk Airlines, Inc."

3. The listing of transportation lines under "At Montreal" of § 238.4 *Preinspection outside the United States* is amended by adding in alphabetical sequence the following transportation line: "Allegheny Airlines, Inc."

4. The listing of transportation lines under "At Montreal" of § 238.4 *Preinspection outside the United States* is amended by deleting therefrom the transportation line: "Mohawk Airlines, Inc."

5. The listing of transportation lines under "At Nassau" of § 238.4 *Preinspection outside the United States* is amended by deleting the following transportation line: "Mackey Airlines, Inc."

6. The listing of transportation lines under "At Toronto" of § 238.4 *Preinspection outside the United States* is amended by deleting therefrom the transportation line: "Mohawk Airlines, Inc."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the *FEDERAL REGISTER* (6-23-72). Compliance with the provisions of section 553 of title 5 of the *United States Code* (80 Stat. 383), as to

notice of proposed rule making and delayed effective date, is unnecessary in this instance and would serve no useful purpose because the amendment to § 100.4(c) (2) relates to agency management; the amendment to § 103.2(b) (1) relates to agency procedure and is clarifying in nature; the amendment to § 214.2(f) (6) relates to agency procedure; and the amendments to §§ 238.3(b) and 238.4 add transportation lines to, and delete transportation lines from, the listings.

Dated: June 19, 1972.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[FR Doc. 72-9475 Filed 6-22-72; 8:52 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 68-CE-18-AD; Amdt. 39-1469]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Models 95, 95-55 and 55 Airplanes

Paragraph C of AD 68-26-6, Amendment 39-1040, published in the *FEDERAL REGISTER* on July 24, 1970, authorizes an alternate method of compliance with AD 68-26-6 by the installation of Beech Kit 35-9009S in the main fuel tanks of Beech Models 95, 95-55 and 55 series airplanes. This kit provides a baffle which prevents the fuel tank outlet from becoming uncovered.

Subsequent to the issuance of Amendment 39-1040 the manufacturer developed a fuel system reservoir, Beech Kit No. 35-9012, which accomplishes the same purpose as Beech Kit 35-9009S. Accordingly, Paragraph C is being amended to include Beech Kit 35-9012, or a combination of both kits, as additional alternate methods of compliance with the AD. Paragraph C as now amended refers to Beechcraft Service Instruction No. 0459-281 and 365-281 which are applicable to the baffle installation.

Since this amendment is relaxatory in nature and is in the interest of safety, it imposes no additional burden on any person. Consequently, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 F.R. 13697), Amendment 39-702 (34 F.R. 8, 9), as amended by Amendments 39-712 (34 F.R. 1008, 1009), and 39-1040 (35 F.R. 11897, 11898), AD 68-26-6, is amended by revising Paragraph C so it now reads as follows:

(C) Airplanes in which fuel cells have been installed in both wings in accordance with Beech Service Instructions 0459-281 (Beech Kits Nos. 35-9009-1S, 35-9009-2S, 35-9009-3S, or 35-9009-4S) or 365-281, Rev. 1 (Beech Kits 35-9009S or 35-9009-5S), or later revisions, or which have fuel reservoirs installed in both wings per Beech Kit 35-9012 or a fuel reservoir in one wing and a baffled cell in the other, are exempt from compliance with this AD. When either of these installations has been accomplished, the placard and the revisions to the Airplane Flight Manual required by Paragraph B of the AD may be removed. The limitations for baffled cells in Airplane Flight Manual Supplement, P/N 96-590011-7, dated February 11, 1972, or later revision, are applicable to installation of either baffled cells or fuel reservoirs.

This amendment becomes effective June 28, 1972.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on June 14, 1972.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc. 72-9476 Filed 6-22-72; 8:45 am]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corporation Viscount Models 744, 745D, and 810 Airplanes

Pursuant to the authority delegated to me by the Administrator, an airworthiness directive was adopted on May 24, 1972, and made effective immediately as to all known U.S. operators of British Aircraft Corp. Viscount Models 744, 745D, and 810 airplanes, because of the possibility of asymmetric flap extension in flight due to displaced flap chain link pins. The directive requires a one-time inspection of flap chains for loose link pins and loose or missing link pin retention washers and repairs or replacement as necessary.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of British Aircraft Corp. Viscount Models 744, 745D, and 810 airplanes by telegrams dated May 24, 1972. These conditions still exist and the airworthiness directive is hereby published in the *FEDERAL REGISTER* as an amendment to § 39.13 of the Federal Aviation Regulations to make it effective as to all persons.

BRITISH AIRCRAFT CORP. Applies to Viscount Models 744, 745D, and 810 airplanes.

Compliance is required as indicated. To prevent possible in-flight failures of flap chains, accomplish the following:

(a) For models 744 and 745D series airplanes, within the next 25 landings after the effective date of this AD, unless already accomplished within the last 75 landings, inspect flap chains, P/N's 72403 sheets 171

through 185 and 431 through 439 odd numbers only, in accordance with paragraph (c).
(b) For model 810 series airplanes, within the next 25 landings after the effective date of this AD, unless already accomplished within the last 75 landings, inspect flap chains, P/N's 80203 sheets 85, 87, 91 through 97, and 703 through 709 odd numbers only, in accordance with paragraph (c).

(c) Visually inspect the flap chains for security of link pins and retention washers. Chain links that are adjacent to sliders and cannot be inspected from both sides must be visually inspected for possible displacement of link pins through loss of retention washers on the blind side.

(d) If any retention washers are found missing or loose or any link pins are found loose during the inspection required by paragraph (c), before further flight either—

(1) Replace the affected flap chain with a serviceable flap chain of the same part number; or

(2) Repair the affected flap chain by replacing the missing retention washers and securing the loose washers and link pins by peening the pin ends.

(e) For purposes of complying with this AD operators who have not kept a record of landings may either—

(1) Count each flight as one landing; or
(2) Subject to acceptance by an assigned FAA Maintenance Inspector, determine the number of landings by dividing each aircraft's hours' time in service by the operator's fleet average time for the aircraft type.

(f) If unserviceable flap chains are found during the inspection required by this AD, report the condition of the chains and the number of landings in service to the Chief, Aircraft Certification Staff, EU-100, Department of Transportation, Federal Aviation Administration, Europe, Africa, and Middle East Region, c/o American Embassy, APO New York 09667. Reporting approved by Bureau of the Budget under BOB No. 04-R0174.

This amendment is effective upon publication in the FEDERAL REGISTER (6-23-72) as to all persons except those persons to whom it was made effective immediately by the telegram dated May 24, 1972, which contained this amendment.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 16, 1972.

C. R. MELUGIN, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.72-9477 Filed 6-22-72; 8:45 am]

[Docket No. 7842; Amdt. 39-1474]

PART 39—AIRWORTHINESS DIRECTIVES

Certain Rolls Royce Spey Airplane Engines

Amendment 39-636 (33 F.R. 11646), AD 68-17-5, as amended by Amendment 39-1318 (36 F.R. 19496), requires, in part, periodic visual inspection of the exposed high pressure air system center section duct for signs of cracking and of the stainless steel wire braid wrap for security, distortion, and discoloration of Rolls Royce Spey Models 506-14, 510-14, 511-8, and 511-14 engines. The inspections are required at

each scheduled aircraft inspection when the engine is uncowed, or at intervals not to exceed 1,000 hours, whichever occurs sooner. After issuing Amendment 39-1318, due to service experience the FAA has determined that the requirement for inspection at each scheduled uncowling of the engine is unduly restrictive and may be deleted without any adverse effect on safety. Therefore, the AD is being amended to delete that requirement.

Since this amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of the Federal Aviation Regulations, Amendment 39-636 (33 F.R. 11646), AD 68-17-5, as amended by Amendment 39-1318 (36 F.R. 19496), is amended by amending paragraph (b) to read as follows:

(b) At the next scheduled aircraft inspection when the engine is uncowed after compliance with paragraph (a), and thereafter at intervals not to exceed 1,000 hours' time in service from the last inspection, inspect (with the aid of a mirror as necessary) the exposed high pressure air system center section duct for signs of cracking and the stainless steel wire braid wrap for security, distortion, and discoloration.

NOTE: Distortion or discoloration of the wire wrap may be indicative of a duct crack.

This amendment becomes effective June 28, 1972.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 16, 1972.

C. R. MELUGIN, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.72-9478 Filed 6-22-72; 8:45 am]

[Airspace Docket No. 71-RM-21]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND RE- PORTING POINTS

Alteration of Control Zone and Transition Area

On November 12, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 21696) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the description of the control zone and transition area at Butte, Mont.

Interested persons were given 30 days in which to submit written comments, suggestions or objections. No objections have been received and the proposed amendments are hereby adopted, subject to the following change:

Add the following to the Butte, Mont., 1,200-foot transition area designation, "and within 10 miles north and 7 miles south of the Whitehall, Mont., VOR 096° and 276° radials, extending from 20 miles east to 19 miles west of the VOR."

Effective date. These amendments shall be effective 0901 G.m.t., August 17, 1972.

(Sec. 307(a), Federal Aviation Act of 1958, as amended, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Aurora, Colo., on June 15, 1972.

M. M. MARTIN,
Director,
Rocky Mountain Region.

In § 71.171 (36 F.R. 2055) the following control zone is amended to read as follows:

BUTTE, MONT.

Within a 5-mile radius of the Silver Bow County Airport, Butte, Mont. (latitude 45°-57'15" N., longitude 112°29'50" W.) and within 2 miles each side of the Butte VORTAC 115° radial extending from the 5-mile-radius zone to the VORTAC.

In § 71.181 (36 F.R. 2140) the following transition area is amended to read as follows:

BUTTE, MONT.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Butte VORTAC and within 6 miles southwest and 10 miles northeast of the VORTAC 325° radial, extending from the VORTAC to 11 miles northwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 4½ miles southwest and 9½ miles northeast of the VORTAC 325° radial extending from the VORTAC to 18.5 miles northwest of the VORTAC, and within 4½ miles west and 9½ miles east of the VORTAC 002° radial extending from the VORTAC to 18.5 miles north of the VORTAC.

[FR Doc.72-9479 Filed 6-22-72; 8:45 am]

[Airspace Docket No. 72-WE-24]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND RE- PORTING POINTS

Alteration of Federal Airway Segment

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to realign VOR Federal airway No. 87 segment between the San Francisco, Calif., VOR and the Richmond, Calif., Intersection.

During the month of August 1972, the San Francisco VOR will be relocated to a new site located at latitude 37°37'10" N., longitude 122°22'22" W. This relocation is being accomplished to improve the operational characteristics of the VOR.

Accordingly, action is taken herein to realign V-87 segment from San Francisco to the Richmond Intersection via the San Francisco 359° T (342° M) radial. All other VOR airways designated via the San Francisco VOR would adjust automatically to the relocated facility.

Since a situation exists whereby safety requires due and timely adoption of this

amendment, it is found that notice and public procedure thereon are impracticable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 17, 1972, as hereinafter set forth. In § 71.123 (37 F.R. 2009) V-87 is amended by deleting "San Francisco 357" and substituting "San Francisco 359" therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 16, 1972.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.72-9484 Filed 6-22-72; 8:46 am]

[Airspace Docket No. 72-WE-12]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On May 13, 1972 a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 9637) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Visalia, Calif., transition area.

Interested persons were given 30 days in which to submit written comments, suggestions or objections. No objections have been received and the proposed amendment is hereby adopted without change.

Effective date. This amendment shall be effective 0901 G.m.t., August 17, 1972.

(Sec. 307(a), Federal Aviation Act of 1958, as amended, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on June 15, 1972.

ARVIN O. BASNIGHT,
Director, Western Region.

In § 71.181 (37 F.R. 2143) the description of the Visalia, Calif., transition area is amended to read as follows:

VISALIA, CALIF.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Visalia Municipal Airport (latitude 36°-19'10" N., longitude 119°23'35" W.), within 2 miles each side of the Visalia VOR 123° and 303° radials, extending from the 5-mile-radius area to 8 miles northwest of the VOR and within 4 miles each side of the Visalia VOR 150° radial, extending from 7 to 20 miles southeast of the VOR.

[FR Doc.72-9480 Filed 6-22-72; 8:45 am]

[Airspace Docket No. 72-EA-67]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Renumbering of Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to rescind V-39 from East Texas, Pa., to Gardner, Mass., and redesignate a segment of V-162 to overlie the rescinded portion of V-39 from East Texas to Pawling, N.Y. The rescinded segment of V-39 between Pawling and Gardner is presently designated as V-106 and requires no redesignation for the continuation of flight service along this route.

These route identifier changes are being made to eliminate a route ambiguity situation at dual junction points for V-39 and V-93 at Lancaster, Pa., and Walden, N.Y. At the present time an aircraft cleared from Westminster, Md., via V-39/V-93 to Keene, N.H., can legally and logically operate via Wilkes-Barre, Pa., if transition to V-93 is made at Lancaster, or via Allentown, Pa., if transition to V-93 is made at Walden. The changes made herein will eliminate this ambiguity and potential hazard.

Since this amendment is editorial in nature and no substantive change in the regulations is effected, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will not become effective on publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 17, 1972, as hereinafter set forth.

Section 71.123 (37 F.R. 2009) is amended as follows:

a. In V-39 all between "Westminster, Md.;" and "Concord, N.H.;" is deleted and "Lancaster, Pa.; to East Texas, Pa. From Gardner, Mass.;" is substituted therefor.

b. In V-162 "Allentown, Pa. The airspace within R-5802 is excluded." is deleted and "Allentown, Pa.; Huguenot, N.Y.; INT Huguenot 032° and Pawling, N.Y., 259° radials; to Pawling. The airspace within R-5802 is excluded." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 16, 1972.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.72-9481 Filed 6-22-72; 8:45 am]

[Airspace Docket No. 72-WA-14]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Designation of Area High Route

On April 8, 1972, a notice of proposed rule making was published in the Fed-

ERAL REGISTER (37 F.R. 7103) stating that the Federal Aviation Administration was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate area high route J992R from Refinery, Tex., to Tulsa, Okla.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 17, 1972, as hereinafter set forth.

In § 75.400 (37 F.R. 2400) the following area high route is added:

Waypoint name	N. latitude/W. longitude	Reference facility
J992R REFINERY, TEX., TO TULSA, OKLA.		
Refinery, Tex.	30°17'26"/95°19'55"	Humble, Tex.
Yantis, Tex.	32°54'39"/95°31'36"	Greater South-west, Tex.
Tulsa, Okla.	36°11'46"/95°47'16"	Oklahoma City, Okla.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 19, 1972.

PAUL W. ROBINSON,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.72-9483 Filed 6-22-72; 8:46 am]

[Airspace Docket No. 70-WA-43C]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Designation of Area High Route

On February 3, 1971 (36 F.R. 1912), a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate 10 area high routes in the Western United States as part of the overall program to establish an area navigation route structure.

All of the routes listed in the NPRM have been designated with the exception of J854R which is designated herein, thereby completing Airspace Docket No. 70-WA-43. Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

The alignment of J854R as proposed in the NPRM was from Ventura, Calif., via Avenal, Calif., to Stockton, Calif. It was determined that the Avenal to Stockton segment will not be designated since it is only 2 miles from the existing segment of J902R between Avenal and Sacramento, Calif. The route segment between Avenal and Sacramento, now identified only as J902R, is also designated herein as J854R to simplify flight planning for flights between Los Angeles and Sacramento or Stockton.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations

is amended, effective 0901 G.m.t., August 17, 1972, as hereinafter set forth.

Section 75.400 (37 F.R. 2400) is amended by adding:

Waypoint name	N. latitude/W. longitude	Reference facility
JSAR Los Angeles, Calif., to Sacramento, Calif.		
Ventura, Calif.	34°06'54"/119°02'55"	Bakersfield, Calif.
Avalon, Calif.	33°38'49"/119°58'40"	Fresno, Calif.
Sacramento, Calif.	38°36'38"/121°33'02"	Sacramento, Calif.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 16, 1972.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.72-9482 Filed 6-22-72;8:46 am]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5216]

[Nevada 5767]

NEVADA

Addition of Public Lands to Walker River Indian Reservation

By virtue of the authority vested in the Secretary of the Interior by the Act of June 22, 1936, 49 Stat. 1806, as supplemented by the Act of September 14, 1961, 75 Stat. 499, it is ordered as follows:

Subject to valid existing rights, the following described lands, including all minerals thereunder, are hereby added to and made a part of the Walker River Indian Reservation:

MOUNT DIABLO MERIDIAN

- T. 11 N., R. 29 E.,
Sec. 6, lots 1 to 6, inclusive;
Sec. 7, lots 1 to 3, inclusive, W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 17, lots 1 to 4, inclusive, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, lot 1, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 21, lots 1 to 5, inclusive, W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 28, lots 1 to 4, inclusive, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 29, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 33, lots 1 to 3, inclusive, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 12 N., R. 28 E.,
Sec. 24, E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 25, lots 1 to 3, inclusive, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 36, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 12 N., R. 29 E.,
Sec. 31, lots 1 to 6, inclusive.

The areas described aggregate 2,913.34 acres in Mineral County.

HARRISON LOESCH,
Assistant Secretary of the Interior.

JUNE 19, 1972.

[FR Doc.72-9472 Filed 6-22-72;8:45 am]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ADHESIVES

The Commissioner of Food and Drugs, having evaluated data in petition (FAP 1B2687) filed by the Procter and Gamble Co., Ivorydale Technical Center, Cincinnati, Ohio 45217, and other relevant material, concludes that the food additive regulations should be amended as set forth below to provide for the safe use of an additional component of food-packaging adhesives.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2520(c)(5) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2520 Adhesives.

(c)	• • • • •
(5)	• • • • •

COMPONENTS OF ADHESIVES

Substances	Limitations
a,a',a'' - 1,2,3 - Propanetriyltris [omega-(2,3-epoxypropoxy)poly (oxypropylene) (24 moles)] .	• • •
• • •	• • •

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (6-23-72).

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: June 13, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72-9463 Filed 6-22-72;8:48 am]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH AQUEOUS AND FATTY FOODS

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 2B2709) filed by Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166, and other relevant material, concludes that the food additive regulations should be amended as set forth below to provide for the safe use of a polyamine resin as a retention aid and/or flocculent in the manufacture of paper and paperboard intended for use in contact with aqueous and fatty foods.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended in § 121.2526 (a) (5) by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2526 Components of paper and paperboard in contact with aqueous and fatty foods.

(a)	• • • • •
(5)	• • • • •

List of substances	Limitations
• • •	• • •
Polyamine resin produced by the reaction of 1,2-dichloroethane with bis(hexamethylene) triamine and higher homologues such that the finished resin has a nitrogen content of 13.0-15.0 percent on a dry basis, and a minimum viscosity in 25-percent-by-weight aqueous solution of 75 centipoises at 25° C., as determined by Brookfield HAT model viscometer using a No. 1 spindle at 50 r.p.m. (or equivalent method).	For use only as a retention aid and/or flocculent employed prior to the sheet-forming operation in the manufacture of paper and paperboard and used at a level not to exceed 0.1 percent by weight of dry paper or paperboard fibers.
• • •	• • •

RULES AND REGULATIONS

(Sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1))

Dated: June 12, 1972.

FRED J. KINGMA,
Acting Director,
Bureau of Veterinary Medicine.

[FR Doc.72-9464 Filed 6-22-72;8:48 am]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER N—WAKE ISLAND

PART 935—WAKE ISLAND CODE

Chapter VII of Title 32 of the Code of Federal Regulations is amended by adding a new Subchapter N entitled Wake Island, and redesignating Parts 935-999 from Subchapter M to the new Subchapter N. A new Part 935 is added to read as follows:

Subpart A—General

Sec.	
935.1	Applicability.
935.3	Purpose.
935.5	Definitions.
935.7	Effective date.

Subpart B—Executive Authority

935.11	Designation and delegation of authority.
935.13	Permits.
935.15	Functions, powers, and duties.
935.16	Revocation or suspension of permits and registrations.
935.17	Autopsies.
935.18	Notaries public.
935.19	Emergency authority.

Subpart C—Civil Law

935.21	Applicable law.
935.23	Civil rights, powers, and duties.

Subpart D—Criminal Law

General.

Subpart E—Petty Offenses

Criminal offenses.

Subpart F—Penalties

935.51	Petty offenses.
935.53	Motor vehicle violations.
935.55	Violations of Subpart O or P of this part.
935.57	Contempt.

Subpart G—Judiciary

935.60	Wake Island Court.
935.61	Island Attorney.
935.62	Public Defender.
935.63	Clerk of the Court.
935.64	Jurisdiction.
935.65	Court of Appeals.
935.66	Clerk of the Court of Appeals.
935.68	Violations of Subparts O or P of Appeals.
	Qualifications.

Subpart H—Statute of Limitations

Limitation of actions.

Subpart I—Subpoenas, Wake Island Court

Subpoenas.

Subpart J—Rules of Civil Procedure

935.90	General.
935.91	Summons.
935.92	Service of complaint.
935.93	Delivery of summons to plaintiff.

Sec.

935.94	Answer.
935.95	Proceedings; record; judgment.
935.96	Execution of judgment.
935.97	Garnishment.

Subpart K—Rules of Criminal Procedure

935.100	Ball.
935.101	Seizure of property.
935.102	Information.
935.103	Motions and pleas.
935.104	Sentence after plea of guilty.
935.105	Trial.

Subpart L—Appeals and New Trials

935.110	Appeals.
935.111	New trial.

Subpart M—Peace Officers

935.120	Authority.
935.122	Arrests.
935.124	Warrants.
935.126	Release from custody.
935.128	Citation in place of arrest.

Subpart N—Motor Vehicle Code

935.130	Applicability.
935.131	Right-hand side of the road.
935.132	Speed limits.
935.133	Right-of-way.
935.134	Arm signals.
935.135	Turns.
935.136	General operating rules.
935.137	Operating requirements.
935.138	Motor bus operation.
935.139	Motor vehicle operator qualifications.
935.139a	Motor vehicle maintenance and equipment.

Subpart O—Registration and Island Permits

935.140	Registration.
935.141	Island permit for boat, vehicle, or firearm.
935.142	Activities for which permit is required.

Subpart P—Public Safety

935.150	Emergency requirements and restrictions.
935.151	Fire hazards.
935.152	Use of special areas.
935.153	Unexploded ordnance material.
935.154	Boat operations.
935.155	Floating objects.

AUTHORITY: The provisions of this Part 935 issued under sec. 48, Act of 12 July 1960; 74 Stat. 424; Public Law 86-624; E.O. 11048, Sept. 1, 1962, 27 F.R. 8851 and agreement between the Department of Interior and Department of the Air Force dated 19 June 1972, 37 F.R. 12255.

Subpart A—General

§ 935.1 Applicability.

(a) The local civil and criminal laws of Wake Island consist of this part and applicable provisions of the laws of the United States.

(b) For the purposes of this part, Wake Island includes Wake, Peale, and Wilkes Islands, and the appurtenant reefs, shoals, shores, bays, lagoons, keys, territorial waters, and superadjacent airspace of them.

§ 935.3 Purpose.

The purpose of this part is to provide—
(a) For the civil administration of Wake Island;

(b) Civil laws for Wake Island not otherwise provided for;

(c) Criminal laws for Wake Island not otherwise provided for;

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (6-23-72).

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1))

Dated: June 13, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72-9462 Filed 6-22-72;8:47 am]

SUBCHAPTER C—DRUGS

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Phenylbutazone

The Commissioner of Food and Drugs has evaluated a new animal drug application (47-712V) filed by Philips Roxane, Inc., 2621 North Belt Highway, St. Joseph, Mo. 64502 proposing the safe and effective use of phenylbutazone tablets for the treatment of dogs. The application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135c.57 is amended in paragraph (b) as follows:

§ 135c.57 Phenylbutazone tablets and boluses.

(b) *Sponsor.* (1) See code No. 062 in § 135.501(c) of this chapter for both tablets and boluses.

(2) See code No. 076 in § 135.501(c) of this chapter for tablets only.

(3) See code No. 059 in § 135.501(c) of this chapter for tablets containing 100 milligrams of phenylbutazone per tablet for use in dogs only.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (6-23-72).

(d) A judicial system for Wake Island not otherwise provided for.

§ 935.5 Definitions.

In this part—

(a) "General Counsel" means the General Counsel of the Air Force or his successor in office.

(b) "Commander" means the Commander, Wake Island Air Force Base or a successor in command at Wake Island.

(c) "He" includes the masculine or feminine gender.

(d) "Judge" includes judges of the Wake Island Court and Court of Appeals.

§ 935.7 Effective date.

This part is effective at 0000 June 25, 1972.

Subpart B—Executive Authority

§ 935.11 Designation and delegation of authority.

The executive authority at Wake Island is vested in the Secretary of the Air Force. This authority is hereby delegated to the General Counsel of the Air Force with authority to redelegate all or any part of his functions, powers, and duties under this part to such officers and employees of the Air Force as he may designate. The Commander, Wake Island Air Force Base is the agent of the Secretary, his delegate and designees in carrying out any function, power or duty under this part.

§ 935.13 Permits.

Permits in effect on the effective date of this part continue in effect until revoked or rescinded by the Commander. The Commander may issue island permits or registration for:

(a) Businesses, including any trade, profession, calling, or occupation, and any establishment where food or beverages are prepared, offered, or sold for human consumption.

(b) Self-propelled motor vehicles, except aircraft; including attached trailers.

(c) Vehicle operators.

(d) Boats.

(e) Dogs.

(f) Food handlers.

(g) Explosives and guns and pistols (including those operated by air, gas, or spring).

(h) Drugs, narcotics, and poisons.

(i) Construction.

(j) Burials.

(k) Any permit or registration issued pursuant to Air Force regulations or directives as applicable to Wake Island Air Force Base shall constitute a permit or registration under this section, and no other permit or registration shall be required.

§ 935.15 Functions, powers, and duties.

The Commander may:

(a) Appoint Peace Officers;

(b) Direct the abatement of any public nuisance upon failure of any person to comply with a notice of removal;

(c) Direct sanitation and fire prevention inspections;

(d) Establish records of vital statistics;

(e) Direct the registration and inspections of motor vehicles, boats, and aircraft;

(f) Deputize any person to serve as a Peace Officer;

(g) Impose quarantines;

(h) Direct the impoundment and destruction of unsanitary food, fish, or beverages;

(i) Direct the evacuation of any person from a hazardous area;

(j) Commission notaries public;

(k) Establish and maintain a facility for the restraint or confinement of persons and provide for their care;

(l) Direct the removal of any person from Wake Island for cause;

(m) Issue traffic regulations that are not inconsistent with this part, and post traffic signs;

(n) Prohibit the posting, distribution, or public display of advertisements, signs, circulars, petitions, or similar materials, soliciting, picketing, or parading in any public place or area if he determines it would interfere with public business or endanger the health and safety of persons and property on Wake Island;

(o) Perform or direct any other acts, not inconsistent with this part or applicable laws and regulations if he considers it necessary for protection of the health or safety of persons and property on Wake Island; and

(p) Issue any order or notice necessary to implement this section. Any order or notice issued pursuant to Air Force regulations and directives as applicable to Wake Island Air Force Base shall constitute an order or notice issued pursuant to this section.

§ 935.16 Revocation or suspension of permits and registrations.

(a) The Commander may revoke or suspend any island permit or registration for cause, with or without notice.

(b) The holder of any revoked or suspended permit or registration may demand personal hearing before the Commander within 30 days after the effective date of the revocation or suspension.

(c) If a hearing is demanded, it shall be granted by the Commander within 30 days of the date of demand. The applicant may appear in person and present such documentary evidence as is pertinent. The Commander shall render a decision, in writing, setting forth his reasons, within 30 days hereafter.

(d) If a hearing is not granted within 30 days, a written decision is not rendered within 30 days after a hearing, or the applicant desires to appeal a decision, he may, within 30 days after the latest of any of the foregoing dates appeal in writing to the General Counsel, whose decision shall be final.

§ 935.17 Autopsies.

The medical officer on Wake Island, or any other qualified person under his supervision may perform autopsies upon authorization of the Commander or a judge of the Wake Island Court.

§ 935.18 Notaries public.

(a) The Commander may commission one or more residents of Wake Island as notaries public.

(b) Persons applying for commission as a notary public shall file an application, together with evidence of good character and a proposed seal in such form as the Commander requires, with a fee of \$10 which shall be deposited in the Treasury as a miscellaneous receipt.

(c) Upon such investigation as he considers necessary, the Commander may commission an applicant as a notary public. Commissions shall expire 3 years after the date thereof, and may be renewed upon application upon payment of a fee of \$3.

§ 935.19 Emergency authority.

During the imminence and duration of any emergency declared by him, the Commander may perform or direct any acts necessary to protect life and property.

Subpart C—Civil Law

§ 935.21 Applicable law.

Civil acts and deeds taking place on Wake Island shall be determined and adjudicated as provided in this part; and otherwise, as provided in the Act of June 15, 1950 (64 Stat. 217) (48 U.S.C. 644a), according to the laws of the United States relating to such an act or deed taking place, on the high seas, on board a merchant vessel or other vessel belonging to the United States.

§ 935.23 Civil rights, powers, and duties.

In any case in which the civil rights, powers, and duties of any person on Wake Island are not otherwise prescribed by the laws of the United States or this part, the civil rights, powers, and duties as they obtain under the laws of Hawaii apply to persons on Wake Island.

Subpart D—Criminal Law

§ 935.31 General.

In addition to any act made criminal in this part, any act committed on Wake Island that would be criminal if committed on board a merchant vessel or other vessel belonging to the United States is a criminal offense and shall be adjudged and punished according to the laws applicable on board those vessels on the high seas.

Subpart E—Petty Offenses

§ 935.41 Criminal offenses.

No person may on Wake Island—

(a) Sell or give an alcoholic beverage manufactured for consumption (including beer, ale, or wine) to any person who is not at least 18 years of age, without the permission of that person's parent or guardian;

(b) Procure for, engage in, aid or abet in, or solicit for prostitution;

(c) Use any building, structure, vehicle, or public lands for the purpose of lewdness, assignation, or prostitution;

(d) Possess or display (publicly or privately) any pornographic literature, film device, or any matter containing

obscene language, that tends to corrupt morals;

(e) Make any obscene or indecent exposure of his person;

(f) Commit any disorderly, obscene, or indecent act;

(g) Commit any act of voyeurism (Peeping Tom);

(h) Enter upon any assigned residential quarters or areas immediately adjacent thereto, without permission of the assigned occupant;

(i) Discard or place any paper, debris, refuse, garbage, litter, bottle, can, human or animal waste, trash or junk in any public place, except into a receptacle or place designated or used for that purpose.

(j) Commit any act of nuisance;

(k) With intent to provoke a breach of the peace or under such circumstances that a breach of the peace may be occasioned thereby, act in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to any other person;

(l) Be drunk in any public place;

(m) Use any profane or vulgar language in a public place;

(n) Loiter or roam about Wake Island, without any lawful purpose, at late and unusual hours of the night;

(o) Lodge or sleep in any place without the consent of the person in legal possession of that place;

(p) Grossly waste any potable water; or

(q) Being a male, knowingly enter any area building or quarters reserved for women, except in accordance with established visiting procedures.

(r) Smoke or ignite any fire in any designated and posted "No Smoking" area, or in the immediate proximity of any aircraft or fueling pit;

(s) Enter any airplane parking area or ramp, unless he is on duty therein, is a passenger under appropriate supervision, or is authorized by the Commander to enter that place;

(t) Interfere or tamper with any aircraft or servicing equipment or facility, or put in motion the engine of any aircraft without the permission of its operator;

(u) Post, distribute, or publicly display advertisements, signs, circulars, petitions, or similar materials, solicit, picket, or parade in any public place or area where prohibited by the Commander pursuant to § 935.15.

Subpart F—Penalties

§ 935.51 Petty offenses.

Whoever is found guilty of a violation of any provision of Subpart E of this part is subject to a fine of not more than \$500 or imprisonment of not more than 6 months, or both.

§ 935.53 Motor vehicle violations.

Whoever is found guilty of a violation of Subpart E of this part is subject to a fine of not more than \$100, imprisonment of not more than 30 days, or suspension or revocation of his motor vehicle operator's permit, or any combination or all of these punishments.

§ 935.55 Violations of Subpart O or P of this part.

(a) Whoever is found guilty of a violation of Subpart O or P of this part is subject to a fine of not more than \$100, or imprisonment of not more than 30 days, or both.

(b) The penalties prescribed in paragraph (a) of this section are in addition to and do not take the place of any criminal penalty otherwise applicable and currently provided by the laws of the United States.

§ 935.57 Contempt.

Judges of the Wake Island Court may, in any civil or criminal case or proceeding, punish any person for disobedience of any order of the court, or for any contempt committed in the presence of the court, by a fine of not more than \$100, or imprisonment of not more than 30 days, or both.

Subpart G—Judiciary

§ 935.60 Wake Island Court.

(a) The judicial authority at Wake Island is vested in the Wake Island Court.

(b) The Wake Island Court consists of a Chief Judge and four Associate Judges, appointed by the General Counsel, for a term of 1 year. The Chief Judge assigns matters to judges, determines whenever the Court sits individually or en banc, and prescribes rules of the Court not otherwise provided for in this Code.

(c) Sessions of the Court are held on Wake Island at times and places designated by the Chief Judge.

§ 935.61 Island Attorney.

There is an Island Attorney, appointed by the General Counsel for a term of 1 year. The Island Attorney represents the United States in the Wake Island Court and in the Wake Island Court of Appeals.

§ 935.62 Public Defender.

There is a Public Defender, appointed by the General Counsel for a term of 1 year. The Public Defender represents any person charged with an offense under this Code who requests representation.

§ 935.63 Clerk of the Court.

There is a Clerk of the Court, who is appointed by the Chief Judge. The Clerk maintains a public docket containing such information as the Chief Judge may prescribe, and performs such other duties as the Court may direct.

§ 935.64 Jurisdiction.

(a) The Wake Island Court has jurisdiction over all offenses under this Code and all actions of a civil nature, cognizable at law or in equity, where the amount in issue is not more than \$1,000, exclusive of interests and costs, change of name or domestic relations matters;

(b) The United States is not subject to suit in the Court;

(c) The United States may intervene in any matter in which the Island Attorney determines it has an interest.

§ 935.65 Court of Appeals.

(a) The appellate judicial authority for Wake Island is vested in the Wake Island Court of Appeals.

(b) The Wake Island Court of Appeals consists of a Chief Judge and one Associate Judge, appointed by the General Counsel for a term of 1 year. The Chief Judge assigns matters to judges, determines whether the Court sits individually or en banc, and prescribes rules of the Court not otherwise provided for in this Code.

(c) Sessions of the Court of Appeals are held in Washington, D.C., at times and places designated by the Chief Judge.

§ 935.66 Clerk of the Court of Appeals.

There is a Clerk of the Court of Appeals, who is appointed by the Chief Judge. The Clerk maintains a public docket containing such information as the Chief Judge may prescribe, and performs such other duties as the Court directs.

§ 935.67 Jurisdiction of the Court of Appeals.

The Court of Appeals has jurisdiction over all appeals from the Wake Island Court. Decisions of the Court are final.

§ 935.68 Qualifications.

(a) No person may be appointed a judge, Island Attorney or Public Defender under this part who is not a member of the bar of a State, District, or Territory.

(b) Civilian officers and employees of the Department of the Air Force may be appointed as a judge, Island Attorney, Public Defender, or Clerk, to serve without additional compensation.

Subpart H—Statute of Limitations

§ 935.70 Limitation of actions.

(a) No civil action may be filed more than 1 year after the cause of action arose.

(b) No person is liable to be tried under this Code for any offense if the offense was committed more than 1 year before the date the information or citation is filed with the Clerk of the Wake Island Court.

Subpart I—Subpoenas, Wake Island Court

§ 935.80 Subpoenas.

(a) The Clerk of the Court shall issue subpoenas for the attendance of witnesses. The subpoena must include the name of the Court and the title, if any, of the proceeding; and shall command each person to whom it is directed to attend and give testimony at the time and place specified therein. The Clerk shall issue a subpoena to a party requesting it, setting forth the name of the witness subpoenaed.

(b) The Clerk may also issue a subpoena commanding the person to whom it is directed to produce the books, papers, documents, or other objects designated therein. The Court may direct that books, papers, and documents designated in the

subpoena be produced before the Court at a time before the trial or before the time when they are to be offered in evidence. It may, upon their production, allow the books, papers, documents, or objects or portions thereof to be inspected by the parties and their representatives.

(c) Any Peace Officer or any other person who is not a party and who is at least 18 years of age may serve a subpoena. Service of a subpoena shall be made by delivering a copy thereof to the person named.

(d) The Clerk of the Court shall assess and collect a witness fee of \$3 for each subpoena requested by any party other than the United States, which shall be tendered to the witness as his witness fee together with service of the subpoena. Witnesses subpoenaed by the Island Attorney shall be entitled to a fee of \$3 upon presentment of a proper claim therefor on the United States. No duly summoned witness may refuse, decline, or fail to appear or disobey a subpoena on the ground that the witness fee was not tendered or received.

(e) Upon a showing that the evidence is necessary to meet the ends of justice and that the defendant is indigent, the Public Defender may request the Court to direct the Island Attorney to obtain the issuance of a subpoena on behalf of a defendant in a criminal case. Witnesses so called on behalf of the defendant shall be entitled to the same witness fees as witnesses requested by the Island Attorney.

(f) Subpoenas may be credited only to persons or things on Wake Island.

Subpart J—Rules of Civil Procedure

§ 935.90 General.

(a) The Federal Rules of Civil Procedure apply to civil actions in the Court to the extent the Presiding Judge considers applicable under the circumstances.

(b) There is one form of action called the "Civil Action."

(c) Except as otherwise provided in this part, there is no trial by jury.

(d) A civil action begins with the filing of a complaint with the Court. The form of the complaint is as follows except as it may be modified to conform as appropriate to the particular action:

In the Wake Island Court

Civil Action No. _____

(Plaintiff)
vs.
(Defendant)

Complaints

_____ plaintiff alleges that the defendant is indebted to plaintiff in the sum of \$_____; that plaintiff has demanded payment of said sum; that defendant has refused to pay; that defendant resides at _____ on Wake Island; that plaintiff resides at _____

(Plaintiff)

§ 935.91 Summons.

Upon the filing of a complaint, a Judge or Clerk of the Court shall issue a summons in the following form and deliver

it for service to a peace officer or other person specifically designated by the Court to serve it:

In the Wake Island Court

Civil Action No. _____

(Plaintiff)
vs.
(Defendant)

Summons

To the above-named defendant:
You are hereby directed to appear and answer the attached cause at _____ on _____ day of _____, 19____, at _____ p.m. and to have with you all books, papers, and witnesses needed by you to establish any defense you have to said claim.

You are further notified that in case you do not appear, judgment will be given against you, for the amount of said claim, together with cost of this suit and the service of this order.

Dated: _____, 19____.

(Clerk, Wake Island Court)

§ 935.92 Service of complaint.

(a) A peace officer or other person designated by the Court to make service shall serve the summons and a copy of the complaint at Wake Island upon the defendant personally, or by leaving them at his usual place of abode with any adult residing or employed there.

(b) In the case of a corporation, partnership, joint stock company, trading association, or other unincorporated association, service may be made at Wake Island by delivering a copy of the summons and complaint to any of its officers, a managing or general agent, or any other agent authorized by appointment or by law to receive service.

§ 935.93 Delivery of summons to plaintiff.

The Clerk of the Court shall promptly provide a copy of the summons to the plaintiff, together with notice that if the plaintiff fails to appear at the Court at the time set for the trial, the case will be dismissed. The trial shall be set at a date that will allow each party at least 7 days, after the pleadings are closed, to prepare.

§ 935.94 Answer.

(a) The defendant may, at his election, file an answer to the complaint.

(b) The defendant may file a counterclaim, setoff, or any reasonable affirmative defense.

(c) If the defendant elects to file a counterclaim, setoff, or affirmative defense, the Court shall promptly send a copy of it to the plaintiff and shall allow him enough time to prepare his position with regard thereto.

§ 935.95 Proceedings; record; judgment.

(a) The presiding Judge is responsible for the making of an appropriate record of each civil action.

(b) All persons shall give their testimony under oath or affirmation. The Senior Judge shall prescribe the oath and affirmation that may be administered by any Judge or the Clerk of the Court.

(c) Each party may present witnesses and other forms of evidence. In addition,

the presiding Judge may informally investigate any controversy, in or out of the Court, if the evidence obtained as a result is adequately disclosed to all parties. Witnesses, books, papers, documents, or other objects may be subpoenaed as provided in § 935.80 for criminal cases.

(d) The Court may issue its judgment in writing or orally from the bench. However, if an appeal is taken from the judgment, the presiding Judge shall, within 10 days after it is filed, file a memorandum of decision as a part of the record. The Judge shall place in the memorandum findings of fact, conclusions of law, and any comments that he considers will be helpful to a thorough understanding and just determination of the case on appeal.

§ 935.96 Execution of judgment.

(a) If, after 60 days after the date of entry of judgment (or such other period as the court may prescribe), the judgment debtor has not satisfied the judgment, the judgment creditor may apply to the court for grant of execution on the property of the judgment debtor.

(b) Upon a writ issued by the court, any peace officer may levy execution on any property of the judgment debtor except—

(1) His wearing apparel up to \$300 in value;

(2) His beds, bedding, household furniture, and furnishings, stoves, and cooking utensils, up to \$300 in value; and

(3) Mechanics tools and implements of the debtor's trade up to \$200 in value.

(c) Within 60 days after levy of execution, a peace officer shall sell the seized property at public sale and shall pay the proceeds to the Clerk of the court. The Clerk shall apply the proceeds as follows:

(1) First, to the reasonable costs of execution and sale and court costs.

(2) Second, to the judgment.

(3) Third, the residue (if any) to the debtor.

(d) In any case in which property has been seized under a writ of execution, but not yet sold, the property seized shall be released upon payment of the judgment, court costs, and the costs of execution.

§ 935.97 Garnishment.

(a) If a judgment debtor fails to satisfy a judgment in full within 60 days after the entry of judgment (or such other period as the court may prescribe, the court may, upon the application of the judgment creditor issue a writ of garnishment directed to any person having money or property in his possession belonging to the judgment debtor or owing money to the judgment debtor. The following are exempt from judgment:

(1) Ninety percent of so much of the gross wages as does not exceed \$200 due to the judgment debtor from his employer.

(2) Eighty percent of so much of the gross wages as exceeds \$200 but does not exceed \$500 due to the judgment debtor from his employer;

(3) Fifty percent of so much of the gross wages as exceeds \$500 due to the judgment debtor from his employer.

(b) The writ of garnishment shall be served on the judgment debtor and the garnishee and shall direct the garnishee to pay or deliver from the money or property owing to the judgment debtor such money or property as the court may prescribe.

(c) The garnished amount shall be paid to the Clerk of the Court, who shall apply it as follows:

(1) First, to satisfy the costs of garnishment and court costs.

(2) Second, to satisfy the judgment.

(3) Third, the residue (if any) to the judgment debtor.

(d) Funds of the debtor held by the United States are not subject to garnishment.

Subpart K—Rules of Criminal Procedure

§ 935.100 Bail.

(a) A person who is arrested on Wake Island for any violation of this part is entitled to be released on bail in an amount set by a Judge or Clerk of the Court, which may not exceed the maximum fine for the offense charged. If the defendant fails to appear for arraignment, trial or sentence, or otherwise breaches any condition of bail, the Court, which may not exceed the maximum fine for the offense charged, may on motion after notice to the surety or sureties, if any, enter a judgment for the amount of the forfeiture.

(b) The Chief Judge may prescribe a schedule of bail for any offense under this Code which the defendant may elect to post and forfeit without trial, in which case the Court shall enter a verdict of guilty and direct forfeiture of the bail.

(c) Bail will be deposited in cash with the Clerk of the Court.

§ 935.101 Seizure of property.

Any property seized in connection with an alleged offense (unless the property is perishable) is retained pending trial in accordance with the orders of the Court. The property must be produced in Court, if practicable. At the termination of the trial, the Court shall restore the property or the funds resulting from the sale of the property to the owner, or make such other proper order as may be required and incorporate its order in the record of the case.

§ 935.102 Information.

(a) Any offense may be prosecuted by a written information signed by the Island Attorney. However, if the offense is one for which issue of a citation is authorized by this part and a citation for the offense has been issued, the citation serves as an information.

(b) A copy of the information shall be delivered to the accused, or his counsel, as soon as practicable after it is filed.

(c) Each count of an information may charge one offense only and must be particularized sufficiently to identify the

place, the time, and the subject matter of the alleged offense. It shall refer to the provision of law under which the offense is charged, but any error in this reference or its omission may be corrected by leave of Court at any time before sentence and is not grounds for reversal of a conviction if the error or omission did not mislead the accused to his prejudice.

§ 935.103 Motions and pleas.

(a) Upon motion of the accused at any time after filing of the information or copy of citation, the Court may order the prosecutor to allow the accused to inspect and copy or photograph designated books, papers, documents, or tangible objects obtained from or belonging to the accused, or obtain from others by seizure or process, upon a showing that the items sought may be material to the preparation of his defense and that the request is reasonable.

(b) When the Court is satisfied that it has jurisdiction to try the accused as charged, it shall require the accused to identify himself and state whether or not he has counsel. If he has no counsel, but desires counsel, the Court shall give him a reasonable opportunity to procure counsel.

(c) When both sides are ready for arraignment, or when the Court determines that both sides have had adequate opportunities to prepare for arraignment, the Court shall read the charges to the accused, explain them (if necessary), and, after the reading or stating of each charge in Court, ask the accused whether he pleads "guilty" or "not guilty." The Court shall enter in the record of the case the plea made to each charge.

(d) The accused may plead "guilty" to any or all of the charges against him, except that the Court may at its discretion refuse to accept a plea of guilty, and may not accept a plea without first determining that the plea is made voluntarily with understanding of the nature of the charge.

(e) The accused may plead "not guilty" to any or all of the charges against him. The Court shall enter a plea of not guilty if the answer of the accused to any charge is such that it does not clearly amount to a plea of guilty or not guilty.

(f) The accused may, at any stage of the trial, with the consent of the Court, change a plea of not guilty to one of guilty. The Court shall then proceed as if the accused had originally pleaded guilty.

§ 935.104 Sentence after a plea of guilty.

If the Court accepts a plea of guilty to any charge or charges, it shall make a finding of guilty on that charge. Before imposing sentence, the Court shall hear such statements for the prosecution and defense, if any, as it requires to enable it to determine the sentence to be imposed. The accused or his counsel may make any reasonable statement he wishes in mitigation or of previous good character. The prosecution may introduce evidence in aggravation, or of bad char-

acter if the accused has introduced evidence of good character. The Court shall then impose any lawful sentence that it considers proper.

§ 935.105 Trial.

(a) If the accused pleads not guilty, he is entitled to a trial on the charges in accordance with procedures prescribed in the Rules of Criminal Procedure for the U.S. District Courts, except as otherwise provided in this part, to the extent the Presiding Justice considers practicable and necessary to the ends of justice. There is no trial by jury.

(b) All persons shall give their testimony under oath or affirmation. The Senior Judge shall prescribe the oath and affirmation that may be administered by any Judge or the Clerk of the Court.

(c) Upon completion of the trial, the Court shall enter a judgment consisting of a finding or findings and sentence or sentences, or discharge of the accused.

(d) The Court may suspend any sentence imposed, may order the revocation of any Island automobile permit in motor vehicle cases, and may place the accused on probation. It may delay sentencing pending the receipt of any presentencing report ordered by it.

Subpart L—Appeals and New Trials

§ 935.110 Appeals.

(a) Any party to an action may, within 15 days after judgment, appeal an interlocutory order, issue of law or judgment, except that an acquittal may not be appealed, by filing a notice of appeal with the Clerk of the Wake Island Court and serving a copy on the opposing party. Judgment is stayed while the appeal is pending.

(b) Upon receiving a notice of appeal with proof of service on the opposing party, the Clerk shall forward the record of the action to the Wake Island Court of Appeals.

(c) The appellant shall serve on the opposing party and file a memorandum setting forth his grounds of appeal with the Wake Island Court of Appeals within 15 days after the date of the judgment. The appellee may serve and file a reply memorandum within 15 days thereafter. An appeal and the reply shall be deemed to be filed when deposited in the U.S. mail with proper postage affixed, addressed to the Clerk, Wake Island Court of Appeals, at his address in Washington, D.C. The period for filing of an appeal may be waived by the Court of Appeals when the interests of justice so require.

(d) The Court may proceed to judgment on the record, or, if the Court considers that the interests of justice so require, grant a hearing.

(e) The decision of the Court of Appeals shall be in writing and based on the record prepared by the Wake Island Court, on the proceedings before the Court of Appeals, if any be had, and on any memoranda that are filed. If the Court of Appeals considers the record incomplete, the case may be remanded to the Wake Island Court for further proceedings.

(f) The decision of the Court of Appeals is final.

§ 935.111 New trial.

A Judge of the Wake Island Court may order a new trial as required in the interest of justice, or vacate any judgment and enter a new one, on motion made within a reasonable time after discovery by the moving party of matters constituting the groups upon which the motion for new trial or vacation of judgment is made.

Subpart M—Peace Officers

§ 935.120 Authority.

Peace officers—

(a) Have the authority of a sheriff at common law;

(b) May serve any process on Wake Island that is allowed to be served under a Federal or State law. The officer serving the process shall execute any required affidavit of service;

(c) May conduct sanitation or fire prevention inspections;

(d) Inspect motor vehicles, boats and aircraft;

(e) May confiscate property used in the commission of a crime;

(f) May deputize any person to serve as a peace officer;

(g) May investigate accidents and suspected crimes;

(h) May direct vehicular or pedestrian traffic;

(i) May remove and impound abandoned or unlawfully parked vehicles, boats or aircraft, or vehicles, boats or aircraft interfering with fire control apparatus or ambulances;

(j) May take possession of property lost, abandoned, or of unknown ownership;

(k) Enforce quarantines;

(l) May impound and destroy food, fish, or beverages found unsanitary;

(m) May be armed;

(n) May exercise custody over persons in arrest or confinement;

(o) May issue citations; and

(p) May make arrests, as provided in § 935.122.

§ 935.122 Arrests.

(a) Any person may make an arrest on Wake Island, without a warrant, for any crime (including a petty offense) that is committed in his presence.

(b) Any peace officer may, without a warrant, arrest any person on Wake Island who violates any provision of this part or commits a crime that is not a violation of this part, in his presence, or that he reasonably believes that person to have committed.

(c) In making an arrest, a peace officer must display a warrant, if he has one, or otherwise clearly advise the person arrested of the violation alleged, and thereafter require him to submit and be taken before the appropriate official on Wake Island.

(d) In making an arrest, a peace officer may use only the degree of force

needed to effect submission, and may remove any weapon in the possession of the person arrested.

(e) A peace officer may, whenever necessary to enter any building, vehicle, or aircraft to execute a warrant of arrest, force an entry after verbal warning.

(f) A peace officer may force an entry into any building, vehicle, or aircraft whenever—

(1) It appears necessary to prevent serious injury to persons or damage to property and time does not permit the obtaining of a warrant;

(2) To effect an arrest when in hot pursuit; or

(3) To prevent the commission of a crime which he reasonably believes is being committed or is about to be committed.

§ 935.124 Warrants.

Any judge of the Wake Island Court may issue or direct the Clerk to issue a warrant for arrest if, upon complaint, it appears that there is probable cause to believe an offense has been committed and that the person named in the warrant has committed it. If a judge is not available, the warrant may be issued by the Clerk and executed, but any such warrant shall be thereafter approved or quashed by the first available judge. The issuing officer shall—

(1) Place the name of the person charged with the offense in the warrant, or if his name is not known, any name or description by which he can be identified with reasonable certainty;

(2) Sign the warrant;

(3) Describe in the warrant the offense charged;

(4) Issue the warrant to a peace officer for execution; and

(5) Place in the warrant a command that the person charged with the offense be arrested and brought before the Court.

§ 935.126 Release from custody.

The Chief Judge may authorize the Clerk to issue pro forma orders of the Court discharging any person from custody, with or without bail, pending trial, whenever further restraint is not required for protection of persons or property on Wake Island. Persons not so discharged shall be brought before a Judge or U.S. Magistrate as soon as a Judge or Magistrate is available. Judges may discharge defendants from custody, with or without bail or upon recognizance, or continue custody pending trial as the interests of justice, in their discretion, require.

§ 935.128 Citation in place of arrest.

In any case in which a peace officer may make an arrest without a warrant, he may issue and serve a citation if he considers that the public interest does not require an arrest. The citation must briefly describe the offense charged and direct the accused to appear before the Wake Island Court at a designated time and place.

Subpart N—Motor Vehicle Code

§ 935.130 Applicability.

This subpart applies to self-propelled motor vehicles (except aircraft), including attached trailers.

§ 935.131 Right-hand side of the road.

Each person driving a motor vehicle on Wake Island shall drive on the right-hand side of the road, except where necessary to pass or where a sign declaring one-way traffic is posted.

§ 935.132 Speed limits.

Each person operating a motor vehicle on Wake Island shall operate it at a speed—

(a) That is reasonable, safe, and proper, considering road and weather conditions, the kind of motor vehicle, and the proximity to persons or buildings, or both; and

(b) That does not exceed 40 miles an hour or such lesser speed limit as may be posted.

§ 935.133 Right-of-way.

(a) A pedestrian has the right-of-way over vehicular traffic when in the vicinity of a building, school, or residential area.

(b) In any case in which two motor vehicles have entered an intersection at the same time, the vehicle on the right has the right-of-way.

(c) If the driver of a motor vehicle enters an intersection with the intent of making a left turn, he shall yield the right-of-way to any other motor vehicle that has previously entered the intersection or is within hazardous proximity.

(d) When being overtaken by another motor vehicle, the driver of the slower vehicle shall move it to the right to allow safe passing.

(e) Each driver of a motor vehicle shall yield the right-of-way to an emergency vehicle on an emergency run.

§ 935.134 Arm signals.

(a) A signal for a turn or stop is made by fully extending the left arm as follows:

(1) Left turn—extend left arm horizontally.

(2) Right turn—extend left arm upward.

(3) Stop or decrease speed—extend left arm downward.

(b) A signal light or other device may be used in place of an arm signal prescribed in paragraph (a) of this section if it is visible and intelligible.

§ 935.135 Turns.

(a) Each person making a right turn in a motor vehicle shall make the approach and turn as close as practicable to the right-hand curb or road edge.

(b) Each person making a left turn in a motor vehicle shall make the approach and turn immediately to the right of the center of the road, except that on multi-lane roads of one-way traffic flow he may make the turn only from the left lane.

(c) No person may make a U-turn in a motor vehicle if he cannot be seen by the driver of each approaching vehicle within a distance of 500 feet.

(d) No person may place a vehicle in motion from a stopped position, or change from or merge into a lane of traffic, until he can safely make that movement.

§ 935.136 General operating rules.

No person may, while on Wake Island—

(a) Operate a motor vehicle in a careless or reckless manner;

(b) Operate or occupy a motor vehicle while he is under the influence of a drug or intoxicant;

(c) Consume an alcoholic beverage (including beer, ale, or wine) while he is in a motor vehicle;

(d) Operate a motor vehicle that is overloaded or is carrying more passengers than it was designed to carry;

(e) Ride on the running board, step, or outside of the body of a moving motor vehicle;

(f) Ride a moving motor vehicle with his arm or leg protruding;

(g) Operate a motor vehicle in a speed contest or drag race; except in areas designated for the purpose by the Commander and under safety precautions approved by him;

(h) Park a motor vehicle for a period longer than the posted time limit;

(i) Stop, park, or operate a motor vehicle in a manner that impedes or blocks traffic;

(j) Park a motor vehicle in an unposted area, except adjacent to the right-hand curb or edge of the road;

(k) Park a motor vehicle in a reserved or restricted parking area that is not assigned to him;

(l) Sound the horn of a motor vehicle, except as a warning signal;

(m) Operate a tracked or cleated vehicle in a manner that damages a paved or compacted surface;

(n) Operate any motor vehicle contrary to a posted traffic sign;

(o) Operate a motor vehicle as to follow any other vehicle closer than is safe under the circumstances;

(p) Operate a motor vehicle off of established roads, or in a cross-country manner, except when necessary in conducting business; or

(q) Operate a motor vehicle at night on the traveled part of a street or road, without using operating headlights.

§ 935.137 Operating requirements.

(a) Each person operating a motor vehicle on Wake Island shall—

(1) Dim the headlights of his vehicle when approaching an oncoming vehicle at night; and

(2) Comply with any special traffic instruction given by an authorized person.

§ 935.138 Motor bus operation.

Each person operating a motor bus on Wake Island shall—

(a) Keep its doors closed while the bus is moving with passengers on board; and

(b) Refuse to allow any person to board or alight the bus while it is moving.

§ 935.139 Motor vehicle operator qualifications.

(a) No person may operate a privately owned motor vehicle on Wake Island unless he has an island operator's permit.

(b) The Commander may issue—

(1) A student operator's permit to any person who is at least 14 years of age, to be exercised only when the holder is accompanied by a qualified operator who assumes full responsibility for operating the vehicle; and

(2) An unlimited operator's permit to any person who is at least 16 years of age and satisfactorily demonstrates safe-driving knowledge, ability, and physical fitness.

(c) No person may operate, on Wake Island, a motor vehicle owned by the United States unless he holds a current operator's permit issued by the United States.

(d) Each person operating a motor vehicle on Wake Island shall present his operator's permit to any peace officer, for inspection, upon request.

§ 935.139a Motor vehicle maintenance and equipment.

(a) Each person who has custody of a motor vehicle on Wake Island shall present that vehicle for periodic safety inspection, as required by the Commander.

(b) No person may operate a motor vehicle on Wake Island unless it is in a condition that the Commander considers to be safe and operable.

(c) No person may operate a motor vehicle on Wake Island unless it is equipped with an adequate and properly functioning—

- (1) Horn;
- (2) Wiper, for any windshield;
- (3) Rear vision mirror;
- (4) Headlights and taillights;
- (5) Muffler; and
- (6) Spark or ignition noise suppressors.

(d) No person may operate a motor vehicle on Wake Island if that vehicle is equipped with a straight exhaust or muffler cutoff, except as may be authorized pursuant to § 935.136(g).

Subpart O—Registration and Island Permits

§ 935.140 Registration.

(a) Each person who has custody of any of the following on Wake Island shall register it with the Commander.

- (1) A privately owned motor vehicle.
- (2) A privately owned boat.
- (3) An animal.
- (4) Any device or instrument primarily designed for inflicting bodily injury, including a gun, pistol, or other firearm operated by air, gas, spring, or otherwise.
- (5) A narcotic or dangerous drug or any poison.
- (6) Any explosive.

(b) Each person who obtains custody of an article described in subparagraphs (4), (5), or (6) of paragraph (a) of this section shall register it immediately upon obtaining custody. Each person who obtains custody of any other article described in paragraph (a) of this section

shall register it within 10 days after obtaining custody.

§ 935.141 Island permit for boat, vehicle, or firearm.

(a) No person may use a privately owned motor vehicle, boat, or a firearm, gun, or pistol operated by air, gas, or spring, or otherwise, on Wake Island unless he has an island permit for it.

(b) The operator of a motor vehicle shall display its registration number on the vehicle in a place and manner prescribed by the Commander.

§ 935.142 Activities for which permit is required.

No person may engage in any of the following on Wake Island unless he has an island permit:

(a) Any business, commercial, or recreational activity conducted for profit, including a trade, profession, calling, or occupation, or an establishment where food or beverage is prepared, offered, or sold for human consumption (except for personal or family use).

(b) The practice of any medical profession, including dentistry, surgery, osteopathy, and chiropractic.

(c) The erection of any structure or sign, including a major alteration or enlargement of an existing structure.

(d) The discharge of explosives or fireworks or of firearms, guns, or pistols operated by air, gas, spring, or otherwise.

(e) The burial of any human or animal remains, except that fish and ball scrap may be buried at beaches where fishing is permitted, without obtaining a permit.

(f) Keeping or maintaining an animal.

Subpart P—Public Safety

§ 935.150 Emergency requirements and restrictions.

In the event of any fire, crash, search, and rescue, natural disaster, national peril, radiological hazard, or other calamitous emergency—

(a) No person may impede or hamper any officer or employee of the United States or any other person who has emergency authority;

(b) No unauthorized persons may congregate at the scene of the emergency; and

(c) Each person present shall promptly obey the instructions, signals, or alarms of any peace officer, fire or crash crew, or other authorized person, and any orders of the Commander.

§ 935.151 Fire hazards.

(a) Each person engaged in a business or other activity on Wake Island shall, at his expense, provide and maintain (in an accessible location) fire extinguishers of the type, capacity, and quantity satisfactory for protecting life and property in the areas under that person's control.

(b) To minimize fire hazards, no person may store any waste or inflammable fluids or materials except in a manner and at a place prescribed by the Commander.

§ 935.153 Use of special areas.

The Commander may regulate the use of designated or posted areas on Wake Island, as follows:

- (a) Restricted areas—which no person may enter without permission.
- (b) Prohibited activities areas—in which no person may engage in any activity that is specifically prohibited.
- (c) Special purpose areas—in which no person may engage in any activity other than that for which the area is reserved.

§ 935.153 Unexploded ordnance material.

Any person who discovers any unexploded ordnance material on Wake Island shall refrain from tampering with it and shall immediately report its site to the Commander.

§ 935.154 Boat operations.

The operator of each boat used at Wake Island shall conform to the limitations on its operations as the Commander may prescribe in the public interest.

§ 935.155 Floating objects.

No person may anchor, moor, or beach any boat, barge, or other floating object on Wake Island in any location or manner other than as prescribed by the Commander.

Approved this 19th day of June 1972 at Washington, D.C.

ROBERT C. SEAMANS, JR.
Secretary of the Air Force.

[FR Doc.72-9461 Filed 6-22-72;8:45 am]

Chapter XVI—Selective Service System

PART 1626—APPEAL TO APPEAL BOARD

PART 1627—APPEAL TO THE PRESIDENT

Conscientious Objectors

Whereas, on May 12, 1972, the Acting Director of Selective Service published a notice of proposed amendments to Selective Service Regulations, 37 F.R. 9566 of May 12, 1972; and

Whereas such publication complied with the publication requirement of section 13(b) of the Military Selective Service Act (50 App. U.S.C. section 451 et seq.) in that more than 30 days have elapsed subsequent to such publication during which period comments from the public have been received and considered; and I certify that I have requested the views of officials named in section 2(a) of Executive Order 11623 and none of them has timely requested that the matter be referred to the President for decision.

Now therefore by virtue of the authority vested in me by the Military Selective Service Act, as amended (50 App. U.S.C. section 451 et seq.) and Executive Order

11623 of October 12, 1971, the Selective Service Regulations, constituting a portion of Chapter XVI of Title 32 of the Code of Federal Regulations, are hereby amended, effective 11:59 p.m., e.d.s.t., on June 24, 1972, as follows:

Section 1626.2 *Time limit within which registrant may appeal*, is amended to read as follows:

§ 1626.2 Time limit within which registrant may appeal.

The registrant must file his appeal and his request for a personal appearance before the appeal board, if such personal appearance is desired, within 15 days after the date the local board mails to the registrant a Notice of Classification (SSS Form 110) or letter pursuant to § 1624.5 of this chapter. At any time prior to the date the local board mails to the registrant an order to report for induction or for alternate service, the local board will permit him to appeal even though the period for taking an appeal has elapsed, if it is satisfied that his failure to appeal within such period was due to some cause beyond his control. If the local board grants an extension of time to appeal to the registrant, he may within such extended period also request a personal appearance before the appeal board.

Section 1627.7 *Appeal to the President stays induction*, is amended to read as follows:

§ 1627.7 Appeal to the President stays an order for induction or for alternate service in lieu of induction.

The local board shall not issue a registrant an order to report for induction or for alternate service in lieu of induction either during the period afforded the registrant to take an appeal to the President or during the period such appeal is pending. Any order to report for induction or for alternate service in lieu of induction which has been issued during either of such periods shall be ineffective and shall be cancelled by the local board. Whenever an appeal to the President has been taken by a person entitled to do so, any order to report for induction or for alternate service in lieu of induction which has previously been issued to the registrant shall be ineffective and shall be cancelled by the local board.

BYRON V. PEPITONE,
Acting Director.

JUNE 20, 1972.

[FR Doc.72-9527 Filed 6-22-72;8:51 am]

Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

PART 140—MARINE SANITATION DEVICE STANDARD

Standards of Performance

On May 12, 1971, a notice of proposed rule making was published in the *FEDERAL REGISTER* (36 F.R. 8739), setting

forth the proposed text of regulations promulgating Federal standards of performance for marine sanitation devices as required by section 13 of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1163.

Pursuant to the above notice, several public hearings were held. In addition, numerous written comments were received from interested persons. In light of these hearings and comments, and after further consideration of the economic costs involved and the limits of available technology, the regulations as proposed have been modified, and, as modified, are hereby promulgated.

The proposed regulations would have required marine sanitation devices to provide a high level of treatment, approximately the equivalent of the secondary treatment standards for municipal waste facilities. However, it has been found that flow-through devices to meet this standard are presently not available for smaller vessels, and are not expected to be available in time for installation by the effective date of the regulation.

Within the constraints of present technology, essentially two choices of standards were presented: A standard which could be met by a flow-through device providing primary treatment and disinfection, or a standard requiring no discharge of sewage. Both types of standards would pose problems. On the one hand, flow-through devices will not always operate at designed levels of treatment, due to lack of proper maintenance; and there is no practical way for enforcement personnel to insure that proper maintenance will be carried out. Moreover, the treatment provided by an on-board flow-through device could be considered inadequate in certain waters, and as a result there would be a demand for creation of no discharge zone permits provided for in section 13(f) of the Act. Yet widespread establishment of such zones would destroy the uniformity which Congress was attempting to achieve in this area by authorizing the establishment of Federal standards.

The alternative—no discharge of sewage—also poses problems. Pumpout facilities are unavailable in most docks and marinas. In many cases the level of treatment which the wastes would receive on shore after having been pumped out would be inadequate. And for certain types of vessels, on-board retention or complete disposal on board of sewage is not feasible. However, for the reasons explained below, we think these problems are solvable in a reasonable period of time.

After consideration of these and other factors, it was decided to promulgate a standard requiring no discharge. A provision is added to the effect that boat owners who install a device on existing vessels providing primary treatment and disinfection prior to the effective date of the standards will be considered to be in compliance with the standards for a period of time after the effective date.

Permitting the installation of primary devices has been done to obtain the maximum amount of immediate pollution

abatement during that period required for the widespread installation of pump-out facilities. It is realized that this will require a period of 4 to 5 years and that the installation of such facilities will take place as the need for them grows.

The problem of vessels for which no discharge devices are not feasible, will be substantially alleviated by the provision permitting existing vessels to install primary treatment with disinfection prior to the effective date of the standards. The problem could be further alleviated by the granting of waivers pursuant to section 13(c) (2) of the Act, and the Environmental Protection Agency plans to cooperate with the Coast Guard in determining which vessels should be exempt from the no discharge requirement, either because such requirement is not practicable for certain vessels or because of an undue economic burden imposed. In light of this waiver provision, it was believed that the general Federal standard should not be drawn to accommodate the particular problems of certain vessels, so long as the standard is generally feasible.

The treatment that onshore facilities can provide is always likely to be better than the treatment provided by any on-board treatment device that is presently available or is developed in the future—especially in the case of on-board devices on small vessels—since lack of space, cost constraints, and the lack of trained personnel to operate and maintain an on-board device will inevitably limit its effectiveness as compared with on-shore treatment plants. Thus it is believed that the standard herein promulgated, once it is supplemented by development of pump-out facilities and adequate on-shore treatment facilities, will insure the maximum possible pollution abatement. And in the meantime, the provision encouraging the installation of primary treatment and disinfection on existing vessels prior to the effective date of the standards will lead to some immediate pollution abatement pending the effective date of the no discharge standard.

Initial standards and regulations promulgated under section 13 of the Act preempt any statute or regulation of a State or political subdivision with respect to the design, manufacture, or installation or use of any marine sanitation device on any vessel subject to section 13. However, such preemption does not take place until the effective date of the initial standards and regulations, including the regulations to be promulgated by the Secretary of Transportation. In accordance with section 13, this regulation becomes effective for new vessels 2 years after promulgation of the regulations by the Secretary of Transportation and for existing vessels 5 years after such promulgation.

It should be noted that, in accordance with section 13 of the Act, these standards apply only to navigable waters of the United States. Many inland lakes and rivers do not connect with bodies of water used in interstate commerce and hence are not part of the navigable waters of the United States. Conse-

quently, they are not covered by these regulations.

- Sec.
140.1 Definitions.
140.2 Scope of standard.
140.3 Standard.
140.4 Complete prohibition.
140.5 Analytical procedures.

AUTHORITY: The provisions of this Part 140 are issued under sec. 13, 70 Stat. 506, as amended, 33 U.S.C. 1163. Interpret or apply sec. 13(b) (1), 84 Stat. 100, 33 U.S.C. 1163 (b) (1).

§ 140.1 Definitions.

For the purpose of these standards the following definitions shall apply:

(a) "Sewage" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

(b) "Discharge" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping;

(c) "Marine sanitation device" includes any equipment for installation on board a vessel and which is designed to receive, retain, treat, or discharge sewage, and any process to treat such sewage;

(d) "Vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters of the United States;

(e) "New vessel" refers to any vessel on which construction was initiated on or after the date of promulgation of the standards and regulations;

(f) "Existing vessel" refers to any vessel on which construction was initiated prior to the date of promulgation of the standards and regulations;

(g) "Fecal coliform bacteria" are those organisms associated with the intestine of warm blooded animals that are commonly used to indicate the presence of fecal material and the potential presence of organisms capable of causing disease in man.

§ 140.2 Scope of standard.

The standard adopted herein applies only to vessels on which a marine toilet facility has been installed. The standard does not require the installation of a toilet facility on any vessel that is not so equipped. The standard applies to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security.

§ 140.3 Standard.

(a) Marine sanitation devices installed on vessels covered by these regulations shall be designed and operated to prevent the overboard discharge of sewage, treated or untreated, or of any waste derived from sewage, into the navigable waters of the United States.

(b) This standard shall be effective for new vessels 2 years after initial promulgation of implementing Coast Guard regulations under section 13(b) (1) of the Act (or, in the case of vessels owned and operated by the Department of Defense, 2 years after promulgation of implement-

ing regulations by the Secretary of Defense under section 13(d) of the Act), and for existing vessels 5 years after such promulgation.

(c) Any existing vessel equipped with a marine sanitation device which is certified by the Coast Guard as being capable of providing a degree of treatment which (1) under the conditions of the certification program to be established by the Coast Guard, will reduce fecal coliform bacteria to no more than 1,000 per 100 milliliters and prevent the discharge of an effluent with visible floating solids; and (2) is installed on or before the date of initial promulgation of implementing Coast Guard regulations under section 13 (b) (1) of the Act, or within 3 years after the time of promulgation, shall not be required to comply with paragraph (a) of this section. This exemption from compliance with paragraph (a) of this section shall continue so long as the device remains operable.

(d) Any existing vessel equipped with a marine sanitation device certified as provided in paragraph (c) of this section which is installed after 3 years from the date of initial promulgation of implementing Coast Guard regulations under section 13(b) (1) of the Act, but before the effective date of paragraph (a) of this section with respect to existing vessels, shall not be required to comply with paragraph (a) of this section for 3 years following such effective date: *Provided*, That the device remains operable.

(e) The degree of treatment described in paragraph (c) of this section is an "appropriate standard" for purposes of Coast Guard and Department of Defense certification pursuant to section 13(g) (2) of the Act.

(f) This section is not to be construed to accelerate the effective date of section 13(g) (1) of the Act.

§ 140.4 Complete prohibition.

A State may make a written application to the Administrator, Environmental Protection Agency, for the issuance of a regulation completely prohibiting discharge from a vessel of any sewage (whether treated or not) into particular waters of the State, or specified portions thereof, where such waters constitute navigable waters of the United States. Such application shall specify with particularity the waters, or portions thereof, for which a complete prohibition is desired. The application shall also demonstrate that a complete prohibition is required by applicable water quality standards; and in this connection the application shall include: (a) A statement of the applicable water quality standards; and (b) justification for the belief that the discharge of sewage from vessels may contribute to a violation of water quality standards in the waters or portions thereof which are the subject of the application. If, on the basis of the State's application and any other information available to him, the Administrator is unable to make a finding that applicable water quality standards require a complete prohibition of any discharge in the waters or portions thereof covered by the application, he shall state

the reasons why he cannot make such a finding, and shall deny the application. If the Administrator makes a finding that applicable water quality standards require a complete prohibition of any discharge in all or any part of the waters or portions thereof covered by the State's application, he shall publish such finding together with a notice of proposed rule making, and then shall proceed in accordance with 5 U.S.C. 553. If the Administrator's finding is that applicable water quality standards require a complete prohibition covering a more restricted or more expanded area than that applied for by the State, he shall state the reasons why his finding differs in scope from that requested in the State's application. No regulation under this section shall be issued to take effect sooner than the effective date of the initial standards and regulations issued under section 13(b) (1) of the Act.

§ 140.5 Analytical procedures.

In determining the composition and quality of effluent discharged from marine sanitation devices the procedures contained in the current "Standard Methods for the Examination of Water and Wastewater," or subsequent revisions or amendments thereto, shall be employed.

Dated: June 20, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.72-9497 Filed 6-22-72; 8:51 am]

Title 49—TRANSPORTATION

Chapter V—National Highway Traffic Safety Administration, Department of Transportation

[Docket No. 69-7; Notice 19]

PART 571—MOTOR VEHICLE SAFETY STANDARDS

Occupant Crash Protection

The purpose of this notice is (1) to adopt the method of calculating head injury proposed in Notice 17 of Docket 69-7 (37 F.R. 5507) as an amendment to S6.2 of Motor Vehicle Safety Standard No. 208, Occupant Crash Protection, 49 CFR 571.208, and (2) to respond in part to petitions for reconsideration of the amendments to the standard published in Notice 16, February 24, 1972 (37 F.R. 3911). The issue involving Notice 16 addressed by this notice is the applicability of the head injury criterion of S6.2 to seat belt restraint systems. Action on the remaining issues has been scheduled for completion not later than July 1, 1972.

I. *Calculation of head injury criterion.* Some substantive objections were raised to the proposed method of calculating the head injury criterion. Several comments questioned the use of resultant accelerations rather than the anterior-posterior accelerations used in the origi-

nal development of the Wayne State University tolerance curve. Although the curve was originally based on anterior-posterior acceleration data, its validity for resultant accelerations appears to be confirmed by subsequent tests using resultant accelerations computed from biaxial accelerometers. Resultant accelerations have therefore been used in the amended criterion.

The question of the permissible level was again raised, with some commenters supporting a level of 1,500 even under the revised method of calculation. This agency's position is that adequate justification has not been demonstrated for a numerical increase in the severity level, although adjustments in the method of calculation adopted herein may have the effect of allowing greater cumulative accelerations than would have been allowed under the Gadd Severity Index. With a new calculation, the higher numerical level is less supportable than before and it is accordingly rejected. The amendment to S6.2 is adopted as proposed.

II. *Applicability of the head injury criterion to seatbelt systems.* The decision to postpone the date of mandatory installation of passive restraints until August 15, 1975, was made in consideration of the hardship that would have been imposed on many manufacturers by a requirement to provide passive restraints by the original date of August 15, 1973. The injury criteria of the standard, measured in a barrier crash with instrumented dummies, were applied to belt systems as well as passive systems that might be used to meet the requirements of the standard, beginning August 15, 1973.

Several manufacturers have petitioned for the removal of the injury criteria, particularly those for head injury, from the belt system tests. Their concern arises from their test results indicating that in many vehicles currently available belt systems either do not meet or only marginally meet the head injury criteria. They have argued that much, perhaps most, of the acceleration that contributes to the head Severity Index measurement with a shoulder-belted dummy occurs as the head flops loosely forward without striking anything in the vehicle. Actual field collision data, they maintain, does not indicate that this type of head movement by shoulder-belted vehicle occupants in a crash is a serious injury-producing factor. They question the correlation between results of the dummy tests and the actual protective characteristics of the belt systems.

The NHTSA recognizes the uncertainty concerning the significance of head movement by a shoulder-belted occupant whose head does not strike the forward part of the vehicle, although it considers the present evidence too scanty to be conclusive in either direction. It also recognizes that the leadtime for any major design or component changes for the 1974 models has been virtually exhausted. Recent materials submitted to the docket

indicate that presently existing inflatable restraint systems can meet the head injury criteria with little difficulty. The inherent limitations in lap-and-shoulder-belt systems make it considerably more difficult for those systems to meet these criteria, although belt systems have been found to provide protection at moderate speeds.

For these reasons, it has been decided that a temporary modification in the head injury measurements for belt systems is justified. The amendment made by this notice in response to the petitions affects vehicles manufactured before August 15, 1975, and provides that measurement of head acceleration begins, for purposes of computing the head injury criterion for belted dummies, only at the moment at which the head strikes some portion of the vehicle other than a belt. The measurement will thus include any contact with the windshield or dashboard, for example, or the effects of rebound against the seat back, but preimpact accelerations of the head will be excluded.

This agency will examine closely the accident data bearing on the traumatic effect of nonimpactive head accelerations, as well as such laboratory data as may be gathered, for example from cadaver studies. Work is also in progress concerning the correlation between dummy and human behavior, with a view to more sophisticated instrumentation and measurement of vehicle performance, and to continued evaluation of the head injury criterion for the entire test crash event.

In consideration of the foregoing, paragraph S6.2 of Motor Vehicle Safety Standard No. 208, Occupant Crash Protection, 49 CFR 571.208, is amended to read as follows:

S6.2 The resultant acceleration at the center of gravity of the head shall be such that the expression:

$$\left[\frac{1}{t_2 - t_1} \int_{t_1}^{t_2} a \, dt \right]^{2.5} (t_2 - t_1)$$

shall not exceed 1,000, where a is the resultant acceleration expressed as a multiple of g (the acceleration of gravity), and t_1 and t_2 are any two points in time during the crash. However, in the case of a vehicle manufactured before August 15, 1975, when the dummy is restrained by a seat belt system, t_1 and t_2 are any two points in time after the head contacts a part of the vehicle other than the belt system.

Effective date. July 24, 1972. Because this amendment modifies an existing rule in a manner that imposes no additional substantive requirements, it is found for good cause shown that an effective date less than 180 days from the date of issuance is in the public interest.

(Secs. 103, 119, National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1392, 1407, delegation of authority at 49 CFR 1.51)

Issued on June 20, 1972.

DOUGLAS W. TOMS,
Administrator.

[FR Doc.72-9532 Filed 6-20-72; 4:09 pm]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 31]

EMPLOYMENT TAXES

Withholding With Respect to Part-Year Employment

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by July 24, 1972. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner by July 24, 1972. In such case a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] JOHNNIE M. WALTERS,
Commissioner of Internal Revenue.

In order to authorize the use of a new method of computing the amount of income tax to be deducted and withheld with respect to part-year employment, § 31.3402(h)(4)-1 of the Employment Tax Regulations (26 CFR Part 31) is amended by inserting headings in paragraphs (a) and (b) and by adding a new paragraph (c) to read as follows:

§ 31.3402(h)(4)-1 Other methods.

(a) *Maximum permissible deviation.* * * *

(b) *Combined FICA and income tax withholding.* * * *

(c) *Part-year employment method of withholding—(1) In general.* In addition to the methods authorized by other paragraphs of this section, in the case

of part-year employment (as defined in subparagraph (4) of this paragraph) where the employee has in effect a request that the amount of tax to be withheld from his wages be computed according to the part-year employment method described in this paragraph the employer may determine the amount of tax to be deducted and withheld upon a payment of wages made to the employee on or after the date of publication of this paragraph in final regulations in the FEDERAL REGISTER by taking the following steps:

Step 1. Add the amount of wages to be paid to the employee for the current payroll period to the total amount of wages paid by the employer to the employee for all preceding payroll periods included in the current term of continuous employment (as defined in subparagraph (3) of this paragraph) of the employee by the employer;

Step 2. Divide the aggregate amount of wages computed in Step 1 by the total of the number of payroll periods to which that amount relates plus the equivalent number of payroll periods (as defined in subparagraph (2) of this paragraph) in the term of the employee's continuous unemployment immediately preceding the current term of continuous employment, such term of continuous unemployment to be exclusive of any days prior to the beginning of the employee's current taxable year;

Step 3. Determine the total amount of tax that would have been required to be deducted and withheld under section 3402 if the average amount of wages (as computed in Step 2) had been paid to the employee for the number of payroll periods determined in Step 2 (including the equivalent number of payroll periods); and

Step 4. Determine the excess, if any, of the amount of tax computed in Step 3 over the total amount of tax already deducted and withheld by the employer from wages paid to the employee for all payroll periods during the current term of continuous employment.

The use of the method described in this paragraph does not preclude the employee from claiming additional withholding allowances for estimated itemized deductions pursuant to section 3402(m) or the standard deduction allowance pursuant to section 3402(f)(1)(G).

(2) *Equivalent number of payroll periods.* For purposes of this paragraph, the equivalent number of payroll periods shall be determined by dividing the number of calendar days contained in the current payroll period into the number of calendar days between the later of (i) the day certified by the employee as his last day of employment immediately prior to his current term of continuous employment, or (ii) the last day of the employee's taxable year immediately preceding his current taxable year, and the first day of the current term of continuous employment. For purposes of the preceding sentence, the term "calendar days" includes holidays, Saturdays, and

Sundays. In determining the equivalent number of payroll periods, any fraction obtained in the division described in the first sentence of this subparagraph shall be disregarded. An employee paid for a miscellaneous payroll period shall be considered to have a daily payroll period for purposes of this subparagraph. In a case in which an employee is paid for a daily or miscellaneous payroll period and the employer elects under paragraph (d)(2) of § 31.3402(b)-1 to compute the tax to be withheld as if the aggregate of the wages paid to the employee during the calendar week were paid for a weekly period, the employer shall determine the equivalent number of payroll periods for purposes of the computation of the tax to be withheld for the calendar week on the basis of a weekly payroll period (notwithstanding the fact that a determination of the equivalent number of payroll periods for purposes of the computation of the tax to be withheld upon wages paid for daily or miscellaneous payroll periods within such calendar week has been made on the basis of a daily or miscellaneous payroll period).

(3) *Term of continuous employment.* For purposes of this paragraph, a term of employment is continuous if it is either a single term of employment or two or more consecutive terms of employment with the same employer. A "term of continuous employment" includes all days on which an employee performs any services for an employer and includes days on which services are not performed because of illness or vacation, or because such days are holidays or are regular days off, such as Saturdays and Sundays, or days off in lieu of Saturdays and Sundays. Such term shall not include any days prior to the beginning of the employee's current taxable year.

(4) *Part-year employment.* For purposes of this paragraph, the term "part-year employment" means a term of continuous employment which, during the employee's taxable year, will not exceed 245 days or entitle the employee to wages of more than \$30,000.

(5) *Employee's request.* (i) An employee's request that his employer withhold according to the part-year employment method shall be in writing and in such form as the employer may prescribe. Such request shall be made under the penalties of perjury and shall contain the following information—

(a) The last day of employment by any employer prior to the current term of continuous employment;

(b) A statement that the employee reasonably anticipates that he will have no more than \$30,000 in gross income from all sources for the taxable year in which such term began and that he will have no more than 245 days of employment for such year (days of employment shall include all days on which any

services are performed for any employer, as well as days on which services are not performed because of illness or vacation, or because such days are holidays or are regular days off, such as Saturdays and Sundays, or days off in lieu of Saturdays and Sundays), and

(c) In the case of an employee with a fiscal-year accounting period, the first and last day of the employee's current taxable year.

An employee's request furnished to his employer pursuant to this section shall be effective, and may be acted upon by his employer, with respect to wages paid after the furnishing of such request, and shall cease to be effective with respect to any wages paid on or after the beginning of the payroll period during which the employee's current taxable year will end.

(ii) If, on any day during the calendar year, either or both of the anticipations stated by the employee in his statement provided pursuant to subdivision (i) (b) of this subparagraph become unreasonable, the employee shall revoke the request described in this subparagraph before the end of the payroll period during which it or they become unreasonable. The revocation shall be effective as of the beginning of the payroll period during which it is made.

(6) *Examples.* The application of this paragraph may be illustrated by the following examples:

Example (1). A, being unemployed for the period beginning on March 16, 1972, and ending on August 19, 1972, a period of 157 calendar days, is employed by X Co. X Co. anticipates that A's employment will last 8 calendar weeks, from August 20 to October 14, and A's wages therefor will not exceed \$30,000. In the Form W-4 which A furnishes X Co., A claims four exemptions and married status. A makes a written request, incorporating the statements required under subparagraph (5) (i) (b), that X Co. withhold on the basis of the part-year employment method. A works for the period beginning August 20, 1972, and ending on September 2, 1972, and earns \$1,800 in wages. Wages are paid on a bi-weekly basis. Using the part-year employment method, X Co. determines that \$22.80 is required to be deducted and withheld from A's wages to be paid for his services from August 20 to September 2, 1972. The determination is made as follows:

Amount of wages to be paid for the payroll period (bi-weekly).....	\$1,800.00
Number of payroll periods: Payroll period—Aug. 20 to Sept. 2.....	1
The equivalent number of payroll periods for the period of unemployment, disregarding the fractional payroll period.....	11
Average amount of wages per payroll period including equivalent number of payroll periods (\$1,800 ÷ 12).....	\$150.00
Amount required to be withheld from a payment of \$150 for a bi-weekly payroll period to a married person with 4 exemptions according to the wage bracket tables.....	1.90
Total amount required to be withheld under the wage bracket method with respect to all payroll periods (including equivalent number of payroll periods) (\$1.90 × 12).....	22.80

Amount already withheld by employer.....	0
Amount to be withheld under part-year employment method (\$22.80—0 (the amount previously withheld)).....	22.80

Example (2). A works for X for another 2-week period beginning on September 3, 1972, and ending on September 16, 1972, for which he earns \$2,100. X Co., using the part-year employment method, determines that \$323 is required to be deducted and withheld with respect to the wages for the current payroll period, as follows:

Amount of wages to be paid for the payroll period (bi-weekly).....	\$2,100.00
Amount of wages previously paid by the employer.....	1,800.00
Sum of amount of wages to be paid with respect to current payroll period and amount of wages already paid.....	3,900.00
Number of payroll periods: Payroll periods—Aug. 20 to Sept. 2 and Sept. 3 to Sept. 16.....	2
The equivalent number of payroll periods for the period of unemployment.....	11

Average amount of wages per payroll period (\$3,900 ÷ 13).....	\$300.00
Amount required to be withheld according to wage bracket tables from a payment of \$300 for a bi-weekly payroll period to a married person with 4 exemptions.....	26.60
Total amount required to be withheld under the wage bracket method with respect to all payroll periods (including equivalent number of payroll periods) (\$26.60 × 13).....	345.80
Amount already withheld by employer.....	22.80
Amount required to be withheld under the part-year employment method (\$345.80—\$22.80).....	323.00

[FR Doc.72-9486 Filed 6-22-72; 8:50 am]

DEPARTMENT OF THE INTERIOR

Bureau of Mines

[30 CFR Part 75]

SELF-PROPELLED ELECTRIC FACE EQUIPMENT

Proposed Mandatory Safety Standards

In the FEDERAL REGISTER for March 18, 1971 (36 F.R. 5244), there was published a notice of proposed rule making which prescribed, among other things, requirements for the installation of devices on all electric face equipment that would permit rapid deenergization of such equipment in the event of an emergency.

In light of the written comments, suggestions, and objections submitted to the Bureau of Mines concerning these proposed requirements, and in view of consultation meetings held, in accordance with section 101(c) of the Federal Coal Mine Health and Safety Act of 1969, since publication of the proposal, it is deemed advisable to withdraw the requirements proposed on March 18, 1971, and to propose revised installation and performance requirements for devices which will quickly deenergize the tram-

ming motors of self-propelled electric face equipment in the event of an emergency, and additional requirements for the installation and performance of automatic emergency brakes on rubber-tired self-propelled electric face equipment.

Therefore, notice is hereby given that in accordance with section 305(r) of the Act (83 Stat. 779; 30 U.S.C. 865(r)), and pursuant to the authority vested in the Secretary of the Interior under section 101(a) of the Act (83 Stat. 745; 30 U.S.C. 811(a)), it is proposed that Part 75, Subchapter O of Chapter I, Title 30, Code of Federal Regulations, be amended by adding §§ 75.523-1 through 75.523-3, as set forth below.

Interested persons may submit written comments, suggestions, or objections to the Director, Bureau of Mines, Washington, D.C. 20240, no later than 45 days following publication of this notice in the FEDERAL REGISTER.

HOLLIS M. DOLE,
Assistant Secretary
of the Interior.

JUNE 19, 1972.

Part 75, Subchapter O of Chapter I, Title 30, Code of Federal Regulations, would be amended by adding the following:

§ 75.523-1 Deenergization of self-propelled electric face equipment; installation requirements.

(a) Except as provided in paragraph (c) of this section, on and after September 30, 1973, all new, used, reconditioned, replacement, and additional self-propelled electric face equipment acquired for use in a coal mine shall be provided with a device that will quickly deenergize the tramming motors of the equipment in the event of an emergency.

(b) Except as provided in paragraph (c) of this section, all self-propelled electric face equipment in use in a coal mine on the effective date of this amendment shall, in accordance with the schedule of time specified in subparagraphs (1) and (2) of this paragraph, be provided with a device that will quickly deenergize the tramming motors of the equipment in the event of an emergency. The requirements of this paragraph shall be met as follows:

(1) On and after June 30, 1973, for self-propelled cutting machines, shuttle cars, battery-powered machines, and roof drills and bolters;

(2) On and after September 30, 1973, for all other types of self-propelled electric face equipment.

(c) Self-propelled electric face equipment that is equipped with a substantially constructed cab which meets the requirements of this part, shall not be required to be provided with a device that will quickly deenergize the tramming motors of the equipment in the event of an emergency.

§ 75.523-2 Deenergization of self-propelled electric face equipment; performance requirements.

(a) Deenergization of the tramming motors of self-propelled electric face equipment, required by § 75.523-1, shall be provided by:

(1) Mechanical actuation of an existing push-button emergency stop switch,

(2) Mechanical actuation of an existing lever emergency stop switch, or

(3) The addition of a separate electro-mechanical switch assembly.

(b) The existing emergency stop switch or additional switch assembly shall be actuated by a bar or lever which shall extend a sufficient distance in each direction to permit quick deenergization of the tramming motors of self-propelled electric face equipment from all locations from which the equipment can be operated.

(c) Movement of not more than 2 inches of the actuating bar or lever resulting from the application of not more than 15 pounds of force upon contact with any portion of the equipment operator's body at any point along the length of the actuating bar or lever shall cause deenergization of the tramming motors of the self-propelled electric face equipment.

§ 75.523-3 Rubber-tired, self-propelled electric face equipment; automatic emergency brake; installation and performance requirements.

(a) Except as provided in paragraph (c) of this section, on and after September 30, 1973, all new, used, reconditioned, replacement, and additional rubber-tired, self-propelled electric face equipment acquired for use in a coal mine shall be provided with an emergency brake which shall automatically engage when either:

(1) The device to deenergize the equipment, required by § 75.523-1, is activated; or

(2) The equipment is otherwise deenergized.

The automatic emergency brake shall engage immediately; bring the equipment to a complete stop within at least the same distance as the service brakes; and, prevent movement of the equipment while parked.

(b) Except as provided in paragraph (c) of this section, all rubber-tired, self-propelled electric face equipment in use in a coal mine on the effective date of this amendment shall, in accordance with the schedule of time specified in subparagraphs (1) and (2) of this paragraph, be provided with an emergency brake as is described in paragraph (a) of this section. The requirements of this paragraph shall be met as follows:

(1) On and after June 30, 1973, for rubber-tired, self-propelled cutting machines, shuttle cars, battery-powered equipment, and roof drills and bolters;

(2) On and after September 30, 1973, for all other types of rubber-tired, self-propelled electric face equipment.

(c) Rubber-tired, self-propelled electric face equipment with a driving mechanism, in accordance with § 18.20(f) of this chapter, that precludes movement of the equipment when parked, shall not be required to be provided with an automatic emergency brake as is described in paragraph (a) of this section.

[FR Doc.72-9474 Filed 6-22-72;8:48 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 907]

NAVEL ORANGES GROWN IN CALIFORNIA AND ARIZONA

Proposed Extension of Size Limitation

Notice is hereby given that the Department is considering the following proposal of the Navel Orange Administrative Committee, established under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal would extend the size limitation of Navel Orange Regulations 244 and 251, for the period August 1, through November 16, 1972.

The proposed extension of the period of Navel Orange Regulations 244 and 251 is designed to continue their size requirement for such fruit consistent with (1) the available supply and demand for such fruit; and (2) improve returns to producers pursuant to the declared policy of the act.

The proposals are as follows:

1. Amend the dates specified in paragraph (a) of Navel Orange Regulation 244 (36 F.R. 23289) to read as follows:

§ 907.544 Navel Orange Regulation 244.

(a) Order: From December 17, 1971, through November 16, 1972, * * *

2. Amend the dates specified in paragraph (a) of Navel Orange Regulation 251 (36 F.R. 25147) to read as follows:

§ 907.551 Navel Orange Regulation 251.

(a) Order: From January 21, 1972, through November 16, 1972, * * *

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112-A, Administration Building, Washington, D.C. 20250, not later than the 10th day after 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 (7 CFR 1.27(b)).

Dated: June 19, 1972.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[FR. Doc.72-9502 Filed 6-22-72;8:47 am]

[7 CFR Part 924]

FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREG.

Proposed Limitation of Handling

Consideration is being given to the following proposal, which would limit the handling of fresh prunes by establishing minimum grades and sizes recommended by the Washington-Oregon Fresh Prune Marketing Committee, established pursuant to the marketing agreement and Order No. 924 (7 CFR Part 924), regulating the handling of fresh prunes grown in designated counties in Washington and in Umatilla County, Oreg. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

All persons who desire to submit written data, views, or arguments in connection with the proposal should file the same with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 10th day 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 (7 CFR 1.27(b)).

The recommendations of the Washington-Oregon Fresh Prune Marketing Committee reflect its appraisal of the crop and current and prospective market conditions. Shipments of prunes from the production area are expected to begin on or about July 24, 1972. The grade and size requirements provided herein are necessary to prevent the handling, on and after July 24, 1972, of any prunes which do not comply with such requirements, so as to provide consumers with good quality fruit, consistent with the overall quality of the crop, while improving returns to producers pursuant to the declared policy of the Act.

The provision which excepts the Brooks variety of prunes from the requirements of this regulation recognizes the fact that prunes of this variety are primarily consumed locally, that they do not withstand shipment well, and that the amount of prunes of this variety produced is insignificant compared to the total supply. Individual shipments, not exceeding 500 pounds, of the Stanley or Merton varieties of prunes, subject to necessary safeguards, are excepted from these requirements because the production of these varieties is relatively small and those few which are produced are primarily consumed locally or are sold for home use and not for resale. Individual shipments, not exceeding 150 pounds, of any variety other than Stanley or Merton varieties of prunes sold for home use and not for resale, subject to necessary safeguards, are excepted from these requirements in that the quantity of prunes so handled is relatively inconsequential when compared

with the total quantity handled, and because it would be administratively impracticable to regulate the handling of such shipments due to the nearness of the source of supply.

Such proposal reads as follows:

§ 924.311 Prune Regulation 10.

(a) Order: Prune Regulation 9, as amended (36 F.R. 13898; 15424) is hereby terminated on July 24, 1972.

(b) During the period July 24, 1972, through August 31, 1973, no handler shall handle any lot of prunes, except prunes of the Brooks variety, unless:

(1) Such prunes grade at least U.S. No. 1, except that only two-thirds of the surface of the prune is required to be purplish color, and such prunes measure not less than 1 1/4 inches in diameter as measured by a rigid ring: *Provided*, That the following tolerances, by count, of the prunes in any lot shall apply in lieu of the tolerances for defects provided in the U.S. Standards for Grades of Fresh Plums and Prunes: A total of not more than 15 percent for defects, including therein not more than the following percentage for the defect listed:

(i) Ten percent for prunes which fail to meet the color requirement;

(ii) Ten percent for prunes which fail to meet the minimum diameter requirement;

(iii) Ten percent for prunes which fail to meet the remaining requirements of the grade: *Provided*, That not more than one-half of this amount, or 5 percent, shall be allowed for defects causing serious damage, including in the latter amount not more than 1 percent for decay, or

(2) Such prunes are handled in accordance with paragraph (c) of this section.

(c) Notwithstanding any other provision of this regulation, any individual shipment which, in the aggregate, does not exceed 500 pounds net weight, of prunes of the Stanley or Merton varieties of prunes, or 150 pounds net weight, of prunes of any variety other than Stanley or Merton varieties of prunes, which meets each of the following requirements may be handled without regard to the provision of paragraph (b) of this section, and of §§ 924.41 and 924.55:

(1) The shipment consists of prunes sold for home use and not for resale, and

(2) Each container is stamped or marked with the handler's name and address and with the words "not for resale" in letters at least one-half inch in height.

(d) The term "U.S. No. 1" shall have the same meaning as when used in the U.S. Standards for Fresh Plums and Prunes (7 CFR 51.1520-51.1538); the term "purplish color" shall have the same meaning as when used in the Washington State Department of Agriculture Standards for Italian Prunes (June 5, 1972) and in the Oregon State Department of Agriculture Standards for Italian Prunes (July 15, 1972); the term "diameter" means the greatest dimension measured at right angles to a line from the stem to blossom end of the fruit; and, except as otherwise specified, all other terms shall have the same

meaning as when used in the marketing agreement and order.

Dated: June 19, 1972.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[FR Doc. 72-9503 Filed 6-22-72; 8:47 am]

[7 CFR Part 948]

IRISH POTATOES GROWN IN
COLORADO

Proposed Limitation of Shipments

Consideration is being given to the issuance of the limitation of shipments regulation, hereinafter set forth, which was recommended by the Area Committee for Area No. 3, Colorado, established pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948). This marketing order program regulates the handling of Irish potatoes grown in the State of Colorado and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations of the committee reflect its appraisal of the composition of the 1972 crop in Area No. 3 and of the marketing prospects for this season. Harvesting is expected to begin on or about July 17 so the regulation should become effective on that date.

The grade, size, and maturity requirements provided herein are necessary to prevent potatoes of lesser maturities, undesirable sizes, or low quality from being distributed in fresh market channels. They will also provide consumers with good quality potatoes consistent with the overall quality of the crop, and maximize returns to producers for the preferred quality and sizes.

All persons who desire to submit written data, views, or arguments in connection with this proposal may file the same, in four copies, with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 10 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 (7 CFR 1.27(b)). The proposed regulation is as follows:

§ 948.367 Limitation of shipments.

During the period July 17, 1972, through June 30, 1973, no person shall handle any lot of potatoes grown in Area No. 3 unless such potatoes meet the requirements of paragraphs (a), (b), and (c) of this section, or unless such potatoes are handled in accordance with paragraphs (c), (d), (f), and (g) of this section.

(a) *Grade and size requirements.* All varieties. U.S. No. 1, or better grade, 2 inches minimum diameter; or U.S. No. 2, or better grade up to but not including U.S. No. 1 grade and not less than 1 1/4 inches minimum diameter: *Provided*,

That Size B may be handled if U.S. No. 1, or better grade: *Further provided*, That long varieties may, in lieu of such minimum diameters, be 4 ounces minimum weight.

(b) *Maturity (skinning) requirements.* All varieties. For U.S. No. 2 grade, not more than "moderately skinned," and for all other grades, not more than "slightly skinned."

(c) *Special purpose shipments.* (1) The grade, size, maturity and inspection requirements of paragraphs (a), (b), and (c) of this section shall not be applicable to shipments of potatoes for:

(i) Livestock feed;

(ii) Charity;

(iii) Canning, freezing; and "other processing" as hereinafter defined; and

(iv) Certified seed potatoes (§ 948.6).

(2) The maturity requirements set forth in paragraph (b) of this section shall not be applicable to shipments of potatoes for prepeeling.

(d) *Safeguards.* Each handler making shipments of potatoes pursuant to paragraph (c) of this section shall,

(1) Prior to shipment, apply for and obtain a Certificate of Privilege from the committee,

(2) Furnish the committee such reports and documents as requested, including certification by the buyer or receiver on the use of such potatoes, and

(3) Bill each shipment directly to the applicable buyer or receiver.

(e) *Inspection.* (1) No handler shall handle any potatoes for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto and the certificate is valid at the time of shipment. For purposes of operation under this part it is hereby determined pursuant to paragraph (d) of § 948.40, that each inspection certificate shall be valid for a period not to exceed 5 days following the date of inspection as shown on the inspection certificate.

(2) No handler may transport or cause the transportation by motor vehicle of any shipment of potatoes for which an inspection certificate is required unless each shipment is accompanied by, and made available for examination at any time upon request, a copy of the inspection certificate applicable thereto.

(f) *Minimum quantity.* For purposes of regulation under this part, each person may handle up to but not exceed 1,000 pounds of potatoes without regard to the requirements of paragraphs (a) and (b) of this section, but this exception shall not apply to any shipment of over 1,000 pounds of potatoes.

(g) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "Size B," "moderately skinned" and "slightly skinned," shall have the same meaning as when used in the U.S. Standards for Grades of Potatoes (§§ 51.1540-51.1566 of this title, as amended, effective September 1, 1971) including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422

(U.S. Standards for Grades of Peeled Potatoes, §§ 52.2421-52.2433 of this title). The term "other processing" has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. The act of peeling, cooling, slicing, or dicing, or the application of material to prevent oxidation does not constitute "other processing."

(h) *Applicability to imports.* Pursuant to section 608e-1 of the act and § 980.1, "Import regulations" (7 CFR 980.1), round white varieties of Irish potatoes, except certified seed potatoes, imported into the United States during the period August 1, 1972, through June 4, 1973, shall meet the minimum grades, size, quality, and maturity requirements specified in paragraphs (a) and (b) of this section.

Dated: June 19, 1972.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.72-9504 Filed 6-22-72;8:47 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 141a, 146, 146a,
149e]

SODIUM OXACILLIN

Proposed Certification of Penicillin and Penicillin-Containing Drugs; Tests and Methods of Assay

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), it is proposed that Parts 141a, 146, and 146a be revised and Part 149e be established to provide for the recodification and technical revisions of the sodium oxacillin monographs.

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

§§ 141a.104, 141a.105, 141a.106, 141a.110, and 141a.117 [Revoked]

1. It is proposed that Part 141a be amended by revoking §§ 141a.104, 141a.105, 141a.106, 141a.110, and 141a.117 and by reserving them for future use.

PART 146—ANTIBIOTIC DRUGS; PROCEDURAL AND INTERPRETATIVE REGULATIONS

2. It is proposed that Part 146 be amended by revoking §§ 141a.104, 141a.

tence to the end of paragraph (c)(8) (iii) to read as follows:

§ 146.2 Requests for certification, check tests and assays, and working standards; information and samples required.

(c) ***

(8) ***

(iii) In the case of drugs packaged for repackaging or for use in the manufacture of another drug, the sample must be representative of the batch. Such samples may be taken from a composite composed of portions taken from a representative number of bulk containers, the composite consisting of no more than 10 times the amount required for conducting the required tests and assays. Such samples are not required if they have been previously submitted.

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

§§ 146a.8, 146a.12, 146a.13, 146a.14, and 146a.113 [Revoked]

3. It is proposed that Part 146a be amended by revoking §§ 146a.8, 146a.12, 146a.13, 146a.14, and 146a.113 and by reserving them for future use.

PART 149e—OXACILLIN

4. It is proposed that the following new Part 149e be added to this chapter:

Sec.
149e.1 Sodium oxacillin.
149e.2 Sterile sodium oxacillin.
149e.3-149e.10 [Reserved]
149e.11 Sodium oxacillin capsules.
149e.12 Sodium oxacillin for oral solution.
149e.13 Sodium oxacillin for injection.

AUTHORITY: The provisions of this Part 149e issued under sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357.

§ 149e.1 Sodium oxacillin.

(a) *Requirements for certification—*
(1) *Standards of identity, strength, quality, and purity.* Sodium oxacillin is the monohydrated sodium salt of 5-methyl-3-phenyl-4-isoxazolyl penicillin. It is so purified and dried that:

(i) It contains not less than 815 and not more than 950 micrograms of oxacillin per milligram.

(ii) It passes the safety test.

(iii) Its moisture content is not less than 3.5 and not more than 5.0 percent.

(iv) Its pH in an aqueous solution containing 30 milligrams per milliliter is not less than 4.5 and not more than 7.5.

(v) Its sodium oxacillin content is not less than 90 percent and not more than 105 percent.

(vi) It is crystalline.

(vii) It gives a positive identity test for the oxacillin moiety.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, safety, moisture, pH, sodium oxacillin content, crystallinity, and identity.

(ii) Samples required: 10 packages, each containing approximately 300 milligrams.

(b) *Tests and methods of assay—*
(1) *Potency.* Assay for potency by any of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed portion of the sample in sufficient 1.0 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a stock solution of convenient concentration. Further dilute an aliquot of the stock solution with solution 1 to the reference concentration of 5.0 micrograms of oxacillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter.

(iii) *Hydroxylamine colorimetric assay.* Proceed as directed in § 141.507 of this chapter.

(2) *Safety.* Proceed as directed in § 141.5 of this chapter.

(3) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using a solution containing 30 milligrams per milliliter.

(5) *Sodium oxacillin content.* Place approximately 60 milligrams of sample, accurately weighed, into a 100-milliliter volumetric flask. Dissolve and fill to volume with distilled water. Pipette a 5.0-milliliter aliquot of the sample solution into a 22 x 200-milliliter test tube, and add 5 milliliters of 10N NaOH. Mix the solution, and place the tube in a boiling water bath for 60 minutes. Cool the tube, carefully add 10 milliliters of 6N HCL, mix, and replace the tube in the boiling water bath for 10 minutes. Position the tube in the bath so that the liquid level in the tube is the same as the liquid level in the bath. After heating, remove the tube from the bath, carefully agitate the contents of the tube, and cool to room temperature. Quantitatively transfer the contents of the tube to a 250-milliliter volumetric flask. Add approximately 200 milliliters of freshly boiled and cooled distilled water, then 4.0 milliliters of 7.5N NH₄OH, and dilute to volume with freshly boiled and cooled distilled water. Treat a sample of the oxacillin working standard in the same manner. Determine the absorbance of the sample and working standard solutions on a suitable spectrophotometer at 235 nanometers against a reagent blank, and calculate as follows:

$$\frac{\text{Percent sodium oxacillin}}{\text{Absorbance of sample} \times \text{weight in milligrams of standard} \times \text{sodium oxacillin content of standard in percent}} = \frac{\text{Absorbance of standard} \times \text{weight in milligrams of sample}}{\text{Percent sodium oxacillin}}$$

(6) *Crystallinity*. Proceed as directed in § 141.504(a) of this chapter.

(7) *Identity*. Use the sample solution prepared as described in subparagraph (5) of this paragraph and record the ultraviolet spectrum between 230 nanometers and 260 nanometers. It should be basically identical to that of the standard similarly treated.

§ 149e.2 Sterile sodium oxacillin.

(a) *Requirements for certification*—
(1) *Standards of identity, strength, quality, and purity*. Sterile sodium oxacillin is the monohydrated sodium salt of 5-methyl-3-phenyl-4-isoxazolyl penicillin. It is so purified and dried that:

(i) It contains not less than 815 and not more than 950 micrograms of oxacillin per milligram.

(ii) It is sterile.

(iii) It is nonpyrogenic.

(iv) It passes the safety test.

(v) Its moisture content is not less than 3.5 and not more than 5.0 percent.

(vi) Its pH in an aqueous solution containing 30 milligrams per milliliter is not less than 4.5 and not more than 7.5.

(vii) Its sodium oxacillin content is not less than 4.5 and not more than 7.5 than 105 percent.

(viii) It is crystalline.

(ix) It gives a positive identity test for the oxacillin moiety.

(2) *Labeling*. It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples*. In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, sterility, pyrogens, safety, moisture, pH, sodium oxacillin content, crystallinity, and identity.

(ii) Samples required:

(a) For all tests except sterility: 10 packages, each containing approximately 300 milligrams, plus one package containing approximately 2 grams.

(b) For sterility testing: 20 packages, each containing approximately 600 milligrams.

(b) *Tests and methods of assay*—(1) *Potency*. Assay for potency by any of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay*. Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed portion of the sample in sufficient 1.0 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a stock solution of convenient concentration. Further dilute an aliquot of the stock solution with solution 1 to the reference concentration of 5.0 micrograms of oxacillin per milliliter (estimated).

(ii) *Iodometric assay*. Proceed as directed in § 141.506 of this chapter.

(iii) *Hydroxylamine colorimetric assay*. Proceed as directed in § 141.507 of this chapter.

(2) *Sterility*. Proceed as directed in § 141.2 of this chapter, using the method described in § 141.2(e) (1).

(3) *Pyrogens*. Proceed as directed in § 141.4(a) of this chapter, using a solution containing 20 milligrams per milliliter.

(4) *Safety*. Proceed as directed in § 141.5 of this chapter.

(5) *Moisture*. Proceed as directed in § 141.502 of this chapter.

(6) *pH*. Proceed as directed in § 141.503 of this chapter, using a solution containing 30 milligrams per milliliter.

(7) *Sodium oxacillin content*. Proceed as directed in § 149e.1(b) (5).

(8) *Crystallinity*. Proceed as directed in § 141.504(a) of this chapter.

(9) *Identity*. Proceed as directed in § 149e.1(b) (7).

§ 149e.11 Sodium oxacillin capsules.

(a) *Requirements for certification*—

(1) *Standards of identity, strength, quality, and purity*. Sodium oxacillin capsules are composed of sodium oxacillin with or without one or more diluents and lubricants, enclosed in a gelatin capsule. Each capsule contains sodium oxacillin equivalent to 125, 250, or 500 milligrams of oxacillin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of oxacillin that it is represented to contain. Its moisture content is not more than 6.0 percent. The sodium oxacillin used conforms to the standards prescribed by § 149e.1(a) (1).

(2) *Labeling*. It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples*. In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The sodium oxacillin used in making the batch for potency, safety, moisture, pH, sodium oxacillin content, crystallinity, and identity.

(b) The batch for potency and moisture.

(ii) Samples required:

(a) The sodium oxacillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 30 capsules.

(b) *Tests and methods of assay*—(1) *Potency*—(i) *Sample preparation*. Place a representative number of capsules into a high-speed glass blender jar containing sufficient 1 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a stock solution of convenient concentration. Blend for 3 to 5 minutes.

(ii) *Assay procedures*. Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(a) *Microbiological agar diffusion assay*. Proceed as directed in § 141.110 of this chapter, diluting an aliquot of the stock solution with solution 1 to the reference concentration of 5 micrograms of oxacillin per milliliter (estimated).

(b) *Iodometric assay*. Proceed as directed in § 141.506 of this chapter, diluting an aliquot of the stock solution with solution 1 to the prescribed concentration.

(2) *Moisture*. Proceed as directed in § 141.502 of this chapter.

§ 149e.12 Sodium oxacillin for oral solution.

(a) *Requirements for certification*—

(1) *Standards of identity, strength, quality, and purity*. Sodium oxacillin for oral solution is a mixture of sodium oxacillin with one or more suitable colorings, flavorings, buffer substances, stabilizers, and preservatives. When reconstituted as directed in the labeling, each milliliter contains sodium oxacillin equivalent to either 25 or 50 milligrams of oxacillin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of oxacillin that it is represented to contain. Its moisture content is not more than 1.0 percent. When reconstituted as directed in its labeling, the pH of the solution is not less than 5.0 and not more than 7.5. The sodium oxacillin used conforms to the standards prescribed by § 149e.1(a) (1).

(2) *Labeling*. It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples*. In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The sodium oxacillin used in making the batch for potency, safety, moisture, pH, sodium oxacillin content, crystallinity, and identity.

(b) The batch for potency, moisture, and pH.

(ii) Samples required:

(a) The sodium oxacillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of six immediate containers.

(b) *Tests and methods of assay*—(1) *Potency*—(i) *Sample preparation*. Reconstitute as directed in the labeling. Place an accurately measured representative aliquot of the sample into an appropriate-sized volumetric flask with sufficient 1 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a stock solution of convenient concentration.

(ii) *Assay procedures*. Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(a) *Microbiological agar diffusion assay*. Proceed as directed in § 141.110 of this chapter, diluting an aliquot of the stock solution with solution 1 to the reference concentration of 5 micrograms of oxacillin per milliliter (estimated).

(b) *Iodometric assay*. Proceed as directed in § 141.506 of this chapter, diluting an aliquot of the stock solution with solution 1 to the prescribed concentration.

(2) *Moisture*. Proceed as directed in § 141.502 of this chapter.

(3) *pH*. Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

§ 149e.13 Sodium oxacillin for injection.

(a) Requirements for certification—

(1) *Standards of identity, strength, quality, and purity.* Sodium oxacillin for injection is a dry mixture of sodium oxacillin and one or more buffer substances, with or without trisodium ethylenediamine tetraacetic acid, and with or without one or more suitable and harmless preservatives. Its potency is satisfactory if it is not less than 90 percent and not more than 115 percent of the number of milligrams of oxacillin that it is represented to contain. It is sterile. It is nonpyrogenic. It passes the safety test. Its moisture content is not more than 6.0 percent. Its pH in an aqueous solution containing 30 milligrams per milliliter is not less than 6.0 and not more than 8.5. The sodium oxacillin used conforms to the standards prescribed by § 149e.2(a) (1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:
(a) The sodium oxacillin used in making the batch for potency, moisture, pH, sodium oxacillin content, crystallinity, and identity.

(b) The batch for potency, sterility, pyrogens, safety, moisture, and pH.

(ii) *Samples required:*
(a) The sodium oxacillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch:
(1) For all tests except sterility: A minimum of 10 immediate containers.

(2) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation, or 40 immediate containers if each contains less than 600 milligrams.

(b) *Tests and methods of assay—*(1) *Potency—*(i) *Sample preparation.* Reconstitute as directed in the labeling. Then using a suitable hypodermic needle and syringe, remove all of the withdrawable contents if it is represented as a single dose container, or if the labeling specifies the amount of potency in a given volume of the resultant preparation, remove an accurately measured representative portion from each container. Dilute with 1 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a stock solution of convenient concentration.

(ii) *Assay procedures.* Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(a) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, diluting an aliquot of the stock solution with solution 1 to the reference concentration of 5 micrograms of oxacillin per milliliter (estimated).

(b) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, diluting an aliquot of the stock solution with solution 1 to the prescribed concentration.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in § 141.2(e) (1).

(3) *Pyrogens.* Proceed as directed in § 141.4(a) of this chapter, using a solution containing 20 milligrams per milliliter.

(4) *Safety.* Proceed as directed in § 141.5 of this chapter.

(5) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(6) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 30 milligrams per milliliter.

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: June 12, 1972.

H. E. SIMMONS,
Director, Bureau of Drugs.

[FR Doc.72-9465 Filed 6-22-72;8:49 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 72-SO-12]

FEDERAL AIRWAY SEGMENTS

Proposed Alteration

The Federal Aviation Administration (FAA) is considering amendments to Part 71 of the Federal Aviation Regulations that would designate VOR Federal airway No. 66 south alternate segment and revoke segments of VOR Federal airways Nos. 54 and 454.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, DC 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

tion at the office of the Regional Air Traffic Division Chief.

The FAA is considering the following airspace actions:

1. Designate V-66 south alternate segment from Athens, Ga., via intersection of Athens 092° T (092° M) and Greenwood, S.C., 240° T (241° M) radials; Greenwood; Pinehurst, N.C.; to Raleigh-Durham, N.C.

2. Revoke V-454 segment between Greenwood and Fort Mill, S.C.

3. Revoke V-54 segment between Fort Mill and Pinehurst.

These proposed actions will provide an alternate route for aircraft presently overflying the Charlotte/Fort Mills terminal area and would provide a more direct routing between Atlanta, Ga., and Fayetteville/New Bern, N.C., terminals. In addition, reduced traffic congestion within the Charlotte terminal area would result through adoption of the proposed actions.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C. on June 16, 1972.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.72-9485 Filed 6-22-72;8:46 am]

[14 CFR Part 71]

[Airspace Docket No. 72-SW-14]

ADDITIONAL CONTROL AREA AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration (FAA) is considering amendments to Part 71 of the Federal Aviation Regulations that would alter Control 1215 and the Texas transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 1689, Fort Worth, TX 76101. All communications received within 15 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, DC 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

As parts of these proposals relate to the navigable airspace outside the

United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 of and Annex 11 to the Convention on International Civil Aviation, which pertain to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its standards and recommended practices. As a contracting state, the United States agreed by Article 3(d) that its State aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since these actions involve, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The airspace actions proposed in this docket would:

1. Amend Control 1215 to read as follows:

That airspace south of Galveston, Tex., bounded by a line beginning at lat. 29°19'00" N., long. 94°40'30" W., thence to lat. 28°15'00" N., long. 92°07'00" W., to lat. 27°32'00" N., long. 94°00'00" W., to lat. 26°00'00" N., long. 95°09'00" W., to lat. 26°00'00" N., long. 95°55'00" W., to lat. 25°58'30" N., long. 97°00'00" W., to lat. 25°58'30" N., long. 97°05'20" W., thence northward 3 NMI from and parallel to the shoreline to point of beginning; excluding that airspace east of Corpus Christi, Tex., bounded by a line 3 NMI from and parallel to the shoreline and a line beginning at a point 3 NMI from the shoreline at lat. 27°49'00" N., thence to lat. 27°45'30" N., long. 96°51'00" W., to lat. 27°28'20" N., long. 96°45'30" W., to lat. 27°14'30" N., long. 96°55'30" W., to lat. 27°23'00" N., long. 97°06'00" W., to a point 3 NMI from the shoreline at lat. 27°11'20" N. The portion below 2,500 feet MSL would be excluded.

2. Amend the Texas transition area to include the airspace bounded by a line beginning at a point 3 nautical miles from the shoreline at lat. 28°22'00" N.,

thence to lat. 28°22'00" N., long. 96°30'00" W., to lat. 28°14'00" N., long. 96°46'00" W., thence along long. 96°46'00" W., to a point 3 nautical miles from the shoreline.

The proposed alterations of Control 1215 and the Texas transition area are needed for the following reasons:

1. The amended Control 1215 would provide controlled airspace for proposed direct routes between Houston, Tex., and Tampico, Mexico; Houston and Brownsville, Tex.; and Palacios, Tex., and Tampico.

2. The airspace described in item 2 above was originally excluded from the Texas transition area because of a sole-use restricted area. The restricted area is now joint use. Therefore, if the airspace is included in the Texas transition area, the FAA could use the airspace when not being used by the Air Force.

The altered Control 1215 would encompass, in part, Warning Areas W-228 and W-602. Air traffic control usage of the offshore airspace within the affected warning areas would be conducted in accordance with letters of procedures between the Federal Aviation Administration, the Department of the Navy, and the Department of the Air Force.

These amendments are proposed under the authority of section 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510), Executive Order 10854 (24 F.R. 9565) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on June 22, 1972.

LOUIS H. MCCAUGHEY,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.72-9644 Filed 6-22-72;10:28 am]

ENVIRONMENTAL PROTECTION AGENCY

[41 CFR Part 15-16]

PROCUREMENT FORMS

Illustration of Forms

Notice is hereby given that the Environmental Protection Agency proposes general provisions to be used in fixed price research and development contracts with profit making organizations to 41 CFR Chapter 15, § 15-16.901-2a, General Provisions, under Subpart 15-16.9, Illustration of Forms, Part 15-16, Procurement Forms, to read as set forth below.

Interested parties may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Environmental Protection Agency, Contracts Management Division, Washington, D.C. 20460. All communications received within thirty (30) days from date of publication of this notice in the FEDERAL REGISTER will be considered prior to adoption of the final regulation. A copy

of each communication will be placed on file for public inspection in the Contracts Management Division, Room 3220-C, Waterside Mall, Washington, D.C. 20460.

Dated: June 20, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator.

Subpart 15-16.9—Illustration of Forms

§ 15-16.901-2a General provisions.

GENERAL PROVISIONS

FOR USE IN FIXED PRICE RESEARCH AND DEVELOPMENT CONTRACTS WITH PROFITMAKING ORGANIZATIONS

The following listed clauses (1-29) previously published in the FEDERAL REGISTER dated April 28, 1972, will be included:

1. Definitions.
2. Inspection.
3. Notice and assistance regarding patent and copyright infringement.
4. Covenant against contingent fees.
5. Officials not to benefit.
6. Buy American Act.
7. Utilization of small business concerns.
8. Utilization of labor surplus area concerns.
9. Pricing of adjustments.
10. Examination of records by Comptroller General.
11. Contract Work Hours and Safety Standards Act—overtime compensation.
12. Convict labor.
13. Walsh-Healey Public Contracts Act.
14. Equal opportunity.
15. Assignment of claims.
16. Disputes.
17. Authorization and consent.
18. Notice to the Government of delays.
19. Competition in subcontracting.
20. Changes.
21. Gratuities.
22. Contractor and subcontractor listing requirement.
23. Subcontracts.
24. Subcontractor cost and pricing data.
25. Utilization of minority business enterprises.
26. Price reduction for defective cost or pricing data.
27. Rights in data.
28. Data requirements.
29. Patents.

In addition to the above, the following clauses will be included for use in fixed price research and development contracts with profit-making organizations:

30. Termination for convenience of the Government. (a) The performance of work under this contract may be terminated by the Government in accordance with this clause in whole, or from time to time in part, whenever the Contracting Officer shall determine that such termination is in the best interest of the Government. Any such termination shall be effected by delivery to the Contractor of a notice of termination specifying the extent to which performance of work under the contract is terminated, and the date upon which such termination becomes effective.

(b) After receipt of a notice of termination, and except as otherwise directed by the Contracting Officer, the Contractor shall:

(1) Stop work under the contract on the date and to the extent specified in the notice of termination;

(2) Place no further orders or subcontracts for materials, services, or facilities, except as may be necessary for completion of such portion of the work under the contract as is not terminated;

(3) Terminate all orders and subcontracts to the extent that they relate to the performance of work terminated by the notice of termination;

(4) Assign to the Government, in the manner, at the times, and to the extent directed by the Contracting Officer, all of the right, title, and interest of the Contractor under the orders and subcontracts so terminated, in which case the Government shall have the right, in its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts;

(5) Settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the Contracting Officer, to the extent he may require, which approval or ratification shall be final for all the purposes of this clause;

(6) Transfer title to the Government and deliver in the manner, at the times, and to the extent, if any, directed by the Contracting Officer, (i) the fabricated or unfabricated parts, work in process, completed work, supplies, and other material produced as a part of, or acquired in connection with the performance of, the work terminated by the notice of termination, and (ii) the completed or partially completed plans, drawings, information, and other property which, if the contract had been completed, would have been required to be furnished to the Government;

(7) Use his best efforts to sell, in the manner, at the times, to the extent, and at the price or prices directed or authorized by the Contracting Officer, any property of the types referred to in (6) above: *Provided, however*, That the Contractor (i) shall not be required to extend credit to any purchaser, and (ii) may acquire any such property under the conditions prescribed by and at a price or prices approved by the Contracting Officer: *And provided further*, That the proceeds of any such transfer or disposition shall be applied in reduction of any payments to be made by the Government to the Contractor under this contract or shall otherwise be credited to the price or cost of the work covered by this contract or paid in such other manner as the Contracting Officer may direct;

(8) Complete performance of such part of the work as shall not have been terminated by the notice of termination; and

(9) Take such action as may be necessary, or as the Contracting Officer may direct, for the protection and preservation of the property related to his contract which is in the possession of the Contractor and in which the Government has or may acquire an interest.

At any time after expiration of the plant clearance period, as defined in Subpart 1-8.1 of the Federal Procurement Regulations (41 CFR 1-8.1), as the definition may be amended from time to time, the Contractor may submit to the Contracting Officer a list, certified as to quantity and quality, of any or all items of termination inventory not previously disposed of, exclusive of items the disposition of which has been directed or authorized by the Contracting Officer, and may request the Government to remove such items or enter into a storage agreement covering them. Not later than fifteen (15) days thereafter, the Government will accept title to such items and remove them or enter into a storage agreement covering the same: *Provided*, That the list submitted shall be subject to verification by the Contracting Officer upon removal of the items, or, if the items are stored, within forty-five (45) days from the date of submission of the list, and any necessary adjustment to correct the list as submitted shall be made prior to final settlement.

(c) After receipt of a notice of termination, the Contractor shall submit to the Con-

tracting Officer his termination claim, in the form and with certification prescribed by the Contracting Officer. Such claim shall be submitted promptly but in no event later than 1 year from the effective date of termination, unless one or more extensions in writing are granted by the Contracting Officer upon request of the Contractor made in writing within such 1-year period or authorized extension thereof. However, if the Contracting Officer determines that the facts justify such action, he may receive and act upon any such termination claim at any time after such 1-year period or any extension thereof. Upon failure of the Contractor to submit his termination claim within the time allowed, the Contracting Officer may, subject to any review required by the contracting agency's procedures in effect as of the date of execution of this contract, determine, on the basis of information available to him, the amount, if any, due to the Contractor by reason of the termination and shall thereupon pay to the Contractor the amount so determined.

(d) Subject to the provisions of paragraph (c), and subject to any review required by the contracting agency's procedures in effect as of the date of execution of this contract, the Contractor and the Contracting Officer may agree upon the whole or any part of the amount or amounts to be paid to the Contractor by reason of the total or partial termination of work pursuant to this clause, which amount or amounts may include a reasonable allowance for profit on work done: *Provided*, That such agreed amount or amounts, exclusive of settlement costs, shall not exceed the total contract price as reduced by the amount of payments otherwise made and as further reduced by the contract price of work not terminated. The contract shall be amended accordingly, and the Contractor shall be paid the agreed amount. Nothing in paragraph (e) of this clause, prescribing the amount to be paid to the Contractor in the event of failure of the Contractor and the Contracting Officer to agree upon the whole amount to be paid to the Contractor by reason of the termination of work pursuant to this clause, shall be deemed to limit, restrict, or otherwise determine or affect the amount or amounts which may be agreed upon to be paid to the Contractor pursuant to this paragraph (d).

(e) In the event of the failure of the Contractor and the Contracting Officer to agree as provided in paragraph (d) upon the whole amount to be paid to the Contractor by reason of the termination of work pursuant to this clause, the Contracting Officer shall, subject to any review required by the contracting agency's procedures in effect as of the date of execution of the contract, determine, on the basis of information available to him, the amount, if any, due to the Contractor by reason of the termination and shall pay to the Contractor the amounts determined as follows:

(1) For completed supplies accepted by the Government (or sold or acquired as provided in paragraph (b)(7) above) and not theretofore paid for, a sum equivalent to the aggregate price for such supplies computed in accordance with the price or prices specified in the contract, appropriately adjusted for any saving of freight or other charges;

(2) The total of—

(i) The costs incurred in the performance of the work terminated, including initial costs and preparatory expense allocable thereto, but exclusive of any costs attributable to supplies paid for or to be paid for under paragraph (e)(1) hereof;

(ii) The cost of settling and paying claims arising out of the termination of work under subcontracts or orders, as provided in paragraph (b)(5) above, which are properly

chargeable to the terminated portion of the contract (exclusive of amounts paid or payable on account of supplies or materials delivered or services furnished by subcontractors or vendors prior to the effective date of the notice of termination, which amounts shall be included in the costs payable under (1) above); and

(iii) A sum, as profit on (i), above, determined by the Contracting Officer pursuant to 1-8.303 of the Federal Procurement Regulations (41 CFR 1-8.303), in effect as of the date of execution of this contract, to be fair and reasonable; *Provided, however*, That if it appears that the Contractor would have sustained a loss on the entire contract had it been completed, no profit shall be included or allowed under this subdivision (iii) and an appropriate adjustment shall be made reducing the amount of the settlement to reflect the indicated rate of loss; and

(3) The reasonable costs of settlement, including accounting, legal, clerical, and other expenses reasonably necessary for the preparation of settlement claims and supporting data with respect to the terminated portion of the contract and for the termination and settlement of subcontracts thereunder, together with reasonable storage, transportation, and other costs incurred in connection with the protection or disposition of property allocable to this contract.

The total sum to be paid to the Contractor under (1) and (2) of this paragraph (e) shall not exceed the total contract price as reduced by the amount of payments otherwise made and as further reduced by the contract price of work not terminated. Except for normal spoilage, and except to the extent that the Government shall have otherwise expressly assumed the risk of loss, there shall be excluded from the amounts payable to the Contractor as provided in (e)(1) and (2)(i) above, the fair value, as determined by the Contracting Officer, of property which is destroyed, lost, stolen, or damaged so as to become undeliverable to the Government, or to a buyer pursuant to paragraph (b)(7).

(f) Costs claimed, agreed to, or determined pursuant to paragraphs (c), (d), and (e) of this clause shall be in accordance with the applicable contract cost principles and procedures in Part 1-15 of the Federal Procurement Regulations (41 CFR 1-15) in effect on the date of this contract.

(g) The Contractor shall have the right to appeal, under the clause of this contract entitled "Disputes," from any determination made by the Contracting Officer under paragraph (c) or (e) above, except that, if the Contractor has failed to submit his claim within the time provided in paragraph (c) above and has failed to request extension of such time, he shall have no such right of appeal. In any case where the Contracting Officer has made a determination of the amount due under paragraph (c) or (e) above, the Government shall pay to the Contractor the following: (1) If there is no right of appeal hereunder or if no timely appeal has been taken, the amount so determined by the Contracting Officer; or (2) If an appeal has been taken, the amount finally determined on such appeal.

(h) In arriving at the amount due the Contractor under this clause, there shall be deducted (1) all unliquidated advance or other payments on account theretofore made to the Contractor applicable to the terminated portion of this contract; (2) any claim which the Government may have against the Contractor in connection with this contract; and (3) the agreed price for, or the proceeds of sale of, any materials, supplies, or other things acquired by the Contractor or sold, pursuant to the provisions of this clause, and

not otherwise recovered by or credited to the Government.

(i) If the termination hereunder be partial, prior to the settlement of the terminated portion of this contract, the Contractor may file with the Contracting Officer a request in writing for an equitable adjustment of the price or prices specified in the contract relating to the continued portion of the contract (the portion not terminated by the notice of termination), and such equitable adjustment as may be agreed upon shall be made in such price or prices.

(j) The Government may from time to time, under such terms and conditions as it may prescribe, make partial payments and payments on account against costs incurred by the Contractor in connection with the terminated portion of this contract whenever in the opinion of the Contracting Officer the aggregate of such payments shall be within the amount to which the Contractor will be entitled hereunder. If the total of such payments is in excess of the amount finally agreed or determined to be due under this clause, such excess shall be payable by the Contractor to the Government upon demand, together with interest computed at the rate of 6 percent per annum for the period from the date such excess payment is received by the Contractor to the date on which such excess is repaid to the Government: *Provided, however*, That no interest shall be charged with respect to any such excess payment attributable to a reduction in the Contractor's claim by reason of retention or other disposition of termination inventory until 10 days after the date of such retention or disposition, or such later date as determined by the Contracting Officer by reason of the circumstances.

(k) Unless otherwise provided for in this contract, or by applicable statute, the Contractor, from the effective date of termination and for a period of 3 years after final settlement under this contract, shall preserve and make available to the Government at all reasonable times at the office of the Contractor but without direct charge to the Government, all his books, records, documents, and other evidence bearing on the costs and expenses of the Contractor under this contract and relating to the work terminated hereunder, or, to the extent approved by the Contracting Officer, photographs, microphotographs, or other authentic reproductions thereof.

31. *Default.* (a) The Government may, subject to the provisions of paragraph (c) of this clause, by written notice of default to the Contractor, terminate the whole or any part of this contract in any one of the following circumstances:

(1) If the Contractor fails to perform the work called for by this contract within the time(s) specified herein or any extension thereof; or

(2) If the Contractor fails to perform any of the other provisions of this contract, or so fails to prosecute the work as to endanger performance of this contract in accordance with its terms, and in either of these two circumstances does not cure such failure within a period of 10 days (or such longer period as the Contracting Officer may authorize in writing) after receipt of notice from the Contracting Officer specifying such failure.

(b) In the event the Government terminates this contract in whole or in part as provided in paragraph (a) of this clause, the Government may procure, upon such terms and in such manner as the Contracting Officer may deem appropriate, work similar to the work so terminated and the Contractor shall be liable to the Government for any excess costs for such similar work: *Provided*, That the Contractor shall continue the performance of this contract to the extent not

terminated under the provisions of this clause.

(c) Except with respect to defaults of subcontractors, the Contractor shall not be liable for any excess costs if the failure to perform the contract arises out of causes beyond the control and without the fault or negligence of the Contractor. Such causes may include, but are not restricted to, acts of God or of the public enemy, acts of the Government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather; but in every case the failure to perform must be beyond the control and without the fault or negligence of the Contractor. If the failure to perform is caused by the default of a subcontractor, and if such default arises out of causes beyond the control of both the Contractor and subcontractor, and without the fault or negligence of either of them, the Contractor shall not be liable for any excess costs for failure to perform unless the supplies or services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the Contractor to meet the required delivery schedule or other performance requirements.

(d) If this contract is terminated as provided in paragraph (a) of this clause, the Government, in addition to any other rights provided in this clause, may require the Contractor to transfer title and deliver to the Government, in the manner and to the extent directed by the Contracting Officer, any of the completed or partially completed work not theretofore delivered to, and accepted by, the Government and any other property, including contract rights, specifically produced or specifically acquired for the performance of such part of this contract as has been terminated; and the Contractor shall, upon the direction of the Contracting Officer protect and preserve property in the possession of the Contractor in which the Government has an interest. The Government shall pay to the Contractor the contract price if separately stated, for completed work accepted by the Government and the amount agreed upon by the Contractor and the Contracting Officer for (1) completed work for which no separate price is stated, (2) partially completed work, (3) other property described above which is accepted by the Government, and (4) the protection and preservation of property. Failure to agree shall be a dispute concerning a question of fact within the meaning of the clause of this contract entitled "Disputes." The Government may withhold from amounts otherwise due the Contractor for such completed supplies or manufacturing materials such sum as the Contracting Officer determines to be necessary to protect the Government against loss because of outstanding liens or claims of former lien holders.

(e) If, after notice of termination of this contract under the provisions of this clause, it is determined for any reason that the Contractor was not in default under the provisions of this clause, or that the default was excusable under the provisions of this clause, the rights and obligations of the parties shall, if the contract contains a clause providing for termination for convenience of the Government, be the same as if the notice of termination had been issued pursuant to such clause. If, after notice of termination of this contract under the provisions of this clause, it is determined for any reason that the Contractor was not in default under the provisions of this clause, and if this contract does not contain a clause providing for termination for convenience of the Government, the contract shall be equitably adjusted to compensate for such termination and the contract modified accordingly, failure to agree to any such adjustment shall be a dispute concerning a question of fact within

agree to any such adjustment shall be a dispute concerning a question of fact within the meaning of the clause of this contract entitled "Disputes."

(f) The right and remedies of the Government provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

(g) As used in paragraph (c) of this clause, the terms "subcontractor" and "subcontractors" means subcontractor(s) at any tier.

32. *Federal, State, and local taxes.* (a) Except as may be otherwise provided in this contract, the contract price includes all applicable Federal, State, and local taxes and duties.

(b) Nevertheless, with respect to any Federal excise tax or duty on the transactions or property covered by this contract, if a statute, court decision, written ruling, or regulation takes effect after the contract date, and—

(1) Results in the Contractor being required to pay or bear the burden of any such Federal excise tax or duty or increase in the rate thereof which would not otherwise have been payable on such transactions or property, the contract price shall be increased by the amount of such tax or duty or rate increase: *Provided*, That the Contractor if requested by the Contracting Officer, warrants in writing that no amount for such newly imposed Federal excise tax or duty or rate increase was included in the contract price as a contingency reserve or otherwise; or

(2) Results in the Contractor not being required to pay or bear the burden of, or in his obtaining a refund or drawback of, any such Federal excise tax or duty which would otherwise have been payable on such transactions or property or which was the basis of an increase in the contract price, the contract price shall be decreased by the amount of the relief, refund, or drawback, or that amount shall be paid to the Government, as directed by the Contracting Officer. The contract price shall be similarly decreased if the Contractor, through his fault or negligence or his failure to follow instructions of the Contracting Officer, is required to pay or bear the burden of, or does not obtain a refund or drawback of, any such Federal excise tax or duty.

(c) No adjustment pursuant to paragraph (b) above will be made under this contract unless the aggregate amount thereof is or may reasonably be expected to be over \$100.

(d) As used in paragraph (b) above, the term "contract date" means the date set for the bid opening, or if this is a negotiated contract, the date of this contract. As to additional supplies or services procured by modification to this contract, the term "contract date" means the date of such modification.

(e) Unless there does not exist any reasonable basis to sustain an exemption, the Government, upon request of the Contractor, without further liability, agrees, except as otherwise provided in this contract, to furnish evidence appropriate to establish exemption from any tax which the Contractor warrants in writing was excluded from the contract price. In addition, the Contracting Officer may furnish evidence to establish exemption from any tax that may, pursuant to this clause, give rise to either an increase or decrease in the contract price. Except as otherwise provided in this contract, evidence appropriate to establish exemption from duties will be furnished only at the direction of the Contracting Officer.

(f) The Contractor shall promptly notify the Contracting Officer of matters which will result in either an increase or decrease in the contract price, and shall take action with respect thereto as directed by the Contracting Officer.

33. **Payments.** The Contractor shall be paid, upon submission of proper invoices or vouchers, the price stipulated herein for work delivered or rendered and accepted, less deductions, if any, as herein provided. Unless otherwise specified, payment will be made upon acceptance of any portion of the work delivered or rendered for which a price is separately stated in the contract.

34. **Audit.** (a) For purposes of verifying that certified cost or pricing data submitted, in conjunction with the negotiation of this contract or any contract change or other modification involving an amount in excess of \$100,000, was accurate, complete, and current, the Contracting Officer, or his authorized representatives, shall, until the expiration of 3 years from the date of final payment under this contract or of the time periods for the particular records specified in Part 1-20 of the Federal Procurement Regulations (41 CFR Part 1-20), whichever expires earlier, have the right to examine those books, records, documents, papers, and other supporting data which involve transactions related to this contract or which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein.

(b) The Contractor agrees to insert this clause, including this paragraph (b), in all subcontracts hereunder which when entered into exceed \$100,000, unless the price is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation. When so inserted, changes shall be made to designate the higher-tier subcontractor at the level involved as the contracting and certifying party; to add "of the Government prime contract" after "Contracting Officer;" and to add, at the end of (a) above, the words, "Provided, That, in the case of any contract change or modification, such change or modification results from a change or other modification to the Government prime contract." In each such excepted subcontract hereunder which when entered into exceeds \$100,000, the Contractor shall insert the following clause:

AUDIT-PRICE ADJUSTMENTS

(a) This clause shall become operative only with respect to any change or other modification of this contract which involves a price adjustment in excess of \$100,000 unless the price adjustment is based on adequate price competition established catalog or market prices of commercial items sold in substantial quantities to the general public or prices set by law or regulation: *Provided*, That such change or other modification to this contract results from a change or other modification to the Government prime contract.

(b) For purposes of verifying that certified cost or pricing data submitted in conjunction with such a contract change or modification was accurate, complete, and current, the Contracting Officer of the Government prime contract, or his authorized representatives, shall, until the expiration of 3 years from the date of final payment under this contract, or of the time periods for the particular records specified in Part 1-20 of the Federal Procurement Regulations (41 CFR Part 1-20), whichever expires earlier, have the right to examine those books, records, documents, papers, and other supporting data which involve transactions related to this contract or which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein.

(c) The subcontractor agrees to insert this clause, including this paragraph (c), in all

subcontracts hereunder which when entered into exceed \$100,000.

(40 U.S.C. 486(c), sec. 205(e), 63 Stat. 377, as amended)

[FR Doc. 72-9498 Filed 6-22-72; 8:47 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 61]

[Docket No. 19528; FCC 72-522]

INTERSTATE AND FOREIGN MESSAGE TOLL TELEPHONE SERVICE AND WIDE AREA TELEPHONE SERVICE

Notice of Proposed Rule Making

Notice of inquiry, proposed rule making and creation of Federal-State Joint Board.

In the matter of proposals for new or revised classes of Interstate and Foreign Message Toll Telephone Service (MTS) and Wide Area Telephone Service (WATS), Docket No. 19528.

1. Notice is hereby given of (a) an inquiry into whether and under what conditions the telephone companies subject to our jurisdiction should provide new or revised classes of interstate and foreign MTS and WATS service whereby customers would have the option of furnishing "Network Control Signalling Units" (NCSU) and any needed "Connecting Arrangements" (CA) (or the functional equivalent thereof) that are presently furnished only by the telephone company; (b) proceedings to determine what rules, if any, the Commission should adopt with respect to the foregoing; and (c) the convening of a Federal-State Joint Board under section 410(c) of the Act to submit recommendations to us with respect to the foregoing.

BACKGROUND

2. The interstate (and foreign) MTS and WATS offerings of the telephone companies have historically consisted of the furnishing of facilities, including the telephone hand set, for the public to make interstate or foreign telephone calls between telephones provided by the telephone companies. Thus MTS and WATS services have been and are now offered only as complete services that include the furnishing of the telephone instrument (with certain exceptions applicable, for example, to military installations and remote and hazardous locations). Any changes in the MTS and WATS offerings whereby the telephone company would offer to provide, at the option of the customer, only a portion of such MTS and WATS services and the customer would provide the rest, would constitute a basic and substantial change in the nature of these classifications of services. (See our Carterfone and related decisions at 13 FCC 2d 420 (7/27/68); 14 FCC 2d 571 (9/13/68); 15 FCC 2d 605 (12/26/68); 18 FCC 2d 871 (8/13/69); 19 FCC 2d 1068 (10/1/69).)

3. By memorandum opinion and order of December 26, 1968 (15 FCC 2d 605) we initiated informal proceedings with the objective of exploring the technical feasibility of establishing such new or modified service offerings. This action was taken in response to the contentions made by many users, manufacturers, distributors, suppliers, and others that the interstate MTS and WATS service offerings as now constituted, with their restrictions on the provision of customer-owned NCSU's and CA's, are not adequate to meet either the current or prospective needs of the public for more flexible, efficient and economic access to the nationwide switched telephone network. In the informal proceedings initiated by us we were concerned with developing technical, engineering and operational data and information from all available sources to help us ascertain whether such revised service offerings could be made available to the public by the telephone companies without impairing the functioning of the basic nationwide telephone network and whether, and to what extent, measures should be taken to avoid adverse effects upon existing or proposed MTS and WATS services provided to the public generally.

4. To assist us in our evaluation of possible approaches to the resolution of this question we entered into a contract with the National Academy of Sciences (NAS) to make studies for us that were to be directed particularly to the question of whether such revisions in the MTS and WATS service offerings were technically feasible in view of our concern that the network be protected from harm. In its report to us, NAS concluded that, although uncontrolled interconnection of customer-provided facilities to the nationwide telephone network could cause harm to the network, it was technically feasible to accomplish the aforementioned basic revisions in MTS and WATS without network harm by establishing a properly authorized program of standardization and properly enforced certification of customer-provided equipment, installation and maintenance. In addition, pursuant to a contract between the Commission and the consulting firm of Dittbener Associates, we received a report from that firm which also concluded that such service revisions were technically feasible with an appropriate standards and certification program. Dittbener suggested various alternative approaches to accomplishing such revisions including a recommendation for a standards and certification program somewhat less extensive in scope from that suggested by NAS.

5. The reports submitted to us by NAS and Dittbener Associates, and the numerous comments thereon that we received from interested persons, indicated to us that consideration should be given to revisions in MTS and WATS offerings under a standards and enforcement program that would protect the telephone network from three types of harm identified by NAS, namely, (a) protection from

excessive voltages and signal levels, (b) improper network signalling and (c) line imbalance. Accordingly, we created two advisory committees, pursuant to Executive Order 11007, to study the possibilities of initiating such a standards program for certain selected classes of equipment, namely, customer-provided PBX's, automatic dialers and recording and answering devices. We believed that, if an acceptable standards program could be developed for these particular devices, we would be in a better position to judge whether such a program for these and other customer-provided facilities was feasible and in the public interest. These committees are now engaged in this effort. Reports and recommendations from these committees are expected to be submitted to the Commission in the near future.

DISCUSSION

6. Resolution of these matters calls for a determination of whether and with what terms, conditions or limitations interstate tariffs should be revised or the Commission should adopt rules and regulations to permit customers for switched telephone network services to have the option of providing their own network control signalling units and any needed connecting arrangements in lieu of the units and arrangements now provided by the telephone companies. Under ordinary circumstances we could undertake to resolve these questions through the usual procedures provided for under the Act. However, we believe that there are unique conditions applying to this particular matter before us that call for the invocation of extraordinary procedures in which State regulatory agencies will play a significant role in assisting us in our decision-making processes.

7. We believe that special procedures are required for the reason that any action that we might take herein to provide the optional MTS or WATS services as heretofore described would appear to require, as a practical matter, that complementary changes be made in the offerings of local telephone exchange and intrastate toll services. For example, if this Commission should decide that, insofar as interstate or foreign MTS and WATS are concerned, the telephone companies should allow customers the option of providing their own network control signalling units for those otherwise provided by the telephone companies, implementation of such a decision would require, as a practical matter, that the same options are also available in connection with local exchange and intrastate MTS and WATS. This is because almost all such units are used in common for both interstate and local and intrastate communications. Accordingly, we believe that we should not undertake the final resolution of the issues herein without the closest coordination and cooperation between this Commission and state regulatory agencies which have regulatory responsibility for local and intrastate communications services. Therefore, we shall refer these proceedings to

a Federal-State Joint Board pursuant to section 410(c) of the Act.

8. We believe that we should delineate carefully the parameters of the subject matter of our proceeding herein. First, we should make clear that we are not concerned with the question of whether the current tariff prohibitions against customer-provided NCSU's and CA's in the offering of interstate MTS and WATS are in compliance with our decision in Carterfone (13 FCC 2d 420, 14 FCC 2d 571). We have already expressly ruled that the tariff requirement that the carrier be the sole supplier of the NCSU in these services does not violate Carterfone. We have stated that, in Carterfone, we were concerned with the use of customer-owned equipment in connection with MTS services, which, by definition, includes a carrier-provided telephone instrument which performs the network control signaling function. Thus, our decision in Carterfone does not hold that a customer may substitute his own equipment or facilities (whether it be telephone instruments, loops, poles, or central office equipment) for that furnished by the telephone company in providing MTS as that service is defined in the tariff. Our decision in Carterfone dealt with "interconnection" and not "replacements of any part of the telephone system." 15 FCC 2d 605, 609-610. The same reasoning applies also to the current tariff prohibition against customer-provided CA's. MTS and WATS offerings historically have included the requirement that all CA's for direct connection of customer-provided equipment (e.g. electrocardiograph, telephotograph, and recording devices) to the telephone system must be provided by the telephone company. In our Recording Devices decision of 1947 we expressly ruled that only the telephone company could provide CA's to connect customer-provided recording devices to MTS. 11 FCC 1033. Thus, the present restrictions in the interstate MTS and WATS tariffs against customers providing either the NCSU or the CA do not violate our decision in Carterfone and the Joint Board will not be concerned with this question. What we are concerned with in this proceeding is whether and under what terms and conditions customers should be given the option of providing their own NCSU's and any needed CA's, or the functional equivalent thereof.

9. As indicated in the foregoing, it is not our intention to consider in this proceeding any question as to whether there should be any modification of our holding in Carterfone or any revisions in the tariff provisions applicable to interstate MTS or WATS that have been filed to permit interconnection of customer-provided facilities to MTS and WATS as these services are now constituted. We believe that the soundness of our Carterfone decision has been amply demonstrated. New markets have been opened to the innovative enterprise of many companies; the public has benefitted

from having a range of choices available when the individual user selects the terminal device or private system which will best serve his particular communications need; and there has been no actual demonstrable harm to the telephone system or its users. Accordingly, this proceeding will not be concerned with any question relating to whether or not modifications should be made in that decision or in any of the provisions in the interstate MTS and WATS tariff provisions filed in compliance therewith. Our proceeding herein is concerned with the pending and unresolved basic issues now before us as to whether, and to what extent, there is public need for us to go beyond what we ordered in Carterfone and permit customers to provide, in whole or in part, the aforementioned NCSU's and CA's in interstate MTS and WATS and, if so, what terms and conditions should apply to protect the telephone system and services of others.

10. To facilitate resolution of these issues, as stated in paragraph 5 above, we expect to receive in the near future reports and recommendations from the aforementioned Advisory Committees with respect to technical standards and a program of enforcement thereof designed to permit customers to provide NCSU's and CA's in whole or in part insofar as customer-provided PBX's and automatic dialers and answering devices are concerned. In addition, we have received a number of alternative proposals for achieving the same objectives from other sources. We intend, by supplemental order, to invite public comments on the Advisory Committee reports and recommendations and the various alternative recommendations. We will refer all such recommendations and comments thereon to the Joint Board for its consideration and recommended decision. We will issue other supplemental orders from time to time, specifying the further procedures to be followed herein and such other specific items of inquiry and rule making to be considered in this proceeding under the basic issues set forth above and in accordance with the section 410(c) procedures provided for herein.

11. We should make clear that we are including proposed rule making herein in order to facilitate the implementation of our final decisions in this proceeding. At this stage we are unable to determine whether any action we may wish to take should be implemented by the adoption of rules by the Commission or by the filing of tariff revisions by the carriers, or by a combination of both types of measures. However, we expect to develop in this proceeding all relevant material and probative data and information needed for us to decide the issues herein including the question of whether and to what extent tariff revisions should be made by the carriers or rules adopted by us. Insofar as tariff revisions may be deemed necessary or desirable, we will be prepared to institute such ancillary procedures and issue such orders as may be required under section 205 of the Act to prescribe such revisions.

12. Accordingly, pursuant to sections 4(i), 4(j), 201-205, 208, 215, 218, 313, 403, 404, and 410 of the Communications Act of 1934: *It is ordered*, That the aforementioned inquiry and proposed rule making proceeding is hereby instituted;

13. *It is further ordered*, That a Joint Board is hereby convened pursuant to the provisions of section 410(c) of the Communications Act of 1934, as amended; that such Joint Board shall consist of the three members of the Commission's Telephone Committee as designated from time to time, and four State Commissioners to be nominated by the National Association of Regulatory Utility Commissioners and approved by this Commission; and that the Chairman of the Commission shall be Chairman of the Joint Board;

14. *It is further ordered*, That the Joint Board shall consider all information, data, comments, views and other submissions in this proceeding and shall prepare a recommended decision to the Commission for its consideration and action; and that the State Commission members of the Joint Board shall sit with the Commission en banc at any oral argument that may be scheduled in this proceeding and shall be afforded an opportunity to participate in the Commission's deliberation, but not vote, when the Commission is considering the recommended decision of the Joint Board;

15. *It is further ordered*, That the proceeding herein shall be subject to further order by the Commission.

Adopted: June 14, 1972.

Released: June 16, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc. 72-9516 Filed 6-22-72; 8:51 am]

[47 CFR Part 73]

[Docket No. 19525; FCC 72-514]

FM BROADCAST STATIONS

Table of Assignments for Certain Cities

In the matter of amendment of § 73.202, *Table of Assignments*, FM Broadcast Stations. (Jesup, Ga.; Orleans, Mass.; Gladewater and Kilgore, Texas; and Midland, Mich.), Docket No. 19525; RM-1819, RM-1831, RM-1828, RM-1835.

1. We have before us, for consideration, four petitions, each requesting the institution of rule making looking toward the assignment or reassignment of an FM channel. They each deal with different communities and will be discussed seriatim. All population statistics cited are from the 1970 U.S. Census.

RM-1819, *Jesup, Ga.* 2. On March 29, 1971, Mr. R. B. Forehand filed a petition with this Commission (supple-

mented on April 25, 1972) requesting the assignment of Channel 252A to Jesup, Ga. No other revisions, in our Table of Assignments, were proposed. No comments were filed in respect to the petition.

3. Jesup, Ga. (population 9,091) is the county seat of Wayne County (population 17,858). The only FM channel assigned to Jesup is Channel 288A which is occupied by WIFO-FM, licensed to Jesup Broadcasting, Corp., who also holds a license for standard broadcast Station WLOP, a daytime-only operation there. No other broadcast facilities exist in the community.

4. Petitioner advises us that the response to a recent survey he conducted strongly indicates the desire of the citizens of Jesup to have a new voice and means of expression, through radio, in the community of Jesup. After making this point petitioner states:

Jesup is located in approximately the center of Wayne County and the county, itself, is shaped very much like the State of Georgia. The proposed channel would serve all or virtually all of the county including the cities and towns of Jesup, Screven, Odum, Doctortown, Drawdy, Brentwood, Leake, Broadhurst, McKinnon, Whaley, Gardi, and Grangerville. In addition, it will serve well over half of Long County (population 3,746) and will easily place a 60 dBu signal over Ludowici (population 1,419), the county seat. Long County has no broadcast medium licensed or allocated to it.

In Mr. Forehand's discussion of Jesup he states that the community has had a marked and strong population growth rate, quadrupling since 1920. In addition to being the county seat it is maintained that Jesup is the cultural and economic center for the county's activities. We are further advised that the community is governed by a mayor and city council and employs a city manager as chief administrator. Jesup has a 100-bed hospital which serves the region, and has a full complement of civic and merchants' associations and organizations. The largest single manufacturing operation in Jesup is ITT Rayonier which produces 280,000 tons per year of dissolving and papermaking pulps, 18,000 tons of crude tall oil, 2,900 tons of crude sulfate turpentine and 5,200 tons of charcoal carbon. Included in the discussion of the economics of the community are the facts that in 1970 Wayne County had an estimated effective buying income of \$7,613 per household and that it had estimated sales of \$48,405,000 in the same year. Petitioner states that the community and area have a deep concern in religious matters and that this interest would be observed in programming the proposed new station.

5. In light of the facts that, no oppositions have been filed, no existing FM assignments will be disturbed under the proposal and, that there is an interest both on the part of the citizens of Jesup and Mr. Forehand in developing an alternative means of mass communications in the community and county, we consider it in the public interest to explore Mr. Forehand's proposal to assign FM

Channel 252A to Jesup, Ga., in this rule making proceeding.

RM-1828, *Orleans, Mass.* 6. On May 10, 1971, Seashore Broadcasting Co., Inc. (Seashore), filed a petition (supplemented on July 12, 1971) with this Commission requesting the assignment of FM Channel 284B to Orleans, Mass. No other changes in our FM allocation table are required or proposed. An opposition to the petition was filed by Cape Cod Broadcasting Co., Inc. (Cape Cod), licensee of WQRC(FM), FM Channel 260, at Barnstable, Mass. A reply to the opposition was filed by petitioner.

7. Barnstable County, Mass., has a population of 96,656 persons. It contains the small city of Orleans with 3,055 residents. Our FM Table of Assignments contains no assignment for Orleans. Standard broadcast Station WVLC, a daytime-only operation, is the only aural service in the community and is licensed to Seashore.

8. Petitioner described Cape Cod, Mass., as basically separated into two segments, the inner cape and the outer cape. It is concerned with the outer cape (oftentimes referred to by petitioner as the lower cape) and bringing it a first local full time (including nighttime) service in conjunction with its daytime-only operation at Orleans. Seashore in describing the area states:

"The Lower Cape consists of a number of communities, beginning [sic] at Dennis and Dennisport on the west and including Harwichport, Chatham, Brewster, Orleans, Eastham, Wellfleet, Truro, and Provincetown * * *. Permanent residents in these communities have increased approximately 40 percent from 1960 to 1970 (21,340 to 29,676, U.S. Census), and continued growth is projected for the future * * *. Moreover, summer residents swell the population 3 or more times and, by 1980 are projected at almost 200,000 * * *. Furthermore, every year the Lower Cape is host to hundreds of thousands of tourists who come to Cape Cod to enjoy its weather, its matchless recreational facilities and the National Seashore; the National Seashore reports that in 1970 there were 3,900,000 'visits' to its facilities. Economic activities in the Lower Cape have expanded in line with its population growth * * *. Retail sales on Cape Cod in 1960 were over \$88 million; they are projected at more than double (\$172 million) that amount in 1980 * * *. And expenditures by visitors to Cape Cod were projected by the Blair Report to increase by over 50 percent 1960-70, and to increase again by about 50 percent by 1980 * * *"

Seashore goes on to point out that Orleans is centrally located with respect to the above-described area and that therefore it not only is the key market community in the area but is also the ideal community for the location of a fulltime FM station to serve the outer cape. Petitioner notes that its proposed FM operation would be the first full-time service located on the outer cape and dedicated to serving that area. All other aural facilities except for petitioner's daytime-only standard broadcast station at Orleans are located on the inner Cape Cod and are oriented toward the mainland.

9. With respect to the needs of the outer cape petitioner's proposed station could meet it states that: The area is in

¹ Commissioners Johnson and Wiley concurring in the result; Commissioner H. Rex Lee absent.

transition and that its proposed station could act as a voice to clarify the issues raised during the development of the area and broadcast such events as evening town meetings; information about many public services of importance to residents could be provided; provision of news and weather conditions are particularly important as matters to be dealt with in broadcasts during evening hours because of the lack of a local daily newspaper; early morning and nighttime broadcasts also are important in their ability to advise the public of traffic conditions, school closings, etc.; an early morning and nighttime service station could provide necessary information on market condition to commercial fishermen in the area as well as bring events in the community to the attention of tourist visitors; and sports events occurring in the evening hours could be made available to the public by on-the-scene, nondelayed, broadcasts. In concluding Seashore's presentation we note that its preclusion study shows that the proposed assignment of Channel 284B to Orleans will not have an adverse impact on the assignment of Channel 284B or the six pertinent adjacent channels to communities in the immediate area because the channels are already precluded from assignment by existing stations.

10. The opposing party, Cape Cod, while asserting that it is not interested in presenting a Carroll issue, does just that by citing the fact that there are six operative stations on Cape Cod and a construction permit outstanding for a seventh¹ and alleging that the addition of the proposed station at Orleans would make it economically impossible for one or more of the existing stations to survive. Its second major point is that the assignment of Channel 284B to Orleans would be wasteful in that much of its signal will be cast out to sea. In respect to Cape Cod's second point, petitioner brings to our attention the fact that at the present time the frequency of Channel 284B (since it is unassigned) is totally wasted and although it is true that much of the signal of a Channel 284B (located at Orleans) would be cast out to sea, by activating the channel we will gain a first local full-time service directed primarily to the winter and summer residents and tourists residing on outer Cape Cod. Concerning the ability of existing broadcast facilities to continue their operations after the possible assignment of a new channel to Orleans, we must state that that problem (Carroll issue) will be appropriate for consideration by the Commission in this matter, as in other similar cases, only at the time of a specific application for any new assignment which may be made to Orleans. We note that the Cape Cod area is rapidly expanding and that any information we might have before us at this time in this rule making proceeding concerning the

economics of broadcasting on Cape Cod will quickly become invalid and inappropriate. The assignment process undertaken in rule making proceedings is primarily directed toward providing allocations for future use, i.e., when the assignment becomes viable.

11. In view of the foregoing (including the results of petitioner's preclusion study), we have come to the judgment, that the public interest would be served by setting forth petitioner's proposal (the assignment of Channel 284B to Orleans, Mass.) in this rule making proceeding, in order to explore the public interest factors involved in such an allocation.

RM-1831, Gladewater, Tex. 12. On July 7, 1971, Mr. Orman L. Kimbrough filed a petition with the Commission requesting the reassignment of FM Channel 240A from Kilgore, Tex., to Gladewater, Tex., 11 miles distant. No replacement channel was proposed for Kilgore nor were there any oppositions filed.

13. There is no FM assignment and only one standard broadcast station service (a daytime-only operation, KEES, licensed to petitioner) located at Gladewater, Tex., population 5,574. Kilgore, Tex. (population 9,495), has an unlimited time standard broadcast station, KOCA, licensed to Radio Kilgore. The only FM channel assigned there is Channel 240A which is lying fallow without an application pending for its use. Both communities, Gladewater and Kilgore, although each is located on the boundary of Gregg County, are primarily contained within that county, population 75,929.

14. Mr. Kimbrough wishes the assignment of a first FM channel to Gladewater in order to provide that community with its first local early morning and nighttime radio service. A first FM assignment is necessary in order to provide such a service in view of the fact that Mr. Kimbrough's standard broadcast operation in Gladewater is licensed only to provide a daytime service. Both communities, Gladewater and Kilgore, separated by only 11 miles, lie approximately 100 miles east of Dallas, Tex., and 200 miles north of Houston, Tex. The following facts about Gladewater are gleaned from petitioner's filing. From 1872, until 1930, when a rich oil producing field was discovered, Gladewater's economy was primarily based on agriculture. In 1931, with a population of about 500 people, Gladewater was incorporated. After the oil find the community's population grew dramatically until 1940 when it reached 4,454. As can be seen from the 1970 census figure, supra, the community has continued to grow since 1940, but at a more moderate rate. It is alleged that Gladewater has one of the best school systems in the State of Texas with nearly three-fourths of its staff of 118 teachers in the two junior-senior high schools and three elementary schools having masters degrees. The approximate current enrollment of students in Gladewater's schools is 1,865. There is one Catholic and 16 protestant churches in Gladewater. We are told that Gladewater Lake provides for year-round fishing, water skiing, and boating and that the Annual Gladewater Roundup

Rodeo is presented in June of each year. The community also is host to a quarter horse show and races each year. The city has a manager-councilman form of government. Its police department is made up of 13 officers while the fire department is comprised of a staff of five paid firemen and 27 volunteers. With respect to economic matters, petitioner maintains that Gladewater is the home of the First State Bank and Gladewater Federal Savings and Loan Association, institutions, with combined assets in excess of \$20 million. Gladewater owns 180 acres of industrial sites. Although farming and cattle raising are still important to Gladewater, the major local industry is the production of oil.

15. Although we are aware of the fact that petitioner's proposed reassignment of Channel 240A from Kilgore to Gladewater is a shifting of an FM frequency from a larger community to a smaller community we do note the facts that: Kilgore has an unlimited time standard broadcast service licensed in it, the FM frequency has been lying fallow, no oppositions have been filed with respect to the proposed reassignment and that in all probability a Channel 240A located at Gladewater could and would serve Kilgore. Therefore, from all of the above, we conclude that it is in the public interest to explore the possible reassignment of FM Channel 240A from Kilgore, Tex., to Gladewater, Tex., in this rule making proceeding. In conclusion, we wish to note that this proposal in no way is a finding at this time, to any degree, that such a reassignment is in the public interest.

RM-1835, Midland, Mich. 16. On July 15, 1971, Wolverine Radio Co. (Wolverine) filed a petition with this Commission requesting the assignment of FM Channel 228A to Midland, Mich. No other revisions, in our table of assignments, were proposed. No comments were filed in respect to the petition.

17. Midland, Mich. (population 35,176) is the county seat of Midland County (population 63,769) and is located on the border of Midland and Bay Counties, Mich. The only existing FM channel in the community is Channel 259 which is occupied by WSVC, licensed to Habco, Inc. Standard broadcast station WMPX is licensed as an unlimited time station in Midland, to the Patten Broadcasting Co., Inc.

18. Wolverine commences its public interest showing for the assignment of Channel 228A to Midland by naming the following companies and indicating their importance to the community as employers:

Company	Approximate number of employees
Dow Chemical	11,000
Dow Corning Corp.	2,500
Continental Can Co.	100

In concluding its discussion of the importance of the above companies to Midland petitioner asserts that there are 10 other smaller companies located in the community each of which employs over 25 persons. In its discussion of the

¹ The following stations are located on inner Cape Cod: WQRC(FM), Barnstable; WCB, Falmouth; WOOD(FM), Hyannis; WOCB AM/FM, West Yarmouth; and WUCV, Falmouth (C.P.). WVLC is petitioner's station located at Orleans, on the outer cape.

economy of Midland Wolverine goes on to state:

Statistics released by the Greater Midland Area Chamber of Commerce indicate that 80 percent of the homes in the city are owned by the occupants. 1969 income averaged \$14,300 per household making Midland above average for this area. The 1970-71 State equalized valuation figures for the city show a total of \$356,257,636 in property value. There are 18,000 households in the city, and retail sales for 1970 amounted to \$106,439,000 in Midland, according to Standard Rate and Data Service.

With respect to the educational program in Midland and the educational level of its citizens petitioner asserts that about 60 percent of each high school class goes on to higher education and that there are two junior colleges and two 4-year degree granting colleges in the immediate area. We are further advised that the community has the largest adult education program of any city its size in the country with over 1,200 people enrolled each semester in adult education programs. It is estimated that there are over 1,500 engineers, 2,000 scientists and 1,000 business and liberal arts degree holders in Midland. In conclusion, Wolverine asserts that cultural activity in the community is substantial and growing particularly in view of the completion of the new \$7,800,000 Midland Center for the Arts and that there are approximately 40 major churches and a synagogue located in Midland. Apparently, Midland has a council-manager form of city government with a mayor elected from the ranks of the city council by the council members.

19. In light of the facts that, Midland appears to be a substantial and rapidly growing community, no oppositions have been filed to the proposal of Wolverine and, that no existing assignments will be disturbed under the proposal, we consider it in the public interest to explore Wolverine Radio Co.'s proposal to assign FM Channel 228A to Midland, Mich., in this rule making proceeding.

20. With the above material and public interest findings before us, we propose, for consideration, the following revisions in our FM Table of Assignments (§ 73.202 of our rules) with respect to the cities listed below:

City	Channel No.	
	Present	Proposed
Jesup, Ga.	288A	252A, 288A
Orleans, Mass.		284
Midland, Mich.	259	228A, 259
Gladewater, Tex.		240A
Kilgore, Tex.	240A	

21. Authority for the actions proposed herein is contained in sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended.

22. *Showings required.* All proponents of the proposed allocations should file comments with respect to the need of the proposed assignments. They may do so, in large part, by describing the economics, sociology and importance of the subject community. This, in order to give the Commission the information it

must have to render the required judgment that the assignment would be in the public interest. In the event a proponent is of the view that an adequate public interest showing has been made, a comment should be filed incorporating formal pleadings by reference and stating a current intent to apply for the FM channel of interest, if assigned. Failure to file may lead to denial of a request.

23. *Cutoff procedure.* As in other recent FM rule making proceedings, the following procedures will govern:

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered, if advanced in reply comments.

(b) With respect to petitions for rule making which conflict with the proposals in this notice, they will be considered as comments in the proceeding, and public notice to this effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decisions herein.

24. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before July 28, 1972, and reply comments on or before August 8, 1972. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

25. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

26. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's public reference room at its headquarters in Washington, D.C. (1919 M Street NW.).

Adopted: June 14, 1972.

Released: June 19, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-9517 Filed 6-22-72; 8:51 am]

[47 CFR Part 89]

[Docket No. 19523; FCC 72-509]

SPECIAL EMERGENCY RADIO SERVICE

Proposed Relaxation of Frequency Assignment Limitations

In the matter of amendment of § 89.525(f) (15) and (16) of the Commission's rules to relax frequency assignment limitations applicable to certain 45 and 155 MHz frequencies in the Special Emergency Radio Service, Docket No. 19523, RM-487.

* Commissioner H. Rex Lee absent.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is the purpose of this rule making to revise the frequency assignment limitations in the Special Emergency Radio Service contained in subparagraphs (15) and (16) of § 89.525(f) of the Commission's rules. One or the other of the subparagraphs is applicable to four frequencies allocated to the Special Emergency Radio Service at 45 MHz and to the 13 frequencies allocated at 155 MHz. The limitations have been applied to these frequencies since they were made available in the channel splitting reallocation proceedings completed in 1958. They were designed to protect adjacent channel operations in other public safety radio services (principally police, but also fire and local government) on frequencies 20 kHz removed from Special Emergency Radio Service frequencies at 45 MHz and 15 and 30 kHz removed at 155 MHz, until the "narrow band" technical standards adopted in 1958 were fully implemented. This, of course, has been accomplished. Moreover, criteria have been established for assignment of 15 kHz spaced frequencies in the 150-160 MHz band on a regular basis in those radio services where formal frequency coordination is required (report and order in Docket No. 17703, FCC 71-606; 36 F.R. 12102) and, therefore, there is a basis for relaxation of the protection criteria in the Special Emergency Radio Service for 15 kHz separations in that band.

3. Related to this matter is a petition for rule making (RM-487) filed by the Associated Public-Safety Officers, Inc. (APCO). The petition proposes establishing for the Special Emergency Radio Service, coordinating procedures similar to those prescribed in § 89.15 of our rules for the remaining public safety radio services. The purpose of the petition is to provide protection to existing police radio systems operating on channels adjacent to channels available in the Special Emergency Radio Service. APCO would require Special Emergency applicants to obtain a letter of frequency coordination from a police coordinating committee or to submit an engineering report showing the degree of probable interference to existing police systems on frequencies 30 kHz or less from the Special Emergency frequency applied for and which are located within 75 miles from the proposed base station. At the same time, the petition would retain the limitations on the assignment of the Special Emergency frequencies now imposed by § 89.525(f) (15) and (16).

4. We believe, however, that the limitations on the use of the frequencies in subparagraphs (15) and (16) are no longer necessary or desirable. Operation in the same geographic area on frequencies separated by 20 kHz in the 30-50 MHz band or by 30 kHz in the 150-160 MHz band have been established routinely in the land mobile radio services since the technical standards adopted in 1958 were implemented. The conversion to the "narrow band" equipment has long

since been completed. Thus, the geographic separation requirements for stations operating on frequencies removed by 20 kHz in the 30-50 MHz band and 30 kHz in the 150-160 MHz band implicit in subparagraph (15) are outdated and inhibit the fuller and more efficient use of the frequencies involved. Accordingly, subparagraph (15) will be deleted. Further, the APCO petition will be denied to the extent it requests that we continue this rule in effect.

5. Subparagraph (16) applies to eight of the frequencies in the 155 MHz band allocated to the Special Emergency Radio Service. Each of these frequencies is 15 kHz removed from some frequency allocated to the Police Radio Service. The frequencies are available on a developmental basis only, may not be assigned closer than 40 miles from the location of a police base station on the adjacent frequency (15 kHz removed) and the applicant is required to coordinate with all licensees on adjacent channels whose base stations are located within 75 miles from the proposed base station location. These limitation and coordination requirements are also outdated. In Docket 17703, in response to the petitions from a number of user organizations, we adopted rules in most services which permit the use of 15 kHz spacing in the 150-160 MHz band on a regular basis. Minimum separation between base stations on adjacent channels was established, and coordination taking into account stations from 10 to 35 miles was prescribed. See report and order, Docket 17703, FCC 71-606, 36 F.R. 12102 (June 25, 1971). It is, therefore, timely to establish similar provisions for the use of the 15 kHz adjacencies in the Special Emergency Radio Service. Accordingly, we propose to amend § 89.525(f) (16) so as to make these frequencies available on a regular, rather than developmental basis; to change the distance over which coordination is required from 75 miles to 35 miles; and prescribe a minimum separation of 10 miles between stations on frequencies 15 kHz apart.

6. The deletion of subparagraph (15) would leave no assignment limitation applicable to the Special Emergency Radio Service frequencies 155.160 and 155.400 MHz. The former frequency is 15 kHz removed from a Local Government Radio Service frequency and the latter 15 kHz removed from a Police Radio Service frequency. In view of the 15 kHz adjacencies, we are proposing that the revised subparagraph (16) be made applicable to each of the frequencies.

7. Applicants for any of the frequencies subject to § 89.525(f) (16), which will involve nine frequencies adjacent to Police Radio Service frequencies under our proposal, will be required to submit a report based on a field study indicating the degree of probable interference to existing base stations in other radio services on frequencies 15 kHz removed which are located from 10 to 35 miles from the proposed base station. They will also be required to notify all licensees

of such stations of the filing of the application. To this extent, the APCO petition will be granted. We also have considered APCO's suggestion that Special Emergency applicants obtain a recommendation from a Police Radio Service frequency advisory committee, as an alternative method for coordination. However, this proposal would provide for frequency coordination by a committee which is not composed of representatives of licensees and, therefore, it would be inconsistent with this basic requirement for coordinating committees embodied in our rules. However, as we mentioned, the proposed rules will require that notice be given to all existing licensees that could be affected so that adequate opportunity will be afforded them to file comments on any proposal. Accordingly, APCO's proposal for coordination of Special Emergency frequency requests by a police frequency coordinating committee will be denied.

8. The proposed amendments, as set forth below, are issued pursuant to the authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

9. The petition filed by APCO is granted to the extent indicated herein and is denied in all other respects.

10. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 28, 1972, and reply comments on or before September 12, 1972. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

11. In accordance with the provisions of § 1.419 of the Commission's rules, an original and fourteen copies of all statements, briefs, or comments filed shall be furnished the Commission. Responses will be available for public inspection during regular business hours in the Commission's Public Reference Room at its headquarters in Washington, D.C.

Adopted: June 14, 1972.

Released: June 16, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

Part 89 of the Commission's rules is amended as follows:

Section 89.525 is amended by deleting the limitation indicator 15 in the frequency tabulation in paragraph (e) and in the case of the frequencies 155.160 and 155.400 MHz substituting indicator 16; by deleting the text of paragraph (f) (15) and substituting the word "Reserved"; and by amending paragraph (f) (16) to read as follows:

¹ Commissioner Wiley concurring in the result; Commissioner H. Rex Lee absent.

§ 89.525 Frequencies available to the Special Emergency Radio Service.

(f) * * *

(15) [Reserved]

(16) Any application for use of this frequency shall be accompanied by a report based on a field study indicating the degree of probable interference to existing base stations in radio services other than the Special Emergency Radio Service which operate on a frequency within 15 kHz and are located 10 to 35 miles from the proposed base station, together with a signed statement that the licensees of all such stations have been notified of applicant's intention to file his application. In no instance will an application be granted where the distance between the proposed station and existing base station is less than 10 miles.

[FR Doc. 72-9518 Filed 6-22-72; 8:51 am]

FEDERAL RESERVE SYSTEM

[12 CFR Parts 207, 220, 221]

[Regs. G, T, and U]

SECURITIES CREDIT TRANSACTIONS

Same-Day Substitutions; Convertible "Hedge" Transactions

By notice of proposed rule making published in the FEDERAL REGISTER on May 6, 1972 (37 F.R. 9243), the Board of Governors proposed to amend Regulations G, T, and U in order to require the deposit of additional margin in connection with purchases and sales of securities executed on the same day, in margin accounts whose net equity status is less than a percentage to be determined by the Board and published in the supplements to the regulations.

As one of a group of technical amendments, the Board also, by notice of proposed rule making published in the FEDERAL REGISTER on July 29, 1971 (36 F.R. 14033) proposed to amend §§ 220.3(a) and (d) and 220.4(j) of Regulation T to provide that short sales of stock into which a security is convertible may be effected in a special convertible debt security account without deposit of additional margin, if the convertible security is held in the special convertible debt security account.

Following consideration of all the comments received, the Board had made final technical revisions in certain of the proposals, as follows:

1. Paragraphs (a), (b), (d), and (g) of § 220.3 would be amended as set forth below:

§ 220.3 General accounts.

(a) *Contents of general account.* All financial relations between a creditor and a customer, whether recorded in one record or in more than one record, shall be included in and be deemed to be part of the customer's general account with

the creditor, except that the relations which § 220.4 permits to be included in any special account provided for by that section may be included in the appropriate special account, and all transactions in commodities, and except to the extent provided in paragraph (b) (2) of this section, all transactions in non-equity securities, exempted securities, and in other securities having no loan value in a general account under the provisions of paragraph (c) of this section and § 220.8 (the Supplement to Regulation T) (except unissued securities, short sales and securities positions to offset short sales other than those permitted in § 220.4(j)(5), purchases to cover short sales and contracts involving an endorsement or guarantee of any put, call, or other option), shall be included in the appropriate special account provided for by § 220.4. During any period when such § 220.8 specifies that margin equity securities shall have no loan value in a general account or special convertible debt security account (sometimes referred to herein as "special convertible security account") subject to § 220.4(j), any transaction consisting of a purchase of a security other than a purchase of a security to reduce or close out a short position shall be effected in the special cash account provided for by § 220.4(c) or in some other appropriate special account provided for by § 220.4.

(b) *General rule.* (1) (i) A creditor shall not effect for or with any customer in a general account, special bond account subject to § 220.4(i), or special convertible debt security account any transaction which, in combination with the other transactions effected in such account on the same day, creates an excess of the adjusted debit balance of such account over the maximum loan value of the securities in such account, or increases any such excess, unless in connection therewith the creditor obtains, as promptly as possible and in any event before the expiration of 5 full business days following the date of such transaction, the deposit into such account of cash or securities in such amount that the cash deposited plus the loan value of the securities deposited equals or exceeds the excess so created or the increase so caused.

(ii) If the adjusted debit balance in a general account or special convertible debt security account, computed using the margin requirement for short sales specified in § 220.8(g) (2) of the Supplement to Regulation T, exceeds the maximum loan value of the securities in such account specified in § 220.8(g) (1), the account is subject to § 220.8(g) (sometimes referred to herein as "account subject to section 8(g)"). If an account is subject to section 8(g) as of the close of business on the preceding business day, it shall be subject, in addition to all other requirements applying to the account, to the requirement that the creditor shall not effect any transaction in the account which creates an excess of the adjusted debit balance of such account, computed using the margin requirements for short sales specified in § 220.8(d), over the maximum loan value of the securities in

such account specified in § 220.8 (a) and (c), or increases any such excess, unless in connection therewith the creditor obtains, as promptly as possible and in any event before the expiration of 5 full business days following the date of such transaction, the deposit into such account of cash or securities in such amount that the cash deposited plus the loan value of the securities deposited equals or exceeds the excess so created or the increase so caused. The required deposit may be reduced by the amount of cash or securities which otherwise could be withdrawn pursuant to the provisions of subparagraph (2) of this paragraph in connection with any other transactions in the account on the same day.

(d) *Adjusted debit balance.* For the purpose of this part, the adjusted debit balance of a general account, special bond account, or special convertible debt security account shall be calculated by taking the sum of the following items:

(3) the current market value of any securities (other than unissued securities) sold short in the general account plus, for each security (other than an exempted security), such amount as the Board shall prescribe from time to time in § 220.8(d) (the Supplement to Regulation T) as the margin required for such short sales, except that such amount so prescribed in such § 220.8(d) need not be included when there are held in the general account or special convertible debt security account the same securities or securities exchangeable or convertible within 90 calendar days, without restriction other than the payment of money, into such securities sold short;

(g) *Transactions on given day.* (1) For the purpose of paragraph (b) (1) of this section, except in the case of an account subject to section 8(g), the question of whether or not an excess of the adjusted debit balance of a general account, special bond account, or special convertible debt security account over the maximum loan value of the securities in such account is created or increased on a given day shall be determined on the basis of all the transactions in the account on such day exclusive of any deposit of cash, deposit of securities, covering transactions, or other liquidation that has been effected on such day, pursuant to the requirements of paragraph (b) or (e) of this section, in connection with a transaction on a previous day.

(2) In the case of an account subject to section 8(g), the required deposit, under paragraph (b) (1) (ii) of this section in connection with transactions on a given day, shall be equal to the amount by which the retention requirement of any securities sold for such account on such day exceeds the maximum loan value of any securities purchased in such account on such day. Such computation may be made at the close of trading on such day and shall be made exclusive of any deposit of cash, deposit of securities, covering transactions or other liquidation

that has been effected on such day, pursuant to the requirements of paragraphs (b) or (e) of this section, in connection with a transaction on a previous day.

(3) In any case in which an excess so created, or increase so caused, by transactions on a given day does not exceed \$100, the creditor need not obtain the deposit specified therefor in paragraph (b) (1) of this section.

(4) Any transaction which serves to meet the requirements of paragraph (e) of this section or otherwise serves to permit any offsetting transaction in an account shall, to that extent, be unavailable to permit any other transaction in such account.

(5) For the purposes of this part (Regulation T), if a security has maximum loan value under paragraph (c) (1) of this section in a general account, or under § 220.4(j) in a special convertible debt security account, a sale of the same security (even though not the same certificate) in such account shall be deemed to be a long sale and shall not be deemed to be or treated as a short sale.

2. Section 220.4 would be amended as follows:

§ 220.4 Special accounts.

(j) *Special convertible debt security account.*

(4) In the event any convertible debt security held in this account is to be converted to a stock, such security shall upon conversion be transferred to the customer's general account against a deposit of cash or margin securities eligible for an extension of credit in this account (counted at their maximum loan value) equal to at least the maximum loan value of the security for which such substitution is made, without regard to the retention requirement of § 220.3 (b) (2).

(5) In a special convertible debt security account the amount of margin equity securities into which a margin debt security held in the account is convertible may be sold short without regard to the margin required for short sales in § 220.8(d) (supplement to Regulation T), and such short position may be carried in the special convertible debt security account in conformity with the exception provided in § 220.3(d) (3).

3. A new paragraph (g) of § 220.8 (the Supplement to Regulation T) would be added as follows and the present paragraphs (g) and (h) would be relettered accordingly:

§ 220.8 Supplement.

(g) *Account subject to section 8(g).* For purposes of the computation described in § 220.3(b) (1) (i),

(1) The maximum loan value of a registered nonequity security held in the account on March 11, 1968, and continuously thereafter, and of a margin equity security shall be 60 percent of the current market value of such security, and

the maximum loan value of an exempted security held in the account on March 11, 1968, and continuously thereafter shall be the maximum loan value of the security as determined by the creditor in good faith.

(2) The amount to be included in the adjusted debit balance of the account pursuant to § 220.3(d)(3) as margin required for short sales of securities (other than exempted securities) shall be 40 percent of the current market value of each security.

Proposed § 220.3(a) would provide that short sales of securities into which debt securities are convertible may be effected in the special convertible debt security account described in § 220.4(j) for certain "hedging" transactions.

Proposed § 220.3(b) revises the substance of the amendment as initially published to provide that certain accounts with an equity status lower than that deemed appropriate by the Board may no longer use the same-day substitution rule under which securities of equal value could be substituted for existing collateral without the requirement that additional margin be provided. The method for determining which accounts described as accounts "subject to section 8(g)" will be ineligible for use of the rule is provided. This revision simplifies the computation required by the proposed amendment.

Proposed § 220.3(d) makes conforming changes in regard to short sales to be effected in the special convertible debt security account described in § 220.4(j).

Proposed § 220.3(g) revises the amendment as initially published to conform it to the method used in revised § 220.3(b) for determining which accounts may not use the same day substitution rule. Section 220.3(g) prohibits the use of this rule by any account whose equity status places it in a category described as an account "subject to section 8(g)."

The proposed amendment published in the FEDERAL REGISTER of May 6, 1972, which would amend paragraph (f) of § 220.4 is withdrawn.

Proposed § 220.4(j) provides that short sales of margin equity securities may be effected in the special convertible debt security account when the convertible debt securities which are convertible into such equity securities are held in that account.

Proposed § 220.8(g) provides a new paragraph (g) to § 220.8 (supplement to Regulation T). The present paragraphs (g) and (h) would be relettered (h) and (i) respectively. The new paragraph (g) establishes the loan value and short sale margin requirements for use in computing which accounts will no longer be permitted to substitute collateral of equal value on the same day without providing additional margin. This new paragraph (g) revises the substance of the proposed amendment to § 220.8(i) published May 6,

1972, which is hereby withdrawn. The loan value and short sale margin requirements are set initially at 60 percent and 40 percent respectively.

The proposals to amend §§ 207.1(j)(2), 207.2(k), and 207.5(f) of Part 207 (Regulation G) and 221.1(c) and 221.4(f) of Part 221 (Regulation U) are unchanged from those published in the FEDERAL REGISTER of May 6, 1972 (37 F.R. 9243). They would be adopted at the same time as the revised proposals to Part 220 (Regulation T) set forth herein.

To aid in the consideration of the technical revisions set forth above, interested persons are invited to submit relevant data, views, and comments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than July 10, 1972. Any such material will be made available for inspection and copying upon request, except as provided in § 261.6(a) of the Board's rules regarding availability of information. Subject to consideration of such data, views, and comments, the Board proposes to adopt the amendments described above, as so revised, to be effective August 14, 1972.

By order of the Board of Governors,
June 16, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-9522 Filed 6-22-72; 8:51 am]

Notices

DEPARTMENT OF DEFENSE

Department of the Army
ARMED FORCES RESERVE CENTER,
LOS ALAMITOS, CALIF.

Notice of Public Hearing on Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), the Department of the Army has prepared a draft environmental statement for the establishment of an Armed Forces Reserve Center at Los Alamitos, Calif. This statement was submitted to the Council on Environmental Quality and made available to the public on June 15, 1972.

The draft environmental statement concerns the establishment of an Armed Forces Reserve Center at Los Alamitos, Calif., for use by Los Angeles/Orange Counties area Reserve Components and other Defense activities, including both aviation and nonaviation activities.

A public hearing will be held on Wednesday, July 19, 1972, to receive statements from interested organizations or individuals concerning the environmental impacts associated with the proposed action. In the interest of assuring that every representative viewpoint is heard, oral statements should be short and succinct and, if possible, a written copy of the entire statement should be submitted for the record. The hearing will be held on the campus of the Golden West College, 15744 Golden West Street, Huntington Beach, CA, beginning at 7:30 p.m.

Organizations or individuals desiring to present their statements at the hearings should write or telephone:

Mr. John V. O'Neill, Engineer Division, Office of the Deputy Chief of Staff for Logistics, Headquarters, 6th US Army, Presidio of San Francisco, San Francisco, Calif. 94129, Telephone: Area Code 415, 561-4147 or 561-4483.

Written statements will also be accepted from groups or individuals unable to attend the hearing in person.

Copies of the draft environmental statement may be obtained from the National Technical Information Service (NTIS), U.S. Department of Commerce, Springfield, Va. 22151, at a cost of \$3 per copy. Public inspection copies of the draft environmental statement are available upon request of the postmaster at the Fountain Valley Post Office in the Fountain Valley Civic Center, Huntington Beach, Calif., and at the Southern California Association of Governments (SCAG), Suite 801, 606 South Hill Street, Los Angeles, CA.

To avoid redundancy, the hearing officer reserves the right to limit spokesmen

representing essentially similar interests or viewpoints.

PAUL W. JOHNSON,
Acting Deputy
for Installations and Housing.

[FR Doc.72-9496 Filed 6-22-72; 8:47 am]

DEPARTMENT OF JUSTICE

Bureau of Narcotics and Dangerous
Drugs

AMPHETAMINES AND METHAMPHETAMINE

Production Quotas

On February 12, 1972, the final amphetamine and methamphetamine aggregate production quotas for 1972 were established by the Bureau of Narcotics and Dangerous Drugs and published in the FEDERAL REGISTER (37 F.R. 3194). The quota provided for a total of 969 kilograms of methamphetamine to insure adequate quantities of its anhydrous base for use in controlled methamphetamine products.

Subsequent to the establishment of the quota the Bureau has been informed that certain manufacturers require additional methamphetamine, a Schedule II controlled substance (21 CFR 308.12) for conversion in the production of non-controlled substances. Such use was not previously called to the attention of the Bureau in considering the establishment of the total aggregate production quotas for methamphetamine. Therefore, the Director, Bureau of Narcotics and Dangerous Drugs, under the authority vested in the Attorney General by section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826) and redelegated to the Director, Bureau of Narcotics and Dangerous Drugs by § 0.100 of Title 28 of the Code of Federal Regulations, orders that the 1972 production quotas for methamphetamine, expressed in terms of its anhydrous base, to be established as follows:

Methamphetamine (for conversion to noncontrolled substances only) (kilograms)	242
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This order is effective upon the date of its publication in the FEDERAL REGISTER (6-23-72).

Dated: June 19, 1972.

JOHN E. INGERSOLL,
Director, Bureau of
Narcotics and Dangerous Drugs.

[FR Doc.72-9493 Filed 6-22-72; 8:46 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Wyoming 14982]

WYOMING

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 15, 1972.

The Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, has filed an application, Serial No. W-14982, for the withdrawal of lands described below, from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, subject to valid existing rights, among which are prior oil shale and reclamation withdrawals.

The applicant wishes to provide uniform status to all lands within the Seedskadee National Wildlife Refuge.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 2120 Capitol Avenue, Cheyenne, WY 82001.

The Department's regulations 43 CFR 2351.4(c) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced. The lands involved in this application are:

SIXTH PRINCIPAL MERIDIAN, WYOMING
SWEETWATER COUNTY

T. 23 N., R. 110 W.,
Sec. 32, lots 6, 7, 8, and 12.

The areas described aggregate 90.50 acres.

JESSE R. LOWE,
Acting State Director.

[FR Doc. 72-9473 Filed 6-22-72; 8:45 am]

Office of the Secretary
HAROLD M. McCURE, JR.

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of May 19, 1972.

Dated: May 19, 1972.

HAROLD M. McCURE, JR.

[FR Doc. 72-9509 Filed 6-22-72; 8:48 am]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

DIRECTOR OR ACTING DIRECTOR, KANSAS CITY COMMODITY OFFICE

Delegation of Authority

Pursuant to the authority vested in me by the Processor Wheat Marketing Regulations (36 F.R. 21256), I hereby delegate to the Director or Acting Director, Kansas City ASCS Commodity Office the responsibilities which are described below:

1. *Registration of processors.* Register processors of wheat into food products and issue Notification of Registration as provided in § 777.6.

2. *Approval of granting an extension of time.* Approve an extension of time for registering or giving notice as required by § 777.6(a) for good cause shown.

3. *Registration of industrial users.* Register industrial users of flour second clears and issue notification of registration as provided in § 777.19(b).

The authority herein delegated shall be exercised in conformity with the requirements of the Processor Wheat Marketing Certificate Regulations and may not be redelegated.

(Secs. 379(a) to 379(j), 52 Stat. 31, as amended; 7 U.S.C. 1379a to 1379j)

Signed at Washington, D.C., on June 16, 1972.

CLAUDE B. FREEMAN,
Acting Director, Grain Division,
Agricultural Stabilization and Conservation Service.

[FR Doc. 72-9535 Filed 6-22-72; 8:50 am]

Commodity Credit Corporation

[Amdt. 15]

SALES OF CERTAIN COMMODITIES

Monthly Sales List

The CCC monthly sales list for the fiscal year ending June 30, 1972, published in 36 F.R. 13044 is amended as follows:

1. A section 26 is inserted which reads as follows:

26. Rice, Rough—Export as Milled or Brown Offered for sale under invitations to bid issued by the Kansas City ASCS Commodity Office at the domestic market price but not less than 105 percent of the 1971 loan rate basis f.o.b. warehouse. Must be exported as milled or brown rice under GR-379, Revision 2, on or before July 31, 1972, and under a new dollar sale made to a foreign buyer.

Effective date: 2:30 p.m., e.d.t., June 12, 1972.

Signed at Washington, D.C., on June 14, 1972.

E. J. PERSON,

Acting Executive Vice President,
Commodity Credit Corporation.

[FR Doc. 72-9505 Filed 6-22-72; 8:51 am]

Forest Service

MULTIPLE USE PLAN CRYSTAL LAKE PLANNING UNIT

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for a Multiple Use Plan—Crystal Lake Planning Unit, USDA-FS-DES(Adm) 72-41.

The environmental statement concerns a revised Multiple-Use Plan for the Crystal Lake Planning Unit, Lewis and Clark National Forest in Montana.

This draft environmental statement was filed with CEQ on June 15, 1972.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, Room 3230, 12th Street and Independence Avenue SW., Washington, D.C. 20250.

USDA, Forest Service, Northern Region, Federal Building, Missoula, Mont. 59801.

Lewis and Clark National Forest, Federal Building, Great Falls, Mont. 59401.

A limited number of single copies are available upon request to Mr. George Engler, Supervisor, Lewis and Clark National Forest, Federal Building, Great Falls, Mont. 59401.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the

Council on Environmental Quality Guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Mr. George N. Engler, Supervisor, Lewis and Clark National Forest, Federal Building, Great Falls, Mont. 59401. Comments must be received within 30 days of the date of publication of this notice in order to be considered in the preparation of the final environmental statement.

BARRY R. FLAMM,
Acting Deputy Chief,
Forest Service.

JUNE 20, 1972.

[FR Doc. 72-9537 Filed 6-22-72; 8:50 am]

PROPOSED TIMBER MANAGEMENT PLAN FOR CIBOLA NATIONAL FOREST

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for a Proposed Timber Management Plan for the Cibola National Forest, USDA-FS-DES(Adm) 72-40.

The environmental statement concerns a proposed timber management plan for the Cibola National Forest.

This draft environmental statement was filed with CEQ on June 15, 1972.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, Room 3230, 12th Street and Independence Avenue SW., Washington, DC 20250.

USDA, Forest Service, Southwestern Region, 517 Gold Avenue SW., Albuquerque, NM 87101.

Cibola National Forest, U.S. Courthouse Building, Room 510, 421 Gold Avenue SW., Albuquerque, NM 87103.

A limited number of single copies are available upon request to Mr. Wallace Lloyd, Supervisor, Cibola National Forest, Post Office Box 1826, Albuquerque, NM 87103.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Mr. Wallace Lloyd, Supervisor, Cibola National Forest, Post Office Box 1826, Albuquerque, NM 87103. Comments must be received within 30 days of the date of publication of this notice in order to be considered in the preparation of the final environmental statement.

BARRY R. FLAMM,
Acting Deputy Chief,
Forest Service.

JUNE 20, 1972.

[FR Doc.72-9538 Filed 6-22-72; 8:50 am]

**Rural Electrification Administration
BLUE RIDGE ELECTRIC
MEMBERSHIP CORPORATION
Draft Environmental Statement**

Notice is hereby given that the Rural Electrification Administration has prepared a draft environmental statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a loan application from Blue Ridge Electric Membership Corp. of Lenoir, N.C. This loan application, together with funds from other sources, includes financing for approximately 22 miles of 230 kv. plus additional right-of-way space for a paralleling 230 kv. circuit expected to be constructed by 1980. Funds are also included for conversion of 26.5 miles of 46 kv. line to 100 kv. which will tie with the proposed 230 kv. line.

Additional information may be secured by request submitted to Mr. James N. Myers, Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are particularly invited from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Copies of the REA draft environmental statement have been sent to various Federal, State, and local agencies, as outlined in the Council on Environmental Quality Guidelines. The draft environmental statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, DC, Room 4322, or at Blue Ridge Electric Membership Corp., Lenoir, N.C.

Comments concerning the environmental impact of the construction pro-

posed should be addressed to Mr. Myers at the address given above. Comments must be received within thirty (30) days of the date of the publication of this notice to be considered in connection with the proposed use of loan funds.

Any loan which may be made pursuant to this application will be subject to, and release of funds thereunder will be contingent upon, REA's reaching satisfactory conclusions with respect to environmental effects and final REA action will be taken only after compliance with Environmental Statement procedures required by the National Environmental Policy Act of 1969.

Dated at Washington, D.C., this 19th day of June 1972.

E. C. WEITZEL,
Acting Administrator,
Rural Electrification Administration.
[FR Doc.72-9536 Filed 6-22-72; 8:50 am]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File 22(72)-3]

TV ELEKTRONIK GMBH

Notice of Related Party Determination

An order dated September 25, 1964, effective October 2, 1964, was entered by the Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, against Germar Weiss of Frankfurt/Main, Federal Republic of Germany, denying him all privileges of participating in any manner or capacity in exportations from the United States of commodities or technical data for an indefinite period. This order was published in the FEDERAL REGISTER on October 3, 1964 (29 F.R. 13616).

Section 388.1(b) of the Export Control Regulations provides, in part, that to the extent necessary to prevent evasion of any order denying export privileges, said order may be made applicable to parties other than those named in the order with whom said named parties may then or thereafter be related by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or related services. It has been determined by the Office of Export Control that within the purview of said section that TV Elektronik GmbH, 148 Mainzer Landstrasse, Frankfurt/Main, Federal Republic of Germany, is a related party to Germar Weiss. Under this determination the terms and restrictions of the outstanding denial order against said Germar Weiss are effective against said related party.

The said related party is being notified of this determination and advised that if it contends that the ruling is not justified, it may make application to have the ruling reconsidered or terminated. Due notice will be given of any termina-

tion or change in this related party determination.

Dated: June 1, 1972.

RAUER H. MEYER,

Director,
Office of Export Control.

[FR Doc.72-9531 Filed 6-22-72; 8:50 am]

Office of Import Programs

NATIONAL INSTITUTES OF HEALTH ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

Correction

In F.R. Doc. 72-9040 appearing at page 11909 of the issue of Thursday, June 15, 1972, the word "market" in the fifth line of Docket No. 72-00530-00-11000, Pennsylvania State University, should read "marker".

BROOKLYN COLLEGE OF CITY UNIVERSITY OF NEW YORK ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 72-00567-01-07500. Applicant: Brooklyn College of the City University of New York, Bedford Avenue and Avenue H, Brooklyn, NY 11210. Article: Precision calorimetry system, LKB 8700. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to measure the heats of solution of reactants in reactions having a solvent effect on their enthalpies of activation. The article will also be used in the undergraduate and graduate research courses (83.1, 83.2, 810.1, 810.2, 810.3) to train students in advanced research techniques. Application received by Commissioner of Customs: May 19, 1972.

Docket No. 72-00588-90-46070. Applicant: Herbert H. Lehman College, Bedford Park Boulevard West, Bronx, N.Y. 10468. Article: Scanning Electron microscope, Model JSM-U3. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used in a wide variety of research projects which includes the following:

A. Studies evaluating the effects of various plant hormones on the structure of cells of higher plants during abscission.

B. Studies to determine where in blue-green algae cells phosphate is localized.

C. Studies of the formation of spores in blue-green algae using light microscopy and transmission electron microscopy.

D. Studies to determine the effects of zinc and other metals on chromosome morphology.

E. Observation of pollen grains and other plant parts in connection with taxonomic studies.

The article will also be used in the training of graduate students in the techniques and special applications of scanning electron microscopy and used as a teaching instrument in the course Cytology (Biology 634). Application received by Commissioner of Customs: May 30, 1972.

Docket No. 72-00587-33-46595. Applicant: University of Illinois at Urbana-Champaign, Purchasing Division, 223 Administration Building, Urbana, Ill. 61801. Article: Pyramitome, LKB 11800. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used primarily for precisely trimming with specific orientation small renal glomeruli (0.1 to 0.2 mm. in diameter) so that specific parts of the glomeruli shall be at the top of the block in a specifically chosen attitude toward the cutting edge of the knife for thin sectioning. The aim of the project is to establish, if possible, the exact nature of the molecular ultrafilter, which is formed by the basement membrane, capillary wall and podocytes (or covering cells of the renal glomerulars so important to man and all the vertebrates). The article will also be used in the courses Biology-Chemistry 429; Electron Microscopy with Laboratory, and Biology-Chemistry 493; Advanced Electron Microscopy to teach advanced graduate students in the biological sciences new modern methods of preparing materials for study under the electron microscopes. Application received by Commissioner of Customs: May 30, 1972.

Docket No. 72-00586-01-86300. Applicant: University of Delaware, Newark, Del. 19711. Article: Viscoclastometer, Model DDV II. Manufacturer: Toyo Measuring Instruments Co., Ltd., Japan. Intended use of article: The article is intended to be used in the investigation of mechanical spectra-loss modulus as a function of temperature and exciting frequency of fibers of various polymeric materials. Application received by Commissioner of Customs: May 30, 1972.

Docket No. 72-00583-01-01100. Applicant: Yale University School of Medicine, Department of Internal Medicine, 333 Cedar Street, New Haven, CT 06510. Article: Sequence Analyzer, Model JEOL-JAS-47K. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used to determine the sequence of peptides associated with the active binding site of various immunoglobulins such as MOPC 315 and MOPC 460, among others, using the subtractive Edman-Dansyl method of detection. The active peptides will be separated from the whole molecule using affinity labeling techniques. The end result will be determination of the sequential arrangement of the amino acids involved in the active binding site of these immunoglobulins. Application received by Commissioner of Customs: May 23, 1972.

Docket No. 72-00584-01-10520. Applicant: ATF Forensic Laboratory, Department of Treasury, IRS-Alcohol, Tobacco, and Firearms Division, 1111 Constitution Avenue, Washington, DC 20224. Article: Vapor Trace Analyzer, Model 103A. Manufacturer: Hydronautics-Israel, Ltd., Israel. Intended use of article: The article is intended to be used to detect different explosive vapors under varying conditions and environments to determine the practicality of using portable detection equipment to detect explosive vapors. Departmental personnel will be trained in the potential of this type of detector in identifying explosives by their vapor traces. Application received by Commissioner of Customs: May 30, 1972.

Docket No. 72-00575-33-79200. Applicant: Veterans Administration Hospital, 4150 Clement Street, San Francisco, CA 94121. Article: Water still and boiling flask. Manufacturer: L. V. D. Scoria, United Kingdom. Intended use of article: The article is intended to be used in redistilling water to obtain the extreme purity needed in many special techniques in metabolic and endocrine function studies. Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00576-33-79200. Applicant: Veterans Administration Hospital, 4150 Clement Street, San Francisco, CA 94121. Article: Water still, condenser, and receiving flask. Manufacturer: L. V. D. Scoria, United Kingdom. Intended use of article: The article is intended to be used in redistilling water to obtain the extreme purity needed in many special techniques in metabolic and endocrine function studies. Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00607-98-54900. Applicant: University of Virginia, Department of Physics, McCormick Road, Charlottesville, Va. 22901. Article: Proustite and Pyragryte Crystals. Manufacturer: Royal Radar Establishment, United Kingdom. Intended use of article: The article will be used for a series of optical measurements to study the basic physics of this material. These measurements constitute a major part of the research problem of a graduate student who will

submit the result of this research in his dissertation in fulfilling the requirements for a Ph. D. degree. Application received by Commissioner of Customs: May 15, 1972.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-9534 Filed 6-22-72; 8:50 am]

UNIVERSITY OF ALABAMA ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 72-00505-33-46040. Applicant: University of Alabama in Birmingham, 1919 Seventh Avenue South, Birmingham, AL 35233. Article: Electron microscope, Model EM 92-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used primarily for teaching beginning microscopists. It will be used to bridge the gap between the upper limits of the light microscopy and advanced electron microscopy. Experiments performed will be simple and consist mostly of descriptive studies of various tissues, normal or abnormal, at relatively low magnifications. Application received by Commissioner of Customs: April 18, 1972.

Docket No. 72-00559-33-54600. Applicant: University of Washington, Department of Genetics SJ-10, Seattle, Wash. 98195. Article: Optical Diffractometer system. Manufacturer: Polaron Instruments Ltd., United Kingdom. Intended use of article: The article is intended to be used to obtain optical diffraction patterns from electron micrographs of crystalline substances (ribosomes of chick embryos and bacteria, intranuclear crystals of mutant structural protein in yeast cells, microcrystals of lactate dehydrogenase, and microcrystals of photosynthetic complexes from bacteria).

These patterns will be analyzed to determine the structural parameters of the crystals. The article will also be used for instruction of the techniques used for the above research project and for instruction in the principles of optics and diffraction. The course involved is Genetics 584, "Genetic and Biochemical Analysis by Electron Microscopy." Application received by Commissioner of Customs: May 16, 1972.

Docket No. 72-00561-98-34040. Applicant: Yale University, Purchasing Department, 260 Whitney Avenue, New Haven, CT 06520. Article: Carcinotron, Model C0.20B. Manufacturer: Thomson-CSF Electronic Tubes, France. Intended use of article: The article is intended to be used in the development and operation of a polarized proton target to be used to investigate the structure of the proton in a series of deep inelastic polarized electron-polarized proton scattering experiments. Application received by Commissioner of Customs: May 16, 1972.

Docket No. 72-00562-00-46500. Applicant: University of Missouri-St. Louis, Biology Department, 8001 Natural Bridge, St. Louis, Mo. 63121. Article: LKB 14800 Cryokit consisting of: 14801—Cryo specimen head, 14802—Cryo knife holder, 14804—Cryo specimen preparation chamber, 14805—Two coolant reservoirs, 14806—Temperature control unit. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is an accessory attachment to an existing ultramicrotome which will be used in the course: Biology 362: Electron Microscopy Laboratory. Students will develop skill in techniques associated with transmission and scanning electron microscopy and learn instrument operation and minor servicing in the course: Biology 290: Research. Students will pursue research problem in biology under the direction of a supervisor. Application received by Commissioner of Customs: May 19, 1972.

Docket No. 72-00563-33-46500. Applicant: DHEW, HSMHA, Center for Disease Control, 255 East Paces Ferry Road, Northeast, Atlanta, GA 30305. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for ultrathin sectioning of plastic embedded virologic materials, including infected tissues, tissue cultures, autopsy specimens, and the white blood cells of leukemia patients. Application received by Commissioner of Customs: May 19, 1972.

Docket No. 72-00564-33-46500. Applicant: University of Florida, J. Hillis Miller Health Center, Gainesville, Fla. 32601. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in studies of biological materials during investigations to reveal at the ultrastructural level the structural basis of virus disease, graft rejection and many other ocular pathological states. Application received by Commissioner of Customs: May 19, 1972.

Docket No. 72-00565-33-46500. Applicant: Michigan State University, School of Osteopathic Medicine, Department of Pathology, East Fee Hall, East Lansing, Mich. 48823. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used at the postgraduate and graduate level to enable students to achieve the aims of a special topics course in Pathology (PTH 800) which requires a high degree of competency. Each participant will design and carry out a self-contained project under one of several faculty members whose primary research interests encompass the areas of neuropathology, musculo-skeletal pathology, renal pathology, blood platelet morphology and amyloidosis. Application received by Commissioner of Customs: May 19, 1972.

Docket No. 72-00566-01-11000. Applicant: Indiana State Department of Mental Health, 1315 West 10th Street, Indianapolis, IN 46202. Article: Gas Chromatograph-Mass Spectrometer. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in the analysis of urine, blood and other physiological fluids, and of tissue extracts for various categories of compounds. This will involve qualitative and quantitative analysis, and—most important—identification of unsuspected or novel compounds by means of mass spectrometry. These studies will be carried out using material from patients with developmental disabilities in order to precisely define the biochemical basis of each disorder and to develop therapeutic as well as preventive procedures. Research fellows, graduate students, medical students and technologists will be involved in the study and will be given an understanding of the advantages as well as the disadvantages of the article in assisting them to attain their research objectives. Application received by Commissioner of Customs: May 19, 1972.

Docket No. 72-00568-00-17500. Applicant: CR—Physical Ocean, Department of Oceanography, University of Washington, Seattle, Wash. 98195. Article: Tape Reader No. 2103 and accessories. Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The article is intended to be used to provide necessary translation of analog data tapes produced by Aanderaa recording current meters to computer compatible digital tapes for further processing. The equipment will also be used by graduate students in the process of collecting data for their research programs. Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00569-33-43780. Applicant: Miami University, Oxford, Ohio 45056. Article: Scissors, MC-51, Vannas-Wolff's, angled, 7mm. blades. Manufacturer: Moria-Dugast S.A., France. Intended use of article: The article is intended to be used for microsurgery performed upon insects, specifically for the removal of the brain and small samples of other organs or tissues. Application Received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00570-01-77030. Applicant: University of Massachusetts at Amherst, Department of Chemistry, Amherst, Mass. 01002. Article: NMR spectrometer, Model HX-90. Manufacturer: Bruker Scientific, Inc., West Germany. Intended use of article: The article is intended to be used in studies of amino acids, peptides, proteins, purines, pyrimidines, nucleosides, nucleotides, oligonucleotides, polyribonucleotides, polydeoxyribonucleotides, nucleic acids, pentoses, hexoses, and polysaccharides with the objective of gaining deeper insight, at the atomic level, into the structures of these biologically significant molecules. The article will also be used in the courses: Chem. 800 Master's Thesis; and Chem. 900 Doctoral Dissertation for problem solving by this new form of spectroscopy. Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00571-25-41700. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. Article: Laser, Model TEA-103. Manufacturer: Lumonics Research, Ltd., Canada. Intended use of article: The article is intended to be used for optical pumping experiments in very narrow energy gap semiconductors. It will also be used to study the effect of infrared radiation on biological systems with the hope of achieving instantaneous sterilization of medical equipment, foods and processing machinery. A third application is the heat treatment of metals using the thermal spike generated by the laser which can heat metal surface to the melting point in 2×10^{-7} sec. This research will be carried out as part of the graduate training of students at M.I.T. Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00572-33-46500. Applicant: University of California-Los Angeles, 405 Hilgard Avenue, Los Angeles, CA 90024. Article: Ultramicrotome, Model Om U2. Manufacturer: C. Reichert Optische Werke AG, Austria. Intended use of article: The article is intended to be used for making ultrathin sections for use in electron microscopy of a variety of biological specimens, almost wholly in connection with research in neuropathology where artifacts induced by less than superior sectioning are intolerable. A large interest is in study of degenerative processes involved in the myelin and other membranes which are affected in multiple sclerosis. In addition to routine sectioning, the article will be used to provide serial sections for three-dimensional reconstructions. The material to be sectioned includes soft tissue, brain, membranes, bone and adjacent soft tissue and membranes in studies of the blood-brain and blood-cerebrospinal fluid barrier systems, the fine structure of arachnoid villi and dural sinuses, and relationship of arachnoid villi and dural membranes to the calvarium. Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00573-33-46040. Applicant: Institute of Health Laboratories, Post Office Box 1730, Hato Rey, PR

00919. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article is intended to be used in the study of the effects of narcotics and tranquilizers on mammalian brain cortex synaptic structures in animals fixed by the Gonzalez-Aguilar technique to determine whether or not these are detectable morphological changes, and if so what level of doses are necessary. Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00574-33-46040. Applicant: Michigan State University, East Lansing, Mich. 48823. Article: Electron microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, the Netherlands. Intended use of article: The article is intended to be used by several faculty members, whose research interests encompass the areas of neuropathology, musculo-skeletal pathology, renal pathology, blood platelet morphology and amyloidosis, for their appropriate basic and applied human pathological research. The article will also be used by postgraduate and graduate students to achieve the aims of a special topics course in Pathology (PTH 800) which requires a high degree of competency in ultramicrotomy. Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00577-33-46070. Applicant: Rutgers Medical School, Department of Anatomy, Basic Science Building, University Heights, New Brunswick, N.J. 08903. Article: Scanning electron microscope, Model JSM-U3. Manufacturer: JEOLCO, Japan. Intended use of article: The article is intended to be used in studies of animal cells and tissues in normal and pathological states in experiments consisting of nerve regeneration after severance or crush, muscle injury by various methods and regrowth, tooth transplantation, healing of bone fracture, grafts of blood vessels, heart failure and its structural defects, nail growth and structure, tissue culture of nerve and muscle and other tissues, etc. The article will also be used by medical and graduate students in the courses: Gross and Development Anatomy, Histology, Neural Science, and Cytological Methods. Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00578-33-46500. Applicant: Georgia State University, Biology Department, 33 Gilmer Street SE., Atlanta, GA 30303. Article: Ultramicrotome, Model OM U2. Manufacturer: C. Reichert Optische Werke AG, Austria. Intended use of article: The article is intended to be used to produce acceptable thick and thin sections on a variety of tissues. In addition, cells and submicroscopic cellular elements, often 50 angstrom units thickness or less, will be cut for electron microscopy study. It will be used in support of faculty and graduate student research. It will also serve as equipment in support of an undergraduate (460) and graduate (660) course for selected students in electron microscopy.

Application received by Commissioner of Customs: May 22, 1972.

Docket No. 72-00580-99-46040. Applicant: University of Minnesota, Department of Botany, Minneapolis, Minn. 55455. Article: Electron microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for teaching in the course Genetics and Cell Biology 8-990, Electron Microscopy. The students will taught the basic skills needed for biological electron microscopy including material preparation, electron microscope operation, printing and interpretation of electron micrographs. The article will also be used for graduate student thesis research and will be available for University and government sponsored research of faculty members in the College of Biological Sciences and other university departments. Application received by Commissioner of Customs: May 22, 1972.

SETH M. BODNER,

Director, Office of Import Programs.

[FR Doc. 72-9533 Filed 6-22-72; 8:50 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
CLIMAX MOLYBDENUM CO.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 2B2803) has been filed by Climax Molybdenum Co., 1600 Huron Parkway, Ann Arbor, MI 48106, proposing the issuance of a food additive regulation (21 CFR Part 121) to provide for the safe use of zinc molybdate as a corrosion-inhibiting pigment in coatings applied to the interior of food cans.

Dated: June 13, 1972.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc. 72-9471 Filed 6-22-72; 8:49 am]

[DESI 16]

COMBINATION DRUG CONTAINING EPHEDRINE HYDROCHLORIDE, AT- ROPINE SULFATE, AND PENTOBAR- BITAL FOR ORAL USE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Rinfedex Capsules, containing ephedrine hydrochloride, atropine sulfate, and pentobarbital; Broemmel Phar-

maceuticals, 1235 Sutter Street, San Francisco, Calif. 94109 (NDA 16).

The Food and Drug Administration has considered the Academy's report, as well as other available evidence, and concludes there is a lack of substantial evidence, within the meaning of the Federal Food, Drug, and Cosmetic Act, that this drug is effective as a fixed combination for its labeled claims relating to the treatment of respiratory conditions.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to withdraw approval of the above-listed new drug application. Any related drug for human use, not the subject of an approved new drug application, may be affected by this action.

Prior to initiating such action, however, the Commissioner invites the holder of the new drug application for the drug and any interested person who may be adversely affected by its removal from the market, to submit pertinent data bearing on the proposal within 30 days after publication hereof in the FEDERAL REGISTER.

To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a)(5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

The above-named holder of the new drug application for this drug has been mailed a copy of the Academy's report. Any interested person may obtain a copy of the report by writing to the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 16, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, Bureau of Drugs, 5600 Fishers Lane, Rockville, Md. 20852:

Requests for the Academy's report: Drug Efficacy Study Information Control (BD-67). All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-60).

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drug (21 CFR 2.120).

Dated: June 7, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 72-9466 Filed 6-22-72; 8:49 am]

[DESI 4203]

CERTAIN GAMMA BENZENE HEXACHLORIDE TOPICAL PREPARATIONS**Drugs for Human Use; Drug Efficacy Study Implementation Follow-Up Notice**

In a notice (DESI 4203) published in the FEDERAL REGISTER of September 17, 1970 (35 F.R. 14576), the Commissioner of Food and Drugs announced his conclusions pursuant to evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Kwell Shampoo (NDA 10-718) and Kwell Cream (NDA 6-309) containing gamma benzene hexachloride marketed by Reed and Carnrick, 30 Boright Avenue, Kenilworth, NJ 07033.

The notice stated that the shampoo was effective or probably effective for its labeled indications and the cream was effective or possibly effective for its labeled indications. The indications classified as probably effective and possibly effective have been reclassified as lacking substantial evidence of effectiveness in that no new evidence of effectiveness has been submitted pursuant to the September 17, 1970 notice.

The holder of the above-listed new drug applications has satisfactorily supplemented the applications to delete from the labeling all indications other than those regarded as effective. Other holders of applications approved for these drugs should submit within 60 days following publication of this notice in the FEDERAL REGISTER, supplements to their new drug applications to provide for revised labeling in accord with this notice. Such supplements should be submitted under the provisions of § 130.9 (d) and (e) of the new drug regulations (21 CFR 130.9 (d) and (e)) which permit certain changes to be put into effect at the earliest possible time.

Any such preparation, for human use, introduced into interstate commerce after 60 days following publication of this notice in the FEDERAL REGISTER with labeling bearing indications for which the drugs lack substantial evidence of effectiveness, may be subject to regulatory proceedings.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 13, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72-9467 Filed 6-22-72; 8:49 am]

[DESI 6343]

HYALURONIDASE**Drugs for Human Use; Drug Efficacy Study Implementation Follow-Up Notice**

In a notice (DESI 6343) published in the FEDERAL REGISTER of September 23, 1970 (35 F.R. 14800), the Commissioner of Food and Drugs announced his conclusions pursuant to an evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs containing hyaluronidase:

1. Wydase Solution and Wydase Lyophilized; Wyeth Laboratories, Inc., Post Office Box 8299, Philadelphia, Pa. 19101 (NDA 6-343).

2. Alldase; G. D. Searle & Co., Post Office Box 5110, Chicago, Ill. 60680 (NDA 6-714).

3. Hyazyme; Abbott Laboratories, North Chicago, Ill. 60064 (NDA 7-933).

The notice stated that the drugs were regarded as effective, probably effective, possibly effective, and lacking substantial evidence of effectiveness for their various labeled indications and allowed holders of the new drug applications, and persons marketing the drugs without approval, additional time to obtain and submit data to substantiate the claims classified as probably and possibly effective. Since no new evidence has been received, these drugs have been reclassified as lacking substantial evidence of effectiveness for labeled indications other than those appearing in the "Indications" section which follows:

INDICATIONS

Hyaluronidase is indicated as an adjunct to increase the absorption and dispersion of other injected drugs; for hypodermoclysis; as an adjunct in subcutaneous urography for improving the resorption of radiopaque agents.

The new drug applications held by the firms listed above have been satisfactorily supplemented to delete those claims for which substantial evidence of effectiveness is lacking and to be in accord with the "Indications" section above.

The holders of applications approved for hyaluronidase should submit, within 60 days following publication of this amended announcement in the FEDERAL REGISTER, supplements to their new drug applications to provide for revised labeling in accord with the "Indications" section above. Such supplements should be submitted under the provisions of § 130.9 (d) and (e) of the new drug regulations (21 CFR 130.9 (d) and (e)) which permit certain changes to be put into effect at the earliest possible time.

Any such preparation, for human use, introduced into interstate commerce after 60 days following publication of this notice in the FEDERAL REGISTER with labeling bearing indications that lack substantial evidence of effectiveness may be subject to regulatory proceedings.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat.

1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 13, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72-9468 Filed 6-22-72; 8:49 am]

[DESI 8583]

CERTAIN OPHTHALMIC/OTIC OINTMENTS**Drugs for Human Use; Drug Efficacy Study Implementation**

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs for ophthalmic and/or otic use.

Terramycin Ophthalmic-Otic Ointment with Polymyxin B Sulfate containing oxytetracycline hydrochloride and polymyxin B sulfate; Pfizer Inc., 235 East 42d Street, New York, N.Y. 10017 (NDA 61-015).

Chloromycetin-Polymyxin Ophthalmic Ointment containing chloramphenicol and polymyxin B sulfate; Parke, Davis and Co., Joseph Campau at the River, Detroit, Mich. 48232 (NDA 50-203).

Polysporin Ophthalmic Ointment containing polymyxin B sulfate and zinc bacitracin; Burroughs Wellcome & Co., 3030 Cornwallis Road, Research Triangle Park, N.C. 27709 (NDA 61-229).

The Food and Drug Administration concludes that these drugs for ophthalmic and/or otic use are effective for the indications described in the labeling conditions in this announcement.

Preparations containing these drugs are subject to the antibiotic procedures pursuant to section 507 of the Federal Food, Drug, and Cosmetic Act. After 60 days following publication of this announcement in the FEDERAL REGISTER, drugs in the dosage forms described above, for which certification is requested should contain labeling information in accord with this reevaluation of the drugs published in this announcement.

The above-named firms and any other holders of applications approved for a drug of the kinds described above are requested to submit within 60 days following publication of this announcement in the FEDERAL REGISTER, amendments to their antibiotic applications to provide for revised labeling. The label for ointments for ophthalmic use should state whether the product is or is not sterile. The labeling should comply with all requirements of the Act and regulations, bear adequate information for safe and effective use of the drug, and be in accord with the guidelines for uniform labeling published in the FEDERAL REGISTER of February 6, 1970. The "Indications" section of the labeling should be as follows:

INDICATIONS

Oxytetracycline Hydrochloride with Polymyxin B Sulfate Ophthalmic/Otic Ointment.

For the treatment of superficial ocular infections involving the conjunctiva and/or cornea caused by (insert drug name) susceptible organisms.

For the treatment of superficial infections of the external auditory canal caused by (insert drug name) susceptible organisms.

Chloramphenicol with Polymyxin B Sulfate Ophthalmic Ointment; Polymyxin B Sulfate with Zinc Bacitracin Ophthalmic Ointment.

For the treatment of superficial ocular infections involving the conjunctiva and/or cornea caused by (insert drug name) susceptible organisms.

Except for the indications described in the "Indications" sections above, these drugs are regarded as possibly effective for their other labeled indications. Batches of the drugs which bear labeling with these indications and are otherwise in accord with the labeling conditions herein will continue to be accepted for certification or release by the Food and Drug Administration for a period of 6 months from the publication date of this announcement to allow any applicant to obtain and submit data to provide substantial evidence of effectiveness of the drugs for use in these conditions for which they have been evaluated as possibly effective.

To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a) (5) of the regulations published in the *FEDERAL REGISTER* of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of effectiveness for such uses. After that evaluation, the conclusions concerning the drug will be published in the *FEDERAL REGISTER*. If no studies have been undertaken, or if the studies do not provide substantial evidence of effectiveness, such drug will not be eligible for release or certification with labeling bearing such indications.

A copy of the Academy's report has been furnished to each firm referred to above. Communications forwarded in response to this announcement should be identified with the reference number DESI directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Amendments (Identify with NDA number): Division of Anti-Infective Drug Products (BD-140), Office of Scientific Evaluation, Bureau of Drugs.

Requests for the Academy's report: Drug Efficacy Study Information Control (BD-67), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-60), Bureau of Drugs.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050-51, as amended; 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 8, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72-9469 Filed 6-22-72; 8:49 am]

[DESI 9152]

OXYTETRACYCLINE HYDROCHLORIDE WITH HYDROCORTISONE ACETATE FOR OPHTHALMIC/OTIC USE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Terra-Cortril Eye/Ear Suspension containing oxytetracycline hydrochloride and hydrocortisone acetate; Pfizer Laboratories, Division Chas. Pfizer and Co., Inc., 235 East 42d Street, New York, N.Y. 10017 (NDA 60-016).

The Food and Drug Administration concludes that oxytetracycline hydrochloride with hydrocortisone acetate for ophthalmic or otic administration lacks substantial evidence of effectiveness for use in furunculosis and for use in spastic entropion caused by local irritation and is possibly effective for other labeled indications. Preparations containing these drugs are subject to the antibiotic procedures pursuant to section 507 of the Federal Food, Drug, and Cosmetic Act.

To allow applicants time to obtain and submit data to provide substantial evidence of the effectiveness of the drugs in those conditions for which they have been evaluated as possibly effective, batches of preparations containing oxytetracycline hydrochloride with hydrocortisone acetate which bear labeling with those indications will be accepted for release or certification by the Food and Drug Administration for a period of 6 months after publication of this announcement in the *FEDERAL REGISTER*.

At the end of the 6-month period any such data will be evaluated to determine whether there is substantial evidence of effectiveness for such uses. After that evaluation the conclusions concerning the drug will be published in the *FEDERAL REGISTER*. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, any such drug will not be eligible for release or certification.

Preparations containing oxytetracycline hydrochloride with hydrocortisone acetate with labeling bearing claims for use in furunculosis and for use in spastic entropion caused by local irritation will no longer be acceptable for certification or release after 40 days following the publication date of this announcement.

Any person who would be adversely affected by deletion of the claims for which the drug lacks substantial evidence of effectiveness may, within 30 days following the publication date of this announcement, submit comments or pertinent data bearing on the effectiveness for such use.

To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well organized, and include data from adequate and well controlled clinical investigations (identified for ready review) as described in § 130.12(a) (5) of the regulations published in the *FEDERAL REGISTER* of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

A copy of the Academy's report has been furnished to the firm referred to above. Communications forwarded in response to this announcement should be identified with the reference number DESI 9152, directed to the attention of the following appropriate office, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Amendments (Identify with NDA number, if known): Division of Anti-Infective Drug Products (BD-140), Office of Scientific Evaluation, Bureau of Drugs.

Request for the Academy's report: Drug Efficacy Study Information Control (BD-67), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-60), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050-51, as amended, 50 Stat. 463, as amended; 21 U.S.C. 352, 357) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 7, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72-9470 Filed 6-22-72; 8:49 am]

Office of the Secretary

PRINTING AND PUBLICATIONS MANAGEMENT STAFF, OFFICE OF THE DEPUTY ASSISTANT SECRETARY FOR ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Correction

In F.R. Doc. 72-9180 appearing on page 12071 in the issue for Saturday, June 17, 1972, in section 1T040903.10, paragraph F, line 3, the word "regulations" should read "operations".

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D-72-185]

REGIONAL ADMINISTRATORS ET AL.

Redelegation of Authority With Respect to Housing Management

The redelegation of authority by the Assistant Secretary for Housing Management published at 35 F.R. 16105, October 14, 1970, as amended at 35 F.R. 17964, November 21, 1970, and 36 F.R. 21298, November 5, 1971, is amended in the following respects:

1. In section A paragraph 1.b is revised to read:

b. Suspend occupancy requirements and income limits: *Provided*, That each Regional Administrator, Deputy Regional Administrator, Area Director, and Deputy Area Director is authorized to permit housing owners to temporarily increase (or suspend) income limits for section 221(d)(3) BMIR projects for 6 months or 1 year in order to improve occupancy in cases where the project is in financial jeopardy.

2. Section D is revised to read as follows:

Sec. D. Authority redelegated to Insuring Office Directors and Insuring Office Deputy Directors. Each Insuring Office Director and Insuring Office Deputy Director is authorized to exercise the power and authority of the Secretary with respect to housing management aspects of housing assisted by the Department under the following programs:

1. Title II, V, VI, VII, VIII, IX, X, and XI of the National Housing Act, except the power and authority to:

a. Establish income limits.
b. Suspend occupancy requirements and income limits; *Provided*, That each Insuring Office Director and Insuring Office Deputy Director is authorized to permit housing owners to temporarily increase (or suspend) income limits for section 221(d)(3) BMIR projects for 6 months or 1 year in order to improve occupancy in cases where the project is in financial jeopardy.

2. Section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s), with respect to the administration of contracts and requirements for rent supplements for disadvantaged persons.

3. Section E is amended by adding new paragraphs s, t, u, and v to read as follows:

s. To approve applications for tenant eligibility for rent supplements; schedules of rent supplement payments; and public vouchers for purchases and services other than personal, when used to authorize rent supplement payments and when supported by the schedule of rent supplement payments.

t. To approve certifications of family income for rental projects under section 221(d)(3) BMIR and section 236 programs; and to approve recertifications

of family income and composition under the section 221(d)(3) BMIR and section 236 programs.

u. To approve the management feasibility exhibits which accompany feasibility applications for insured multifamily housing projects, including sponsor and management agent qualifications, certification by the management agent as to feasibility of project, operating expense estimate, management plan, management agreement, Item 8 on the project selection criteria form, and supporting data for use of supplemental management fund, if requested.

v. To approve the management feasibility exhibits which accompany commitment applications for insured multifamily housing projects, including operating expense estimate, management plan, management agreement, and recertification by the management agent as to feasibility of project.

4. Section F is amended to read as follows:

Sec. F. Authority redelegated to Chiefs, Housing Programs Management Branch, Area Offices. Each Chief, Housing Programs Management Branch, is authorized to exercise the power and authority of the Secretary with respect to the following:

1. In connection with the low-rent public housing program:

a. To take final action with respect to audit, review, and survey findings.
b. To approve operating budgets and budget revisions, except those which include an operating subsidy.
c. To approve changes in number of dwelling units.

2. To approve applications for tenant eligibility for rent supplements; schedules of rent supplement payments due; and public vouchers for purchases and services other than personal, when used to authorize rent supplement payments and when supported by the schedule of rent supplement payments.

3. To approve certifications of family income for rental projects under section 221(d)(3) BMIR and section 236 programs; and to approve recertifications of family income and composition under the section 221(d)(3) BMIR and section 236 programs.

5. A new section G is added to read as follows:

Sec. G. Authority redelegated to Occupancy Specialists, Housing Programs Management Branch, Area Offices. Each Occupancy Specialist, Housing Programs Management Branch, is authorized:

1. To approve applications for tenant eligibility for rent supplements; schedules of rent supplement payments due; and public vouchers for purchases and services other than personal, when used to authorize rent supplement payments and when supported by the schedule of rent supplement payments.

2. To approve certifications of family income for rental projects under section 221(d)(3) BMIR and section 236 programs; and to approve recertifications

of family income and composition under the section 221(d)(3) BMIR and section 236 programs.

6. The present section G is redesignated as section H.

7. The present section H is redesignated as section I.

8. The present section I is revoked.

9. The present section J is redesignated as section L, a new section J is added to read as follows:

Sec. J. Authority redelegated to Chiefs, Mortgages and Properties Division, Insuring Offices. Each Chief, Mortgages and Properties Division, is authorized:

1. To approve applications for tenant eligibility for rent supplements; schedules of rent supplement payment due; and public vouchers for purchases and services other than personal, when used to authorize rent supplement payments and when supported by the schedule of rent supplement payments.

2. To approve certification of family income for rental projects under section 221(d)(3) BMIR, and section 236 programs; and to approve recertifications of family income and composition under the section 221(d)(3) BMIR and section 236 programs.

10. A new section K is added to read as follows:

Sec. K. Authority redelegated to Rent Supplement Specialists, Insuring Offices. Each Rent Supplement Specialist is authorized:

1. To approve applications for tenant eligibility for rent supplements; schedules of rent supplement payments due; and public vouchers for purchases and services other than personal, when used to authorize rent supplement payments and when supported by the schedule of rent supplement payments.

2. To approve certification of family income for rental projects under section 221(d)(3) BMIR and section 236 programs; and to approve recertifications of family income and composition under section 221(d)(3) BMIR and section 236 programs.

11. The redesignated section L is revised to read as follows:

Sec. L. Additional authority excepted. There is further excepted from the authority redelegated under sections A through K the power and authority to:

1. Establish the rate of interest on Federal loans and advances.
2. Issue notes or other obligations for purchase by the Secretary of the Treasury.

3. Sue and be sued.
4. Issue rules and regulations.
5. Exercise the powers and authorities under section 402(a) and under section 402(c) (1-7) of the Housing Act of 1950

(12 U.S.C. 1749a(a) and 1749a(c) (1)-(7)).

12. The present section K is redesignated as section M and is revised to read as follows:

Sec. M. Exercise of redelegated authority. Redelegations of authority made under sections A through K shall not be construed to modify or otherwise affect the administrative and supervisory powers of the Regional Administrator, Area Director, Insuring Office Director, or any of them, to whom a delegate is responsible.

(Secretary's delegation of authority to redelegation published at 36 F.R. 5005, Mar. 16, 1971)

Effective date. This amendment to redelegation of authority is effective as of October 1, 1970.

NORMAN V. WATSON,
*Assistant Secretary
for Housing Management.*

[FR Doc.72-9541 Filed 6-22-72; 8:51 am]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-329A, 50-330A]

CONSUMERS POWER CO.

Notice and Order for Prehearing Conference

In the matter of Consumers Power Co. (Midland Plant, Units 1 and 2), Dockets Nos. 50-329A, 50-330A.

Take notice, that the prehearing conference which was previously scheduled to be held on May 25, 1972, at 10 a.m., is herewith reconvened to be held on July 12, 1972, at 10 a.m., local time, Courtroom No. 1, U.S. Tax Court, 1111 Constitution Avenue NW., Washington, DC.

The matters which were previously outlined in the notice and order for prehearing conference, dated April 19, 1972, are incorporated herein by reference and will be the topics of discussion at the July 12, prehearing conference. All parties are directed to comply with the provisions of the prior notice of prehearing conference.

Issued at Washington, D.C., this 20th day of June 1972.

It is so ordered:
For the Atomic Safety and Licensing Board,

JEROME GARFINKEL,
Chairman.

[FR Doc.72-9528 Filed 6-22-72; 8:50 am]

[Dockets Nos. 50-369, 50-370]

DUKE POWER CO.

Notice of Reconstitution of Board

In the matter of Duke Power Co. (William B. McGuire Nuclear Station, Units 1 and 2), Dockets Nos. 50-369, 50-370.

Dr. Richard L. Doan was a member of the Board established to consider the above application. He has advised that he is unable to continue in his duties as

a member of the Atomic Safety and Licensing Board Panel and has regretfully resigned. Therefore, he is unable to continue to serve in this proceeding.

Dr. Clarke Williams who was also a member of this Board has requested to be relieved from service in this proceeding because of other commitments.

Accordingly, the Commission has appointed Dr. Cadet H. Hand, Jr., and Dr. Emmeth A. Luebke to serve on this Board in place of Dr. Doan and Dr. Williams. Dr. Harry Foreman will continue to serve as alternate technical member.

Dated at Washington, D.C., this 20th day of June 1972.

JAMES R. YORE,
*Executive Secretary, Atomic
Safety and Licensing Board Panel.*

[FR Doc.72-9530 Filed 6-22-72; 8:50 am]

[Docket No. 50-247]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Order Extending Completion Date

Consolidated Edison Company of New York, Inc., has filed a request dated May 31, 1972, for an extension of the latest completion date granted by Atomic Energy Commission letter dated February 14, 1972, specified in Provisional Construction Permit No. CPPR-21, as amended, for construction of a 2,758 megawatt (thermal) pressurized water nuclear reactor, designated as the Indian Point Nuclear Generating Unit No. 2, at the applicant's site on the Hudson River in the village of Buchanan, Westchester County, N.Y. Good cause having been shown for extension of said date pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and § 50.55 of the Commission's regulations:

It is hereby ordered, That the latest completion date is extended from July 1, 1972 to October 2, 1972.

For the Atomic Energy Commission.

Date of issuance: June 16, 1972.

A. GIAMBUSO,
*Deputy Director for Reactor
Projects Directorate of Li-
censing.*

[FR Doc.72-9507 Filed 6-22-72; 8:48 am]

BEDROCK WASTE STORAGE EXPLORATION, SAVANNAH RIVER, S.C.

Notice of Cancellation of Environmental Statement

Notice is hereby given that the environmental statement for the Bedrock Waste Storage Exploration project at the AEC Savannah River Plant in South Carolina which was circulated as a draft in January 1972 will not be issued as a final statement. Authorization for the project consisting of a shaft and exploratory lateral tunnels into a bedrock formation was not included in the fiscal year 1973 legislation. Further exploration from the surface will be continued under the existing program to obtain geological information to permit a decision

on which geologic formation offers the better possibility for a specific location for the shaft and tunnels. Another draft statement will be circulated for review and comment and Congressional authorization and funding will be obtained before proceeding with further work beyond the existing program.

For the Atomic Energy Commission.

Dated: June 19, 1972.

W. B. McCool,
Secretary of the Commission.

[FR Doc.72-9494 Filed 6-22-72; 8:47 am]

[Dockets Nos. 50-354; 50-355]

PUBLIC SERVICE ELECTRIC & GAS CO.

Notice of Availability of Applicant's Supplemental Environmental Report

Pursuant to the National Environmental Policy Act of 1969 and the regulations of the Atomic Energy Commission (the Commission) in Appendix D to 10 CFR Part 50, notice is hereby given that a report entitled "Supplemental Environmental Report—Construction Permit Stage," dated April 25, 1972, submitted by Public Service Electric & Gas Co. for Newbold Island Nuclear Generating Station Units 1 and 2, has been placed in the Commission's Public Document Room at 1717 H Street NW., Washington, DC 20545, and the Trenton Free Public Library, 120 Academy Street, Trenton, NJ 08608, for public inspection. The report is also being made available at the Delaware Valley Regional Planning Commission, 1317 Filbert Street, Philadelphia, PA 19107, and the Division of State and Planning, Department of Community Affairs, Post Office Box 1978, Trenton, NJ 08625.

This report and the "Environmental Report—Construction Permit Stage," dated March 1971, discuss environmental considerations related to the Newbold Island Nuclear Generating Station Units 1 and 2 to be located in the township of Bordentown, Burlington County, N.J.

After the reports have been analyzed by the Commission's Director of Regulation or his designee, a draft environmental statement related to the proposed action will be prepared. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft environmental statement. The summary notice will request comments from interested persons on the proposed action and on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies and State and local officials will be made available when received.

Dated at Bethesda, Md., this 15th day of June 1972.

ROGER S. BOYD,
*Assistant Director for Boiling
Water Reactors, Directorate
of Licensing.*

[FR Doc.72-9495 Filed 6-22-72; 8:47 am]

[Dockets Nos. 50-348, 50-364]

ALABAMA POWER CO.**Notice of Availability of Final Environmental Statement**

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that a document entitled "Final Environmental Statement Related to the Construction of the Joseph M. Farley Nuclear Plant, Units 1 and 2," is being placed in the following locations where it will be available for inspection by members of the public: the Commission's Public Document Room at 1717 H Street NW., Washington, DC 20545 and in the George S. Houston Memorial Library, 212 West Verdeshaw Street, Dothan, AL 36301. The report is also being made available at the Alabama Development Office, State Office Building, Montgomery, Ala. 36104, and at the Southeast Alabama Regional Planning and Development Commission, Post Office Box 1460, Dothan, AL 36301.

The notice of availability of the Draft Detailed Statement for the Joseph M. Farley Nuclear Plant, Units 1 and 2 and request for comments from interested persons was published in the *FEDERAL REGISTER* on May 6, 1972, 37 F.R. 9525. The comments received from Federal, State, local officials and interested members of the public have been included as appendices to the final statement.

Single copies of the statement may be obtained by writing the Deputy Director for Reactor Projects, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 20th day of June 1972.

For the Atomic Energy Commission.

R. C. DEYOUNG,
Assistant Director for Pres-
surized Water Reactors Di-
rectorate of Licensing.

[FR Doc.72-9567 Filed 6-22-72; 8:52 am]

**OFFICE OF EMERGENCY
PREPAREDNESS****TEXAS****Amendment to Notice of Major
Disaster**

Notice of Major Disaster for the State of Texas, dated May 22, 1972, and published May 25, 1972 (37 F.R. 10619) is hereby amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major dis-

aster by the President in his declaration of May 20, 1972:

The counties of:

Fayette

Gonzales

Dated: June 20, 1972.

G. A. LINCOLN,

Director,

Office of Emergency Preparedness.

[FR Doc.72-9492 Filed 6-22-72; 8:46 am]

**FEDERAL COMMUNICATIONS
COMMISSION**

[Docket No. 19412; FCC 72R-167]

FRIENDLY BROADCASTING CO.**Memorandum Opinion and Order
Enlarging Issues**

In re applications of Friendly Broadcasting Co., Docket No. 19412, Files Nos. BR-1844, and BR14-140, for renewal of licenses for Radio Stations WJMO and WLYT (FM), Cleveland Heights, Ohio.

1. This proceeding involves the applications of Friendly Broadcasting Co. (Friendly), seeking renewal of licenses for standard and FM broadcast stations at Cleveland Heights, Ohio. The applications were designated for hearing on various issues inquiring into alleged violations of various Commission rules and policies by Commission order and notice of apparent liability, released January 27, 1972 (FCC 72-73, 37 FR 3384). Presently before the Review Board is a petition to enlarge issues, filed by Friendly on March 29, 1972, seeking the addition of a meritorious programming issue,¹ and a petition to accept the late-filed petition to enlarge issues, filed on the same date.

2. Initially, the Board finds that Friendly has demonstrated good cause to justify the late filing and therefore the Board will accept its petition to enlarge. As to the merits of Friendly's request, the Board agrees with the petitioner and the Broadcast Bureau that a meritorious programming issue should be added to this proceeding. The Commission has consistently held that, although not required to do so, it will permit an applicant to make a showing as to past broadcast record to mitigate adverse findings under issues comparable to those specified here. However, consistent with Commission precedent, we note that no consideration can be given to alleged meritorious programming instituted after the licensee has received notice that action against it is being con-

¹ The Broadcast Bureau filed comments on the petition to enlarge on April 12, 1972.

templated by the Commission, and that addition of this issue will not preclude the parties from arguing the weight to be accorded the evidence adduced under the issue. Hawaiian Paradise Park Corp., FCC 70R-266, 19 RR 2d 824; and Wagoner Radio Co., 12 FCC 2d 978, 13 RR 2d 114 (1968).

3. Accordingly, it is ordered, That the motion to accept petition to enlarge the issues and the petition to enlarge issues, both filed March 29, 1972, by Friendly Broadcasting Company, are granted; and

4. It is further ordered, That the issues in this proceeding are enlarged by the addition of the following issue:

To determine whether the programming of Stations WJMO and WLYT(FM) has been meritorious, particularly with regard to public service programs;

and

5. It is further ordered, That the burdens of proceeding with the introduction of evidence and proof on the issue herein added shall be on Friendly Broadcasting Co.

Adopted: June 16, 1972.

Released: June 19, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-9521 Filed 6-22-72; 8:49 am]

MEXICAN TELEVISION STATIONS**List**

JUNE 19, 1972.

A list of Mexican television station assignments within 250 miles of the Mexico-United States border has been issued by the FCC. Compiled from information supplied by the Department of Frequencies of Mexico, under section K of the Mexican-USA Television Agreement (TIAS-5043), the list reflects all additions, changes, and deletions made up to April 19, 1972, and supersedes previous lists issued by the Commission.

Further additions, changes, and deletions will be issued as reported to the Commission by the Mexican Department of Frequencies.

Copies of the list may be obtained from Keuffel & Esser Co., 1521 North Danville Street, Arlington, VA 22201 (Telephone 524-9000, area code 703).

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

² Board Member Berkemeyer not participating.

NOTICES

12423

LIST OF NOTIFIED MEXICAN TELEVISION STATION ASSIGNMENTS

(Listed by Channel)

RECAPITULATIVE TO APRIL 10, 1972

Call sign	Location	Video effective radiated power (kw)	Directivity	Antenna			Offset
				Height above ground (feet)	Height above MSL (feet)	Height above average terrain (feet)	
CHANNEL 2 (54-60 MHz)							
XHCH	Chihuahua, Chihuahua, W. 106°04'42", N. 28°38'12"	5.435	DA	147.6	4856	164.5	(-)
XEFM	Cd. Juarez, Chihuahua, W. 106°28'40.5", N. 31°42'21.3"	9.450	ND	221.5	3904	95.6	No.
XHIA	Torreón, Coahuila, W. 103°26'20", N. 25°32'00"	13.5	ND	164.8	4495	567.32	(+)
XEFA	Nogales, Sonora, W. 110°59'10", N. 31°19'20"	0.874	ND	204.4	4129.3	-175.1	No.
XHCR	Matamoros, Tamaulipas, W. 97°31'00", N. 25°52'45"	3.6	ND	366.8	366.8	328.1	(+)
XEFE	Nuevo Laredo, Tamaulipas, W. 99°30'03", N. 27°29'49"	21.4	DA	190.3	410	186.7	No.
CHANNEL 3 (60-66 MHz)							
XHBC	Mexicali, Baja California, W. 115°31'07", N. 32°34'53"	83.804	ND	558.10	558.10	525.62	No.
XHMA	Hidalgo del Parral, Chihuahua, W. 105°39'50", N. 26°51'40"	0.8	ND	196.8	5646	98.4	(-)
XEPN	Piedras Negras, Coahuila, W. 100°30'57", N. 28°42'27"	5.289	ND	296.1	1008.9	319.5	No.
XEFB	Monterrey, Nuevo Leon, W. 100°19'00", N. 26°41'00"	100	ND	246.1	3675	956.4	(+)
CHANNEL 4 (66-72 MHz)							
XELN	Torreón, Coahuila, W. 103°26'10", N. 25°32'00"	3.68	ND	320.2	3662.6	128.0	No.
XHIT	Chihuahua, Chihuahua, W. 106°04'42", N. 28°38'12"	42.751	DA	114.8	7005	89.44	(+)
CHANNEL 5 (76-82 MHz)							
XHAQ	Mexicali, Baja California, W. 115°31'53", N. 32°34'06"	54.28	DA	345.14	345.14	304.1	(+)
XHFL	Chihuahua, Chihuahua, W. 106°04'30", N. 28°38'00"	23.37	DA	141.1	4692	-254.4	(-)
XEFJ	Cd. Juarez, Chihuahua, W. 106°28'40.5", N. 31°42'21.3"	9.95	ND	222.1	4879	205.1	No.
XHAE	Saltillo, Coahuila, W. 100°58'50", N. 25°25'06"	3.6	ND	328.1	5561	229.7	(+)
CHANNEL 6 (82-88 MHz)							
XETV	Tijuana, Baja California, W. 117°01'46", N. 32°30'33"	100	ND	416.7	1362	1163.1	No.
XEP	Monterrey, Nuevo Leon, W. 100°18'49.4", N. 26°41'14.7"	80	DA	150.9	5531	3204.1	No.
XEWI	Hermosillo, Sonora, W. 110°58'56", N. 29°04'16"	6.646	ND	191.3	722	170.44	(-)
CHANNEL 7 (174-180 MHz)							
XHAD	Saltillo, Coahuila, W. 100°58'20", N. 25°24'58"	10.62	DA	169.75	5249	-506.86	(-)
CHANNEL 9 (186-192 MHz)							
XERV	Reynosa, Tamaulipas, W. 98°17'11", N. 26°05'45"	35.8	ND	288.88	420	272.3	No.
CHANNEL 10 (192-198 MHz)							
XHX	Monterrey, Nuevo Leon, W. 100°18'26", N. 26°40'11"	329.5	ND	246.1	3921	196.8	(+)
CHANNEL 11 (198-204 MHz)							
XETT	Chihuahua, Chihuahua, W. 106°04'30", N. 28°30'00"	0.202	DA	134.5	4708	121.4	(-)
XEDL	Cd. Juarez, Chihuahua, W. 106°28'41", N. 31°44'21"	5.9	ND	320.1	3750	303.4	No.
XHO	Torreón, Coahuila, W. 103°27'18", N. 25°32'20"	10.934	ND	193.6	718	187.93	No.
XEBR	Nuevo Laredo, Tamaulipas, W. 99°30'03", N. 27°29'46"	3.52	ND				
CHANNEL 12 (204-210 MHz)							
XEWI	Tijuana, Baja California, W. 117°01'46", N. 32°30'33"	31.6	ND	196.8	1280	395.3	No.
XHAW	Monterrey, Nuevo Leon, W. 100°19'45", N. 25°40'48"	99.75	DA	488.88	3921	-145.50	No.
XHAK	Hermosillo, Sonora, W. 110°58'12", N. 29°04'56"	8.200	DA	336.9	722	85.66	(-)

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.72-9520 Filed 6-22-72; 8:49 am]

FEDERAL POWER COMMISSION

[Docket No. CP72-264]

LOUISIANA-NEVADA TRANSIT CO.

Notice of Application

JUNE 8, 1972.

Take notice that on May 19, 1972, Louisiana-Nevada Transit Co. (applicant), Post Office Box 398, Ada, OK 74820, filed in Docket No. CP72-264 a budget-type application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under said Act, for a certificate of public convenience and necessity authorizing the construction, during the 12-month period commencing June 1,

1972, and the operation of certain natural gas facilities to enable the applicant to take into its pipeline system supplies of natural gas which will be purchased from producers in the general area of its existing pipeline system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in contracting for and connecting to its pipeline system supplies of the natural gas in various producing areas coextensive with said system.

The total cost of the proposed facilities will not exceed \$100,000, with no single project exceeding \$25,000. Appli-

cant states that these costs will be financed from cash on hand or from short-term loans from its parent company at or below the prevailing prime interest rate.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 30, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protes-

tants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9510 Filed 6-22-72;8:48 am]

[Project 309]

PENNSYLVANIA ELECTRIC CO.

Notice of Application for Change in Land Rights and Joint Use of Reservoir

JUNE 16, 1972.

Public notice is hereby given that application for approval for change in land rights and joint use of a reservoir to allow the construction of an intake structure on project lands by the Clarion Water Co. and its affiliate, American Water Works Service Co., Inc., has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Pennsylvania Electric Co. (correspondence to Mr. W. R. Thomas, Secretary and Treasurer, Pennsylvania Electric Co., 1001 Broad Street, Johnstown, PA 15907) in Project No. 309, located on the Clarion River, near the Borough of Clarion, in Clarion County, Pa.

The application seeks Commission approval to allow the construction of an intake structure at the reservoir of Piney Project No. 309 by the Clarion Water Co. and its affiliate, American Water Works Service Co., Inc. The intake would divert directly from the reservoir a maximum of 2 million gallons of water per day for municipal use, of which 85 to 90 percent would be returned thereto.

Clarion Water Co. had been supplied by wells near the reservoir that are no longer usable, and water is presently being obtained from the project reservoir on an emergency basis. Effluent returned to the river is in the same amount and has the same degree of treatment as it did when the company obtained its supply from the wells.

Any person desiring to be heard or to make protest with reference to said application should on or before July 24, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9499 Filed 6-22-72;8:47 am]

[Docket No. CP72-287]

TRUNKLINE GAS CO. AND TEXAS EASTERN TRANSMISSION CORP.

Notice of Application

JUNE 20, 1972.

Take notice that on June 15, 1972, Trunkline Gas Co. (Trunkline), 3000 Bissonnet, Houston, TX 77005, and Texas Eastern Transmission Corp. (Texas Eastern), Post Office Box 2521, Houston, TX 77001, filed a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas and the construction and operation of certain natural gas facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicants seek authorization for the exchange of natural gas pursuant to an agreement dated April 20, 1972. The agreement calls for Trunkline to deliver natural gas to Texas Eastern through Trunkline's measuring facilities located at a connection point with Texas Eastern's valve on its 4-inch Sal Del Rey lateral in Hidalgo County, Tex. Texas Eastern will deliver natural gas to Trunkline through Trunkline's measuring facilities installed at a connection point with gathering facilities of Texas Eastern, or its designee, in Cage Ranch Field Area, Brooks County, Tex. Trunkline indicates that it will construct and operate at the Hidalgo exchange point 1 mile of 4-inch pipeline at an approximate cost of \$43,000 and the necessary measuring facilities for \$1,000. Trunkline states that the necessary measuring facilities at the Brooks County exchange point have been constructed at an approximate cost of \$1,000. Trunkline asserts that the aforementioned construction has and would continue to be undertaken pursuant to its budget-type authorization issued on March 10, 1972 (47 FPC _____), in Docket No. CP72-155.

In addition, applicants state that deliveries of natural gas by either Texas

Eastern or Trunkline to the other shall be made at a point of common connection to a gas processing plant in Hidalgo County. Applicants indicate that the total volumes of natural gas exchanged under the agreement will be approximately 3,000 Mcf per day.

Applicants state that they commenced the exchange of gas on May 17, 1972, within the contemplation of § 157.22 of the regulations under the Natural Gas Act (18 CFR 157.22).

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests, and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before July 3, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9511 Filed 6-22-72;8:48 am]

[Docket No. CP72-283]

EQUITABLE GAS CO.

Notice of Application

JUNE 19, 1972.

Take notice that on June 9, 1972, Equitable Gas Co. (applicant), 420 Boulevard of the Allies, Pittsburgh, PA 15219, filed in Docket No. CP72-283 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more

fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests authorization for certain facilities necessary for the development of its proposed Swarts West Storage Pool in Greene County, Pa. Applicant proposes to construct and operate 2.4 miles of 6-inch pipeline, together with necessary metering equipment, from a point of connection with its GSW-3627 pipeline in Greene County to a point of connection with the well gathering lines in the proposed Swarts West Pool. In addition, applicant proposes to construct and operate approximately 2.367 miles of 10-inch pipeline to replace a 6-inch pipeline between the point of connection with the proposed 6-inch pipeline and a point near its Rogersville Compressing Station, also in Greene County. Applicant states that the replacement of this 6-inch line is necessary in order to accommodate the additional gas volumes that will be available when the proposed Swarts West Pool is in operation.

Applicant states that the cost of the facilities is estimated at \$473,675, which will be financed from general funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 11, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 72-9512 Filed 6-22-72; 8:48 am]

[Docket No. RP71-112]

MICHIGAN WISCONSIN PIPE LINE CO.

Order Accepting for Filing and Making Effective Revised Tariff Sheets and Providing for Hearing

JUNE 15, 1972.

On June 2, 1972, Michigan Wisconsin Pipe Line Co. filed in this docket proposed First and Second Revised Sheets No. 27F to its FPC Gas Tariff, Second Revised Volume No. 1. First Revised Sheet No. 27F reflects an increase of 12 cents per Mcf attributable to increases in advance payments to producers for gas supplies, and Second Revised Sheet No. 27F reflects an increase of 98 cents per Mcf attributable to increases in Michigan Wisconsin's cost of purchased gas. The company requests the revised sheets be made effective as of May 1, 1972.

The requested increases were originally filed on March 31, 1972, and included producer price increases incurred during the Government's 90-day price freeze. The March 31, 1972, submittal was rejected as being inconsistent with the Commission's policy with respect to the Economic Stabilization Program.¹ The subject rate increases were refiled on April 28, 1972, excluding the rejected producer price increases, but the April 28, 1972, submittal was subsequently rejected by Commission order issued May 26, 1972, as being inconsistent with Commission Order No. 452 in Docket No. R-406.

Michigan Wisconsin requests waiver of the requirements of Order No. 452 to permit Second Revised Sheet No. 27F to be accepted for filing and made effective. Stating the difference between the rate change allowed under present PGA provision in Michigan Wisconsin's tariff and under the requirements of Order No. 452 are insubstantial. Although Michigan Wisconsin shows the rate effect under both its PGA provisions and Order No. 452 essentially the same for this filing, the differences between Michigan Wisconsin's PGA provisions and Order No. 452 are substantial and we cannot at this time determine whether this effect will in the future continue to be minimal. Consequently we will grant waiver of the requirements of Order No. 452 to allow Second Revised Sheet No. 27F to be accepted for filing and become effective, but will provide that the effectiveness of Michigan Wisconsin's present PGA provisions be terminated 60 days after issuance of a final order in Docket No. R-406, without prejudice to Michigan Wisconsin filing a PGA clause in conformity with such final order.

The proposed rate increase related to Michigan Wisconsin's cost of purchased gas appears reasonable, and Second Revised Sheet No. 27F will accordingly be accepted for filing and approved. That part of the proposed increase related

to advance payments made to producers in the lower 48 United States also appears reasonable and is approved. However, the company has included in its requested rate increase the \$693,785 rate effect of \$5,450,000 of advance payments made to producers in Alaska and Canada.² In our order of January 7, 1972, in Docket No. R-411, we stated:

An application for partial modification of Order No. 411 was received from Michigan Wisconsin Pipe Line Co. on December 10, 1971, requesting that advance payments for exploration outside the United States be included in Account No. 166 and recognized in rate base.

We acknowledge the desirability of increased exploration of frontier areas outside the lower 48 States. However, the data and comments submitted in this rule-making focused on the treatment to be accorded advance payments in the lower 48 States. Accordingly, decision on the question of the treatment of advance payments outside the lower 48 States would be inappropriate at this time.

In light of the foregoing it appears necessary that a hearing be held to determine whether tracking of Michigan Wisconsin's advance payments to producers in Canada and Alaska should be permitted. Any amounts ultimately found by the Commission not to be justified must be refunded with interest by Michigan Wisconsin under the terms of Articles V and VI of the settlement agreement approved by the Commission in this docket on December 30, 1971.

Michigan Wisconsin requests waiver of the Commission's 30-day notice requirements to permit the proposed tariff revisions to become effective on May 1, 1972. Inasmuch as the company's customers have had notice of the proposed increase in rates as of the initial filing date of March 31, 1972, it appears the request for waiver is reasonable and should be granted.

The Commission finds:

(1) Proposed First and Second Revised Sheets No. 27F to Michigan Wisconsin's FPC Gas Tariff should be accepted for filing.

(2) Section 154.22 of the Commission's regulations under the Natural Gas Act should be waived to permit the revised sheets No. 27F to become effective May 1, 1972.

(3) A hearing should be held to determine whether the advance payments for gas made by Michigan Wisconsin to producers in Canada and Alaska should be permitted as a part of the requested rate increase herein.

The Commission orders:

(A) First Revised Sheet No. 27F to Michigan Wisconsin's FPC Gas Tariff, Second Revised Volume No. 1, is accepted for filing.

(B) Second Revised Sheet No. 27F to Michigan Wisconsin's FPC Gas Tariff, Second Revised Volume No. 1, is accepted for filing and approved.

(C) Section 154.22 of the Commission's regulations under the Natural Gas Act

¹Letter of the Commission's Secretary dated Apr. 25, 1972.

²McCulloch Oil Corp., \$450,000 (Alaska); Imperial Co., Ltd., \$5 million (Canada).

is waived, and First and Second Revised Sheets No. 27F are made effective as of May 1, 1972.

(D) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, and 15 thereof, and the Commission's rules and regulations, a public hearing shall be held concerning whether Michigan Wisconsin's advance payments for gas made to producers in Canada and Alaska should be permitted for rate-making purposes.

(E) The hearing shall commence with a prehearing conference to be held on July 10, 1972. Dates shall be established for the submission of evidence, if any, by the parties, and the parties shall consider entering into stipulations of fact such as may expedite the hearing.

(F) Michigan Wisconsin shall, within 60 days from the date of this order, conform its present PGA provision in accordance with the requirements of Order No. 452.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9513 Filed 6-22-72; 8:48 am]

[Project 108—Wisconsin]

NORTHERN STATES POWER CO.

Notice of Availability of Environmental Statement for Inspection

JUNE 19, 1972.

Notice is hereby given that on July 6, 1971, as required by § 2.81(b) of Commission regulations under Order 415-B (36 F.R. 22738, November 30, 1971) a draft environmental statement containing information comparable to an agency draft statement pursuant to section 7 of the Guidelines of the Council on Environmental Quality (36 F.R. 7724, April 23, 1971) was placed in the public files of the Federal Power Commission. This statement deals with an application for a new major license filed pursuant to the Federal Power Act for Chippewa Reservoir Project No. 108 located on the Chippewa River in Sawyer County, Wis. The original license for the project expired on August 7, 1971, and the project is presently being operated under an annual license. The project is located partly on Tribal lands of the Lac Court Orielles Indian Reservation and lands of the United States. This statement is available for public inspection in the Commission's Office of Public Information, Room 2523, General Accounting Office, 441 G Street NW., Washington, DC. Copies will be available from the National Technical Information Service, Department of Commerce, Springfield, Va. 22151.

The Chippewa Reservoir Project consists of: (1) A dam about 1,290 feet long and about 45 feet high; (2) Chippewa Reservoir which impounds 223,000 acre-feet of useable storage capacity with about 17,600 acres of water surface area at normal full pool elevation 1313.0 (m.s.l.); and (3) all other facilities and

interests appurtenant to operation of the project.

Chippewa Reservoir is a storage reservoir, impounded primarily for regulation of the flow of the Chippewa River for downstream hydroelectric power production. There are no generating facilities at the project. During the winter months, the reservoir is drawn down to accommodate snow melt and spring rains thereby contributing to flood control. The regulated flow of the Chippewa River provides for low flow augmentation downstream. During the summer months, as nearly as is practicable, reservoir fluctuations are held to 3 feet in the interest of recreational activities.

Chippewa Reservoir is located in thinly populated northwestern Wisconsin and covers a flowage approximately 14 miles long and 9 miles wide. The over 200 miles of shoreline are largely undeveloped and in a primitive natural state; the applicant's future plans are to preserve the semiwilderness characteristics of the reservoir area.

Any person desiring to present evidence regarding environmental matters in this proceeding must file with the Federal Power Commission a petition to intervene, and also file an explanation of their environmental position, specifying any difference with the environmental statement upon which the intervenor wishes to be heard, including therein a discussion of the factors enumerated in § 2.80 of Order 415-B. Written statement by persons not wishing to intervene may be filed for the Commission's consideration. The petitions to intervene or comments should be filed with the Commission on or before 45 days from June 21, 1972. The Commission will consider all response to the statement.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9514 Filed 6-22-72; 8:48 am]

[Docket No. CP72-139]

SOUTHERN NATURAL GAS CO.

Order Providing for Hearing, Granting Interventions, and Establishing Procedures

JUNE 19, 1972.

On November 22, 1971, Southern Natural Gas Co. (Southern) filed an application pursuant to section 7(b) of the Natural Gas Act requesting permission and approval to abandon by sale to Atlanta Gas Light Co. (Atlanta) approximately 18.6 miles of its existing lateral line to Newnan, Ga., and two metering stations located near Newnan.

In support of its application, Southern states that Atlanta desires to employ the Newnan lateral in connection with its distribution facilities to satisfy increased market growth in the area. Southern also states that the proposed abandonment will have no effect on its design daily delivery capacity and that no service will be discontinued or diminished by reason of the proposal. After abandonment by sale of these facilities, Southern pro-

poses to provide Atlanta with a new delivery point at the junction of the Newnan lateral line and Southern's Main North Line in Douglas County for service to the areas now being served through the existing facilities.

Timely petitions to intervene were filed by Atlanta, on December 27, 1971, in support of the proposed abandonment and by Carolina Pipeline Co. (Carolina), on December 16, 1971, requesting a formal hearing on Southern's proposal. Each petitioner stated that it has a direct and substantial interest in this proceeding, which interest is not adequately represented by existing parties.

We believe that a full evidentiary record is desirable in this proceeding to explore the public convenience and necessity issues involved in the proposed abandonment. The inquiry should include, inter alia, consideration and evidence on the issue of the proposed use of the new delivery point by Atlanta (now and in the future) and the effect of that use on Southern's system in meeting the present and future demands of its customers during this time of gas supply shortages.

The Commission finds:

(1) Good cause exists for the Commission to enter upon a hearing concerning Southern's request for permission and approval to abandon by sale certain of its facilities as set forth in its application filed herein on November 22, 1971, and for establishing the procedures as herein ordered for that hearing.

(3) The participation of Atlanta and Carolina in this proceeding may be in the public interest.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held commencing September 21, 1972, at 10 a.m., e.d.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, concerning the propriety of granting Southern permission and approval under the criteria of section 7(b) of the Natural Gas Act to abandon by sale certain of its existing facilities as requested in its application filed herein on November 22, 1971.

(B) On or before August 21, 1972, Southern and all parties in support of the application shall serve their testimony and exhibits comprising their cases-in-chief on the Presiding Examiner, the Commission Staff and on all parties to this proceeding. At the hearing set in Paragraph (A) above, the testimony and exhibits shall be placed in the record, subject to appropriate motions, and cross-examination thereon shall commence immediately thereafter.

(C) A Presiding Examiner, to be designated by the Chief Examiner for that purpose (see, Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearings in this proceeding and shall prescribe relevant procedural matters not herein provided including an opportunity for the submission of answering or

rebuttal testimony following the conclusion of the cross-examination of the presentations hereinabove ordered.

(D) Atlanta and Carolina are hereby permitted to intervene in this proceeding, subject to the rules of practice and procedure and the Regulations of the Commission: *Provided, however*, That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in their petitions to intervene: *And provided, further*, That the admission of such intervenors shall not be construed as recognition that they or either one of them might be aggrieved because of any order or orders issued by the Commission in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9515 Filed 6-22-72;8:49 am]

[Docket No. CI72-830]

ANADARKO PRODUCTION CO.

Notice of Application

JUNE 19, 1972.

Take notice that on June 14, 1972, Anadarko Production Co. (applicant), Post Office Box 9317, Fort Worth, TX 76107, filed in Docket No. CI72-830 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale of natural gas in interstate commerce to Panhandle Eastern Pipe Line Co. from Morton County, Kans., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell natural gas within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70) and § 157.40(f) of the regulations under the Natural Gas Act (18 CFR 157.40(f)) at the rate of 25 cents per Mcf at 14.65 p.s.i.a. which gas is purchased at the same rate from small producer certificate holders in Docket No. C872-937. Estimated initial delivery volume is 150,000 Mcf of gas per month.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before June 30, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9489 Filed 6-22-72;8:46 am]

[Docket No. CI71-889]

HARVEY BROYLES

Notice of Petition To Amend

JUNE 16, 1972.

Take notice that on June 14, 1972, Harvey Broyles (petitioner), Post Office Box 1511, Shreveport, La. 71165, filed in Docket No. CI71-889 a petition to amend the order issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act on August 12, 1971, by authorizing petitioner to continue the sale of natural gas for an additional year, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner proposes to continue the sale of natural gas to Texas Eastern Transmission Corp. from the Bryceland Field, Bienville Parish, La., for an additional year commencing August 12, 1972, at the rate of 35 cents per Mcf at 15.025 p.s.i.a. within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Petitioner proposes to deliver approximately 4,000 Mcf of gas per day.

Petitioner requests that the time for filing protests and interventions be fixed at not more than 10 days after issuance of this notice. However, inasmuch as the additional sales would not commence until August 12, 1972, it does not appear reasonable and consistent with the public interest in this case to prescribe a period of time for the filing of protests and petitions to intervene other than that required by § 1.19(b) of the Commission's rules of practice and procedure (18 CFR 1.19(b)). Therefore, any person desiring to be heard or to make any protest with reference to said petition to amend should on or before July 11, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8

or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9491 Filed 6-22-72;8:46 am]

[Docket No. CI71-832]

HARVEY BROYLES ET AL.

Notice of Application

JUNE 19, 1972.

Take notice that on June 15, 1972, Harvey Broyles (applicant), Post Office Box 1511, Shreveport, LA 71165, filed in Docket No. CI72-832 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to United Gas Pipe Line Co. from the Bryceland Field, Bienville Parish, La., all as more fully set forth in the application which is on file with the Commission and open for public inspection.

Applicant states that he commenced the sale of natural gas on June 8, 1972, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for 1 year from the termination of the 60-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70) at the rate of 35 cents per Mcf at 15.025 p.s.i.a. Applicant proposes to deliver average daily volumes of 2,500 Mcf of gas.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before June 30, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on

this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9490 Filed 6-22-72; 8:46 am]

[Docket No. E-7530]

LONG ISLAND LIGHTING CO.

Notice of Application

JUNE 19, 1972.

Take notice that on May 15, 1972, Long Island Lighting Co. (applicant) filed an application seeking authority pursuant to section 204 of the Federal Power Act to issue its unsecured promissory notes in a principal amount not to exceed \$50 million and its commercial paper in a principal amount not to exceed \$25 million, both promissory notes and commercial paper to have maturity dates 1 year or less from the date of issuance but in any event not later than June 30, 1973, and aggregating more than 5 percent of the sum of the par value of the outstanding securities of the applicant having a par value and for a further order, continuing the exemption of the proposed issuance of short-term securities from the competitive bidding requirements of §§ 34.1a (b) and (c) of the regulations under the Federal Power Act, if deemed applicable.

Applicant, incorporated under the laws of the State of New York, with its principal business office at Mineola, N.Y., is authorized to do business in the State of New York.

The interest rate applicable to the promissory notes will be at an annual rate equal to the prime rate of each lending bank to substantial and responsible commercial borrowers. The interest rate applicable to the commercial paper will be the rate in effect at the time of issuance, to be determined in the manner customary for commercial paper. The promissory notes will each mature 1 year or less from the date of issuance. The maturity of the commercial paper will vary from day to day but in no event will any of the commercial paper mature more than 270 days after issuance.

The proceeds will be used to reimburse the treasury of the applicant to finance expenditures against which other securities have not as yet been issued and for construction purposes.

The Commission had, by its order in Docket No. E-7530 issued May 7, 1970, found the proposed issuance of similar

securities aggregating \$65 million to be exempt from the competitive bidding requirements of § 34.1a of the Federal Power Act and authorized the issuance of the securities expressly conditioned upon their final maturity not being later than June 30, 1971. The Commission, by its supplemental order in Docket No. E-7530 issued June 29, 1971, found the proposed issuance of similar securities aggregating \$75 million to be exempt from the competitive bidding requirements of § 34.1a of the Federal Power Act and authorized the issuance of the securities expressly conditioned upon their final maturity not being later than June 30, 1972.

Any person desiring to be heard or to make protest with reference to said application should on or before June 27, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9488 Filed 6-22-72; 8:46 am]

TARIFF COMMISSION

[337-L-51]

CYLINDER BORING MACHINES AND BORING BARS

Extension of Time for Filing Written Views

On June 9, 1972, the U.S. Tariff Commission published notice of the receipt of a complaint under section 337 of the Tariff Act of 1930, filed by Rottler Boring Bar Co., Seattle, Wash., alleging unfair methods of competition and unfair acts in the importation and sale of certain cylinder boring machines and boring bars (37 F.R. 11811). Interested parties were given until July 10, 1972, to file written views pertinent to the subject matter of a preliminary inquiry into the allegations of the complaint. The Commission has extended the time for filing written views until the close of business on July 24, 1972.

Issued: June 20, 1972.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.72-9526 Filed 6-22-72; 8:50 am]

[TEA-F-41]

J. RUDOLPH, INC.

Petition for Determination; Notice of Investigation

Investigation instituted. Upon petition under section 301(a)(2) of the Trade Expansion Act of 1962, filed on behalf of J. Rudolph, Inc., New York, N.Y., the U.S. Tariff Commission, on June 19, 1972, instituted an investigation under section 301(c)(1) of the said Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with ladies' vinyl handbags (of the types provided for in item 706.60 of the Tariff Schedules of the United States) produced by the aforementioned firm, are being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to such firm.

The petitioner has not requested a public hearing. A hearing will be held on request of any other party showing a proper interest in the subject matter of the investigation, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

Inspection of petition. The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in room 437 of the customhouse.

Issued: June 19, 1972.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.72-9525 Filed 6-22-72; 8:50 am]

[TEA-W-143]

COLUMBIAN ROPE CO.

Petition of Former Workers; Notice of Hearing

The U.S. Tariff Commission has ordered a hearing in connection with the investigation instituted on May 30, 1972, under section 301(c)(2) of the Trade Expansion Act of 1962 on petition filed by the former workers of the Plymouth Cordage Division of the Columbian Rope Co., Plymouth, Mass. (37 F.R. 11217). The hearing will be held at 10 a.m., e.d.s.t., on July 6, 1972, in the hearing room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C. Appearances at the hearing should be entered in accordance with § 201.13 of the Tariff Commission's rules of practice and procedure (19 CFR 201.13).

Issued: June 21, 1972.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.72-9555 Filed 6-22-72; 8:52 am]

[TEA-W-146]

UNITED STATES SHOE CORP.

Workers' Petition for Determination;
Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the workers of the Factory and Bow Department plant of the United States Shoe Corp., Cincinnati, Ohio, the U.S. Tariff Commission, on June 20, 1972, instituted an investigation under section 301(c)(2) of the act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for women and misses (of the type provided for in item 700.45 of the Tariff Schedules of the United States) manufactured by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such company, or an appropriate subdivision thereof.

The petitioners have not requested a public hearing. A hearing will be held on request of any other party showing a proper interest in the subject matter of the investigation, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in room 437 of the Customhouse.

Issued: June 21, 1972.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.72-9556 Filed 6-22-72; 8:52 am]

INTERSTATE COMMERCE
COMMISSION

[Notice 16]

ASSIGNMENT OF HEARINGS

JUNE 20, 1972.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 108649 Sub 5, Sturm Freightways, Inc., now being assigned hearing August 14, 1972 (3 days), at Des Moines, Iowa, in a hearing room to be later designated.

MC 134079, Buccaneer Transport, Inc., now being assigned hearing August 21, 1972 (3 days) at Newark, N.J., in a hearing room to be later designated.

MC-C-7775, Aero Mayflower Transit Co., Inc.—investigation and revocation of certificates, now assigned July 24, 1972, at Chicago, Ill., will be held in room 1743, Everett McKinley Dirksen Building, 219 South Dearborn Street.

MC 13250 Sub 114, J. H. Rose Truck Line, Inc., assigned August 3, 1972, and MC 52858 Sub 108, Convoys Co., assigned August 7, 1972, at Denver, Colo., and MC 115826 Sub 228, assigned July 31, 1972, at Denver, Colo., will be held in room 15036, Federal Building, 1961 Stout Street.

MC 111812 Sub 447, Midwest Coast Transport, Inc., now being assigned hearing August 15, 1972, MC 117610 Sub 8, now being assigned hearing August 14, 1972, at New York, N.Y., in a hearing room to be later designated (1 day).

MC 135736 Sub 1, Fleet Services, Inc., now being assigned hearing August 16, 1972 (3 days), at New York, N.Y., in a hearing room to be later designated.

MC 53965 Sub 80, Graves Truck Line, Inc., now being assigned hearing August 14, 1972 (2 weeks), at Salina, Kans., in a hearing room to be later designated.

No. 35520, Midwestern Beef, Inc. v. Chicago and North Western Railway Co., now assigned June 20, 1972, at Washington, D.C., continued hearing postponed to June 27, 1972, in the offices of the Interstate Commerce Commission, Washington, D.C.

MC 128273 Sub 123, Midwestern Express, Inc., now assigned July 31, 1972, at Kansas City, Mo., hearing is postponed indefinitely.

MC-F-11358, Cedar Rapids Steel Transportation, Inc.—purchase (portion)—Lee Bros., Inc., now assigned hearing August 15, 1972, MC 61592 (Sub-No.), Jenkins Truck Line, Inc., now assigned hearing August 17, 1972, MC 107295 (Sub-No. 601), Pre-Fab Transit Co., now assigned hearing August 16, 1972, MC 112304 (Sub-No. 53), Ace Doran Hauling & Rigging Co., now assigned hearing August 17, 1972, MC 136163, Jerome Kelly, Jr., doing business as Jerome Kelley & Son, now assigned hearing September 11, 1972, MC 136222, Movers Port Service, Inc., now assigned hearing August 14, 1972, at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 119619 Sub 47, Distributors Service Co., now assigned July 12, 1972, at Chicago, Ill., is postponed indefinitely.

MC 106398 Sub 571, National Trailer Convoy, Inc., now assigned July 10, 1972, at Memphis, Tenn., is canceled and application dismissed.

MC 77972 Sub 19, Merchants Truck Line, Inc., now being assigned hearing August 21, 1972 (2 weeks), at Jackson, Miss., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-9540 Filed 6-22-72; 8:51 am]

[Notice 80]

MOTOR CARRIER BOARD TRANSFER
PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate

Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-35449. By order of June 19, 1972, the Motor Carrier Board approved the lease to C & F Trucking, Inc., Garfield, N.J., of the operating rights in certificate No. 59463 (Sub-No. 1) issued September 30, 1964 to Towers Transportation, Inc., Elizabeth, N.J., authorizing the transportation of general commodities, with exceptions, between New York, N.Y., on the one hand, and, on the other, points in New Jersey within 40 miles of New York. Robert B. Pepper, 174 Brower Avenue, Edison, NJ, 08817, representative for lessee. Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005, attorney for lessor.

No. MC-FC-73686. By order entered June 16, 1972, the Motor Carrier Board approved the transfer to New York-Chicago Express, Inc., Parlin, N.J., of the operating rights set forth in certificate No. MC-124821 (Sub-No. 7), issued October 7, 1971, to William Gilchrist, Old Forge, Pa., authorizing the transportation of lamps, lamp shades, plastic articles, and flocked paper, from Chicago, Ill., to points in New Jersey, New York, and Pennsylvania; and materials and supplies incidental to or used in connection with the manufacture, sale and distribution of lamps and lamp shades, from points in New Jersey, New York, and Pennsylvania, to Chicago, Ill., restricted against the transportation of commodities in bulk. T. W. Murrett, 342 North Main Street, West Hartford, CT 06117, Eugene I. Osterweil, 10 Commerce Street, Newark, NJ, and Carl Carey, Scranton National Bank Building, Scranton, Pa., attorneys for applicants.

No. MC-FC-73699. By order entered June 16, 1972, the Motor Carrier Board approved the transfer to Richard Lewis Geiman, doing business as B. T. Geiman & Son, Thomasville, Pa., of the operating rights set forth in certificate No. MC-126572, issued February 10, 1966, to Burley T. Geiman and Richard L. Geiman, Hanover, Pa., authorizing the transportation of pulverized limestone, from Thomasville, Pa., to points in Carroll, Baltimore, and Harford Counties, Md., and pulverized limestone, in bulk, from

Thomasville, Pa., to points in Frederick, Montgomery, Howard, Anne Arundel, and Cecil Counties, Md. Richard L. Geiman, Rural Delivery No. 1, Thomasville, Pa. 17364, representative for applicants.

No. MC-FC-73733. By order of June 19, 1972, the Motor Carrier Board approved the transfer to Robert Eugene Hulman, doing business as Hamilton Welding and Repair and Hulsman Trucking, Hamilton, Mich. of the operating rights in certificate No. MC-129593 (Sub-No. 1) and permit No. MC-126056, issued April 15, 1970, and December 8, 1970, respectively to Tigelaar and DeWeerd, Inc., Hudsonville, Mich., collectively authorizing the transportation of livestock, feeds, fresh fruits, and vegetables and other specified commodities from and to specified points in Michigan, Illinois, Ohio, Pennsylvania, and New York. James R. Sebastian, 540 Old Kent Building, Grand Rapids, Mich. 49502, attorney for applicants.

No. MC-FC-73761. By order entered June 19, 1972, the Motor Carrier Board approved the transfer to Sioux City Bulk Feed Service, Inc., Sioux City, Iowa, of

that portion of the operating rights set forth in certificate No. MC-128808, issued April 13, 1970, to James "Jake" Jacobsma, doing business as Sioux City Bulk Feed Service, Sioux City, Iowa, authorizing the transportation of: Animal and poultry feed, except in bulk, from Sioux City, Iowa, to points in Wyoming and North Dakota; dry animal and poultry feed, between Le Mars, Iowa, and points in Iowa within 25 miles of Le Mars, on the one hand, and, on the other, points in six specified States; from Burlington, Wis., to points in South Dakota, and specified portions of Nebraska and Iowa; grain, between Le Mars, Iowa, and points within 25 miles thereof, on the one hand, and, on the other, points in six specified States; hay, between Le Mars, Iowa, and points within 25 miles thereof, on the one hand, and, on the other, points in Nebraska; fly spray and mange oil, in cans or drums, empty bags and sacks, and advertising material used in connection with the sale and distribution of animal and poultry feed, and fly spray and mange oil, from Burlington, Wis., to points in South Dakota, and specified areas in Nebraska and Iowa; and empty containers from points in

South Dakota, and specified areas in Nebraska and Iowa, to Burlington, Wis. Patrick E. Quinn, Post Office Box 82026, 605 South 14th Street, Lincoln, NE 68501, attorney for applicants.

No. MC-FC-73775. By order entered June 16, 1972, the Motor Carrier Board approved the transfer to Rapid Service, Inc., Newark, N.J., of the operating rights set forth in certificate No. MC-133610 (Sub-No. 1), issued June 3, 1970, to Progress Airline Delivery Service, Union, N.J., authorizing the transportation of airline passengers, between Newark, N.J., Airport, on the one hand, and, on the other, points in Connecticut, New Jersey, and points in Bronx, Dutchess, Kings, Nassau, New York, Orange, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester Counties, N.Y. Herman B. J. Weckstein, 60 Park Place, Newark, NJ 07102, attorney for transferee, and Howard Schwartz, 968 Stuyvesant Avenue, Union, NJ 07083, attorney of transferor.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.72-9539 Filed 6-21-72; 8:51 am]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

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1941

DEPARTMENT OF LABOR

Employment Standards
Administration

Minimum Wages for Federal
and Federally Assisted
Construction

Report of the Department of Labor
Investigation and Study

federal register

FRIDAY, JUNE 23, 1972

WASHINGTON, D.C.

Volume 37 ■ Number 122



PART II

DEPARTMENT OF LABOR

**Employment Standards
Administration**



**Minimum Wages for Federal
and Federally Assisted
Construction**

**Area Wage Determination Decision,
Modifications and Supersedeas
Decisions**

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Area Wage Determination Decision, Modifications and Supersedeas Decisions

New determination. There is set forth below general Area Wage Determination Decision No. AM-11,426 of the Secretary of Labor. This decision specifies, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the locality specified therein. This decision is applicable to Federal and federally assisted construction in the described locality in the State of Texas.

The determinations in this decision of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, and of Secretary of Labor's Orders 12-71 and 15-71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in this decision shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal or federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the locality described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of this determination as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

This wage determination is effective for a period of 120 days from the date of publication in the FEDERAL REGISTER and is to be used in accordance with the provisions of 29 CFR Part 5. Accordingly, this determination together with any modifications issued subsequent to this date during this 120-day period, shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under contract by contractors and subcontractors on the work.

The area wage determination decision for the locality within the State above is set forth below.

Modifications and supersedeas decisions to area wage determination decisions. Modifications and/or supersedeas decisions to area wage determination decisions for specified localities in California, Connecticut, Kentucky, Oklahoma, Rhode Island, and Texas.

Area wage determination decisions published in the FEDERAL REGISTER on the following dates:

Decision No.	Date
AM-1,592; AM-1,594; AM-1,595; AM-1,603; AM-1,604; AM-1,605.	Aug. 20, 1971.
AM-478 (AM-8,625) -----	Aug. 30, 1971.
AM-2,525 (AM-6,734) -----	Sept. 3, 1971.
AM-6,131 (AM-6,735) -----	Nov. 12, 1971.
AM-6,242 (AM-6,735) -----	Nov. 19, 1971.
AM-9,691; AM-9,692; AM-11,411; AM-11,412.	Apr. 14, 1972.
AM-9,693 -----	Apr. 21, 1972.
AM-11,419 -----	May 5, 1972.

are hereby modified and/or superseded as set forth below. Supersedeas decision numbers are in parentheses following the number of the decision being superseded.

These modifications and/or supersedeas decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since these determinations were issued.

The determinations of prevailing rates and fringe benefits made in these modifications and/or supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, and of Secretary of Labor's Orders 13-71 and 15-71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in the foregoing area wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

The modifications and/or supersedeas decisions are effective from their date of publication in the FEDERAL REGISTER until the end of the period for which the determinations being modified and/or superseded were issued and are to be used in accordance with the provisions of 29 CFR Part 5. The modifications and/or supersedeas decisions to the area wage determination decisions listed above are set forth below.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. section 553 is set forth in the document being modified.

Signed at Washington, D.C., this 16th day of June 1972.

HORACE E. MENASCO,
Administrator,
Wage and Hour Division.

STATE: Texas
 DECISION NO.: AM-11,426
 DATE: June 23, 1972
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

COUNTIES: El Paso, Culberson and Hudepeth
 DATE: June 23, 1972
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

AM-11,426 P. 2

12 - Texas - 1 v (2 - 2)

12 - Texas - 1 v (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	\$5.68	.25	.42		
BOILERMAKERS	6.50	.30	.40		.01
BRICKLAYERS	5.30				
CARPENTERS:					
Carpenters	5.05	.30			.01
Millwrights	5.30	.30			.01
Stationary radial arm power saw operator	5.175	.30			.01
Floor layers	5.05	.30			.01
CEMENT MASONS	4.125	.24			
ELECTRICIANS:					
Cable splicers	6.40	.15	1%		1/2%
ELEVATOR CONSTRUCTORS	6.15	.15	1%		1/2%
ELEVATOR CONSTRUCTORS' HELPS	5.41	.175	.20	2%+4%b	
ELEVATOR CONSTRUCTORS' HELPS (PROB.)	70%JR	.175	.20	2%+4%b	
GLAZIERS	50%JR				
IRONWORKERS:	4.21				
Ironworkers (El Paso County)	5.70	.25	.40		.05
Ironworkers (all areas outside El Paso County)	6.70	.25	.40		.05
LABORERS:					
Powderman or blasters	3.84	.24			
Outside wagon drill; wagon drill tenders; miner	3.59	.24			
Cement gun or gunite; mason tender; mortar mixer; machine man; track man; chuck tender	3.34	.24			
Pipelayer, main sewer and drainage	3.215	.24			
Jackhammer operator, asphalt raker; kettlemen; asphalt or pot man	3.09	.24			
Common	2.94	.24			
LATHES	5.39	.20			.01
MASTLE MASONS	5.30				
PAINTERS:					
Brush, paperhangers, chipping and hand tools used for cleaning rollers	4.46	.24			
Swing stage, steel after erection, steam cleaning, buffing with power driven tools, burners and torches	4.835	.24			

PAINTERS (CONT'D):

Spray, sandblasting, water blasting,

water blasting on stage

Tapers, bedders, rollers 9" width

Ames tools

Stripping machine

Water tanks, radio towers, and smoke

stacks 100 feet

200 to 300 feet

300 to 400 feet

400 feet and over

PILEDRIVERMEN

PLASTERERS

PLUMBERS

SHEET METAL WORKERS

SOFT FLOOR LAYERS

SPRINKLER FITTERS

STONEMASONS

STEAMFITTERS

TERRAZZO WORKERS

TILE SETTERS

TRUCK DRIVERS:

Up to and including 2 tons

Flat bed dump trucks, mechanically

Tank truck, up to 2500 gallons

Standard dump truck, up to and

including 4 cu. yds.

Dump truck, over 4 cu. yds.

Truck over 4 tons including transit

mix, all semitruck, etc.

Lowboy

WELDERS - receive rate prescribed for

craft performing operation to which

welding is incidental.

FOOTNOTES:

a - 1st 6 mos. - none; 6 mos. to 5

yrs. - 2%; over 5 yrs. - 4% of

basic hourly rate.

b - Paid Holidays - A through F.

PAID HOLIDAYS:

A-New Years' Day; B-Memorial Day;

C-Independence Day; D-Labor Day;

E-Thanksgiving Day; F-Christmas Day.

AM-11,476 P. 3

12 - Texas - PEO - 1 8 (1 - 2)

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$4.21	.15	.10		.02	
Fireman, Oiler; Mechanic, Grease Truck and Welder's Helper; Screamman, Pneumatic roller towed by farm-type tractor or truck; Scale Operator and such as bin-a-batch; Rubber-tired farm type tractors and tractors under 35 h.p. without attachments Air Compressors, Power Plants, pumps and welding machines (an operating engineer will not be required for an air compressor under 315 c.f.m., a pump under three inches or a light plant generating fifteen kilowatts or less, or one welding machine, if and when there is another operating engineer employed on the job who services the units); Concrete mixers, under 1 yard, and Concrete batch plants, under 1 yard, gunnite and pumcrete machines, mechanical bull floats, spreading and finishing machines. Screening Plants. Drilling machines. Diamond, rotary, core and cable drilling; well under 6 inches. Hoists, scoomobiles, A frame Air tugger; building hoist, 1 drum hydro-lift, Hydrocranes, winch truck. Loaders; Elevating, belt type loader, front end loader (under 2 yards) and over head loaders; forklift and lumber staker on construction job site. Grease truck operator. (Head Oiler). Motorman and Industrial Locomotive. Tractors under 35 h.p. with attachments; and farm type tractors with back, or shovel type attachments Concrete mixers 1 yard and over and batch plants 1 yard and over, single drum paving machines. Crushing plants. Drilling Machines, 6 inches and over. Front end loaders, 2 yards and over; Paving: Asphalt plants, boiler or re-tort heater, distributor, lay down machine, pug mill, breakdown and tandem rollers. Steam Engineer. Trenching Machines. Patrol, rough, not required to blue top or finish					
4.75	.15	.10		.02	
4.83	.15	.10		.02	

AM-11,426 P. 4

12 - Texas - PEO - 1 8 (2 - 2)

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS (CONT'D)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$4.88	.15	.10		.02	
4.95	.15	.10		.02	
5.18	.15	.10		.02	
5.33	.15	.10		.02	
4.83	.15	.10		.02	
5.05	.15	.10		.02	
5.33	.15	.10		.02	
Tractor Equipment: Athey and Barber Green Loader, Bulldozer, DM10, DM20, DM21, Dumor, Elevating grader; Euclid, Highlander, Scraper, Tracavator, Turnapull, Turnarocker and Tractors 35 h.p. and up Concrete Paving machines, double drum. Catcranes, Hysters, Cherry Picker, Attachment cranes, side and swing boom tractors, Building hoist, 2 drum and up. Mechanic. Welder. Patrol, finish Shovel, Backhoe, clam and dragline 3/4 yards and under; Cranes 25 tons and under Guy and stiff leg derrick, Piledrivers; Grawler or skid rig. Shovel, Backhoe, clam and dragline over 3/4 yards; Cranes over 25 tons SHAFT AND TUNNEL OPERATIONS: Refrigeration, slusher, Jumbo form operators Mucking machines Mine Hoists					

AM-11,426 P. 5

INCIDENTAL PAVING (EL PASO COUNTY)
INCIDENTAL PAVING & UTILITIES (CULBERSON &
HUDSPETH COUNTIES)

12 - Texas - 3 f (1 - 2)

Basic Rate	H & W	FRINGE BENEFITS PAYMENTS		App. Tr.	Other
		Partials	Vacation		
\$2.50					
2.50					
2.60					
3.10					
3.50					
2.25					
2.00					
4.85					
2.55					
2.10					
2.70					
2.40					
1.60					
2.00					
3.00					
2.35					
2.50					
2.50					
3.00					
2.50					
2.00					
2.60					
1.75					
2.45					
2.00					
2.50					
2.75					
2.20					
3.00					
3.00					
3.50					
3.00					
2.70					
3.00					
3.45					
3.25					
2.55					
2.25					
2.00					
2.85					
3.00					

Asphalt Heaterman
Asphalt Raker
Batching Plant Scaleman
Carpenter
Concrete Finisher (Paving)
Concrete Finisher (Structures)
Concrete Finisher Helper (Structures)
Electrician
Form Builder (Structures)
Form Builder Helper (Structures)
Form Setter (Structures)
Form Setter Helper (Structures)
Laborer, Common
Laborer, Utility Man
Mechanic
Mechanic Helper
Oiler
Serviceman
Filed driverman
Pipelayer
Reinforcing Steel Setter (Paving)
Reinforcing Steel Setter (Structures)
Reinforcing Steel Setter Helper
Spreader Box Man
Swamper
Power Equipment Operators:
Asphalt Distributor
Asphalt Paving Machine
Broom or Sweeper Operator
Bulldozer, over 150 H.P.
Crane, Clamshell, Backhoe, Derrick, Dragline,
Shovel (less than 1½ C.Y.)
Crane, Clamshell, Backhoe, Derrick, Dragline,
Shovel (1½ C.Y. and over)
Crusher or Screening Plant Operator
Front End Loader (2½ C.Y. and less)
Front End Loader (Over 2½ C.Y.)
Motor Grader Operator, Fine Grade
Motor Grader Operator
Roller, Steel Wheel (Plant-Mix Pavements)
Roller, Steel Wheel (Other-Flat Wheel or
Tamping)
Roller, Pneumatic (Self-Propelled)
Scrapers (17 C.Y. and less)
Scrapers (Over 17 C.Y.)

INCIDENTAL PAVING (EL PASO COUNTY)
INCIDENTAL PAVING & UTILITIES (CULBERSON &
HUDSPETH COUNTIES)

AM-11,426 P. 6

12 - Texas - 3 f (2 - 2)

Basic Rate	H & W	FRINGE BENEFITS PAYMENTS		App. Tr.	Other
		Partials	Vacation		
\$2.75					
2.50					
2.25					
2.25					
2.25					
2.25					
2.50					
3.00					

Power Equipment Operators (Cont'd):
Tractor (Crawler Type) over 150 H.P.
Tractor (Pneumatic) over 80 H.P.
Wagon Drill, Boring Machine or Post Hole
Driller Operator
Truck Drivers:
Single Axle, Light
Single Axle, Heavy
Tandem Axle or Semitrailer
Transit-Mix
Weighman (Truck Scales)
Welder

MODIFICATIONS P. 2

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.		H & W	Pensions	Vacation	App. Tr.
DECISION #AM-9,691 - Mod. #3 (37 FR 7452 - April 14, 1972) Fairfield County, Connecticut Change: Building, Heavy and Highway Construction: Bricklayers, cement masons, finishers, marble setters, plasterers, terrazzo workers, tile setters (Building only); Darien-Stamford Carpenters, soft floor layers (Building Only): Greenwich Omit: Dredging Schedule (See New Decision AM-9,322 - dated May 26, 1972).					\$9.45	4%	.25		
					7.95	.35	.30	.50	
DECISION #AM-9,692 - Mod. #3 (37 FR 7455 - April 14, 1972) Hartford County, Connecticut Omit: Dredging Schedule (See New Decision AM-9,322 - dated May 26, 1972).									
DECISION #AM-9,693 - Mod. #2 (37 FR 7928 - April 21, 1972) New Haven County, Connecticut Change: Building, Heavy and Highway Construction: Electricians: Beacon Falls-Middlebury-Naugatuck-Oxford-Prospect-Seymour-Southbury-Waterbury-Wolcott Remainder of County Plumbers and steamfitters: Remainder of County Add: Footnote: m. Paid Holiday: D. Omit: Dredging Schedule (See New Decision AM-9,322 - dated May 26, 1972).					8.30 8.40 7.55	.25 .40 .40	1%+.20 1%+.20 .30	1/8 of 1% .5% m	

MODIFICATIONS P. 1

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.		H & W	Pensions	Vacation	App. Tr.
DECISION #AM-1,592 - Mod. #5 (36 FR 14536 - August 6, 1971) Middlesex County, Connecticut Omit: Dredging Schedule (See New Decision AM-9,322 - Dated May 26, 1972).									
DECISION #AM-1,584 - Mod. #4 (36 FR 14564 - August 6, 1971) New London, Connecticut Change: Building, Heavy and Highway Construction: Asbestos workers: Griswold, Ledyard, Lisbon, North Stonington, Preston, Stonington, Voluntown Carpenters, soft floor layers, piledrivermen (Building only) Township of Stonington Electricians: East Lyme, Groton, Lyme, New London, Old Lyme, Waterford Omit: Dredging Schedule (See New Decision AM-9,322 - dated May 26, 1972).	.39	.35		.005	\$8.20 7.975 8.40	.25 .25 .40	.25 1%+.20		.5%
DECISION #AM-1,595 - Mod. #4 (36 FR 14568 - August 6, 1971) Tolland County, Connecticut Change: Building, Heavy and Highway Construction: Bricklayers, cement masons-finishers, marble setters, plasterers, stone masons, terrazzo workers, tile setters (Building only)					8.70	.40	.25		

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
DECISION #AM-11,411 - Mod. #4 (37 FR 7461 - April 14, 1972) Tulsa County, Oklahoma					
Change: Electricians Cable splicers	.34 .34	1% + .13 1% + .13	.29 .29	.05 .05	
DECISION #AM-11,412 - Mod. #5 (37 FR 7462 - April 14, 1972) Oklahoma County, Oklahoma					
Change: Asbestos Workers Sheet Metal Workers	\$7.20 6.35	.25 .25	.20 .15	.02 .02	
DECISION #AM-1,605 - Mod. #6 (36 FR 14610 - August 6, 1971) Washington County, Rhode Island					
Change: Building Construction: Bricklayers and stonemasons: Exeter, Hohnson, No. Kingstown, Narragansett (Including the Pier of Point Judith) Marble, tile and terrazzo helpers Heavy, Highway & Marine Construc- tion: Ironworkers, structural, ornamental & reinforcing	.25 \$8.62 7.23 7.70	.25 .30 .50 .45		.01 .02	
Omit: Dredging Schedule (See New Decision AM-9,322 - dated May 26, 1972).					

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
DECISION #AM-1,603 - Mod. #5 (36 FR 14600 - August 6, 1971) Bristol, Kent and Providence Counties, Rhode Island					
Change: Building Construction: Marble, tile & terrazzo workers, helpers Sheet metal workers Heavy, Highway & Marine Construc- tion: Carpenters, piledrivers Ironworkers, structural, ornamental & reinforcing	.36 .25 .45	.35 .25 .85		.02	
Omit: Dredging Schedule (See New Decision AM-9,322 - dated May 26, 1972).					
DECISION #AM-1,604 - Mod. #5 (36 FR 14605 - August 6, 1971) Newport County, Rhode Island					
Change: Building Construction: Marble, tile & terrazzo helpers Sheet metal workers Heavy, Highway & Marine Construc- tion: Ironworkers: Structural, ornamental & rein- forcing	.36 .45	.50 .25 .85		.02	
Omit: Dredging Schedule (See New Decision AM-9,322 - dated May 26, 1972).					
DECISION #AM-11,419 - Mod. #5 (37 FR 9164 - May 5, 1972) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rock- wall, Tarrant & Wise Counties, Texas					
Change: Building Construction: Electricians: Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	.275 \$6.985	1%		7/10%	

NOTICES

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STATE: California

SUPERSEDES DECISION

COUNTIES: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Plumas, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.

DECISION NO.: AM-6734

DATE: June 23, 1972

Supercedes Decision No. AM-2525 dated September 3, 1971 in 36 PR 17708.

DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

46-CAL-NCAL Counties-1-2-3 (1-12)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	\$8.62	.60	.40	.90	.04
BOILERMAKERS	7.20	.30	.70	.45	.02
BOILERMAKERS' HELPERS	6.90	.30	.70	.45	.02
BRICKLAYERS: Stonemasons:					
Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma, and Trinity Counties	8.20	.78	.58	.55	
Alameda and Contra Costa Counties	8.37	.40	.36	.40	
Fresno, Kings, Madera, Mariposa and Merced Counties	7.35	.42	.38		
Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Counties	7.73	.25	.20		1.00p/mo
Monterey and Santa Cruz Counties	7.01	.63	.40		
San Benito and Santa Clara Counties	7.45	.54	.50	.50	.01
Amador, Alpine, Calaveras, San Joaquin, Stanislaus and Tuolumne Counties	7.80	.25	.15	.75	
Tulare County	7.20	.40	.40	.30	.05
BRICK TENDERS:					
Alameda and Contra Costa Counties	6.50	.50	.50		.10
Butte, Colusa, Glenn, Plumas, Sutter, and Yuba Counties	5.185	.50	.60	.60	
Fresno, Kings and Madera Counties	5.75	.50	.60		
Marin County	6.90	.40	.30		
Merced and Mariposa Counties	5.15	.50	.60	.60	
Monterey and Santa Cruz Counties	5.19	.50	.60	.30	
Napa County	5.64	.50	.60	.60	
Alpine, Amador, El Dorado, Nevada, Placer, Sacramento, Sierra and Yolo Counties	5.355	.245	.60	.50	
Calaveras and San Joaquin Counties	5.20	.50	.60	.60	
San Benito and Santa Clara Counties	6.58	.45	.40		
Lassen, Modoc, Shasta, Siskiyou, Tehama and Trinity Counties	5.25	.50	.60	.60	
Solano County	5.55	.50	.60	.60	
Lake, Mendocino and Sonoma Counties	5.44	.40	.90	.50	
Stanislaus and Tuolumne Counties	5.375	.30	.60	.60	
Tulare County	5.00	.50	.60	.60	

AM-6734 P. 2.

46-CAL-NCAL Counties-1-2-3 (2-12)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS:					
Carpenters	7.50	.60	.50	.50a	.02
Hardwood floor layers; Power saw op.; Saw filers; Shinglers; Steel scaffold erectors and/or steel shoring erectors	7.65	.60	.50	.50a	.02
Millwrights	7.90	.60	.50	.50a	.02
Piledrivemen; Bridge, wharf & dock builders	7.63	.60	.50	.50a	.02
CEMENT MASONS:					
Cement masons	6.52	.56	.75	.75	
Mastic; Magnesite; All comp. masons	6.77	.56	.75	.75	
Men working from swinging or slip form scaffolds	6.77	.56	.75	.75	
DRYWALL INSTALLERS	7.25	.45	.50	.50	.04
ELECTRICIANS:					
Alameda County	9.10	.25	4%		
Electricians	10.24	.25	4%		
Cable splicers					
Tunnel:					
Electricians	9.10	.25	4%		
Cable splicers	10.24	.25	4%		
Amador, Colusa, Sacramento, Sutter, Yolo, Yuba & those portions of Alpine, El Dorado, Nevada, Placer and Sierra Counties West of the Main Sierra Mountain Watershed					
Electricians	8.33	.31	1 1/4% .55		.045
Cable splicers	9.16	.31	1 1/4% .55		.045
Tunnel:					
Electricians	7.01	.31	1 1/4% .55		.045
Cable splicers	7.71	.31	1 1/4% .55		.045
Lake Tahoe Area:					
Electricians; Instrument Technicians	8.79	.33	1 1/4% .25		.01
Cable splicers	9.67	.33	1 1/4% .25		.01
Butte, Glenn, Lassen, Plumas, Shasta, Tehama and Trinity Counties					
Electricians	7.92	.42	1 1/4% .25		.005
Cable splicers	8.71	.42	1 1/4% .25		.005
Tunnel:					
Electricians; Cable splicers' helpers	8.32	.42	1 1/4% .25		.005
Cable splicers	9.15	.42	1 1/4% .25		.005
Calaveras and San Joaquin Counties					
Electricians; Technicians	7.21	.26	1%		.01
Cable splicers	8.11	.26	1%		.01
Contra Costa County					
Electricians	8.80	.40	1 1/4% .50		.02
Cable splicers	9.90	.40	1 1/4% .50		.02
Tunnel:					
Electricians	8.00	.40	1 1/4% .50		.02
Cable splicers	9.50	.40	1 1/4% .50		.02
Del Norte and Humboldt Counties					
Electricians	7.75	.20	1 1/4% .35		.02
Cable splicers	8.37	.20	1 1/4% .35		.02
Tunnel:					
Electricians	8.61	.20	1 1/4% .35		.02
Cable splicers	8.68	.20	1 1/4% .35		.02

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
	H & W	PENSIONS	VACATION	APP. TR.	OTHERS
ELECTRICIANS (Cont'd): Fresno, Kings, Madera and Tulare Counties Electricians Cable splicers Lake, Marin, Mendocino and Sonoma Counties Electricians Cable splicers Mariposa, Merced, Stanislaus and Tuolumne Counties Electricians Cable splicers Modoc and Siskiyou Counties Electricians Cable splicers Monterey County (West of the Salinas River) Electricians Cable splicers Monterey County (East of the Salinas River) Electricians Cable splicers Napa and Solano Counties Electricians Cable splicers San Benito and Santa Clara Counties Electricians Cable splicers Tunnel or Shaft: Electricians Cable splicers San Francisco County Electricians Cable splicers Tunnel: Electricians Cable splicers San Mateo County Electricians Santa Cruz County Electricians - Technicians Cable splicers	.28 .28 7.10 7.92 8.69 9.56 7.42 7.87 8.50 9.18 8.46 9.52 8.43 8.93 8.72 9.81 8.59 9.66 7.975 8.97 7.975 8.97 8.88 9.23 10.38	1 1/4+.25 1 1/4+.25 1 1/4+.10 1 1/4+.10 1% 1% 1% 1% 1 1/4+.75 1 1/4+.75 1% 1% 1% 1% 1% 1% 1% 1% 1 1/4+.35 1 1/4+.35 1 1/4+.35 1 1/4+.35 1 1/4+.15 1% 1%		.05 .05 .02 .02 .01 .01 .02 .02 .01 .01 .01 .01 .02 .02 .04 .04 .04 .04 .04 .04 .03 .02 .02	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
ELEVATOR CONSTRUCTORS ELEVATOR CONSTRUCTORS' HELPERS ELEVATOR CONSTRUCTORS' HELPERS (PROB.) GLAZIERS: Alpine, Amador, Butte, Calaveras, El Dorado, Mariposa, Modoc, Nevada, Placer, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Tuolumne, Yolo, Yuba & Merced (North of the city of Livingston) Counties Alameda, Contra Costa, Lake, Marin, Mendocino (Southern half of County from North of Ft. Bragg), Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano (SW from E. of Fairfield), Sonoma Counties Merced (Remainder of County), Fresno, Kings, Madera and Tulare Counties IRONWORKERS: Fence erectors Ornamental; Structural Reinforcing LATHERS: Alameda and Contra Costa Counties Amador, El Dorado, Sacramento and Yolo Counties Butte, Colusa, Glenn, Humboldt, Lake (that portion of county from Lakeport up to county line), Nevada, Placer, Plumas, Shasta, Sierrra, Tehama and Trinity Counties Calaveras and San Joaquin Counties Fresno, Kings, Madera and Tulare Counties Lake (from city of Lakeport down to county line), Marin, Mendocino and Sonoma Counties Mariposa, Merced, Stanislaus and Tuolumne Counties Monterey and Santa Cruz Counties Napa and Solano Counties San Francisco County San Benito and Santa Clara Counties	\$8.15 70%JR 50%JR 7.605 8.225 6.34 7.89 8.03 7.98 7.84 6.40 7.68 7.20 5.90 6.71 6.50 7.10 5.20 8.23 7.73	.185 .185 .15 .25 .25 .30 .43 .43 .43 .34 .195 .43 .25 .15 .37 .40 .24 .46 .30	.20 .20 .25 .25 .25 .35 .425 .425 .425 .385 .20 .40 .20 .45 .40 .20 .65 .25	2 1/4 b 2 1/4 b 8% 6% .38 .50 .50 .50 .80 1/8% .20c .50 1.00	.01 .02 .02 .02 .01 .01 .01 .01 .01 .01 1/8% .01 .01 .01 .01

NOTICES

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46-CAL-NCAL Counties-1-2-3 (5-12)

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				Others
		H & W	Pensions	Vacation	App. Tr.	
Alameda County						
Groundmen	6.825	.25	4%			
Line equipment men	8.19	.25	4%			
Linenmen	9.10	.25	4%			
Cable splicers	10.24	.25	4%			
Anador, Colusa, Sacramento, Sutter, Yolo, Yuba, & those portions of Alpine, El Dorado, Nevada, Placer, & Sierra Counties excluding Lake Tahoe Area						
Line Equipment Operator	6.19	.31	1% + .55			
Linenmen	6.88	.31	1% + .55			
Cable Splicers	7.57	.31	1% + .55			
Remaining portions of Alpine, El Dorado, Nevada, Placer and Sierra Cos. (Lake Tahoe Area)						
Groundmen	6.59	.33	1% + .25			
Line Equipment Operator	7.91	.33	1% + .25			
Linenmen	8.79	.33	1% + .25			
Cable Splicers	9.67	.33	1% + .25			
Butte, Glenn, Lassen, Plumas, Shasta, Tehama, & Trinity Counties						
Linenmen	7.22	.47	1% + .20			
Cable Splicers	7.94	.47	1% + .20			
Calaveras and San Joaquin County						
Linenmen	6.61	.23	1%			
Cable splicers	7.44	.23	1%			
Contra Costa County						
Groundmen	6.60	.40	1% + .50			
Line equipment operator	7.92	.40	1% + .50			
Linenmen	8.80	.40	1% + .50			
Cable splicers	9.90	.40	1% + .50			
Fresno, Kings, Madera, & Tulare Cos.						
Groundmen	6.06	.28	1% + .25			
Line Equipment Operators	7.48	.28	1% + .25			
Linenmen	7.48	.28	1% + .25			
Cable Splicers	7.88	.28	1% + .25			
Mariposa, Merced, Stanislaus & Tuolumne Counties						
Linenmen	8.69	.27	1%			
Cable Splicers	9.56	.27	1%			
Modoc & Siskiyou Counties						
Cable splicers; Leadman Pole Sprayer	8.02	.15	1%			
Linenman; Pole Sprayer; Heavy Line Equipment Man; Certified Lineman Welder	7.24	.15	1%			
Tree Trimmer	6.54	.15	1%			
Line Equipment Man	6.24	.15	1%			

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46-CAL-NCAL Counties-1-2-3 (6-12)

LINE CONSTRUCTION: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				Others
		H & W	Pensions	Vacation	App. Tr.	
Modoc & Siskiyou Counties						
Head Groundman (Chipper); Head Groundman; Powderman; Jackhammer Man	5.46	.15	1%		1/2%	
Groundman; Tree Trimmer Helper	5.15	.15	1%		1/2%	
Hole Digger	4.93	.15	1%		1/2%	
Monterey County						
West of Salinas River:						
Groundmen	6.80	.25	1% + .75		.01	
Equipment Operators; Linemen	8.50	.25	1% + .75		.01	
Cable Splicers	9.18	.25	1% + .75		.01	
East of the Salinas River:						
Equipment Operators; Linemen	8.46	.40	1%		.01	
Cable Splicers	9.52	.40	1%		.01	
Napa and Solano Counties						
Groundmen	6.32	.35	1% + .25		.02	
Line Equipment Op.	7.59	.35	1% + .25		.02	
Linenmen	8.43	.35	1% + .25		.02	
Cable Splicers	8.93	.35	1% + .25		.02	
San Benito and Santa Clara Cos.						
Linenmen	6.41	.15	1%			
Cable splicers	7.21	.15	1%			
San Francisco						
Groundmen	6.78	.395	1% + .35		.04	
Linenmen	7.975	.395	1% + .35		.04	
Cable splicers	8.97	.395	1% + .35		.04	
San Mateo County						
Line equipment men	6.58	.27	1% + .15		.01	
Linenmen	7.31	.27	1% + .15		.01	
Cable splicers	8.22	.27	1% + .15		.01	
Santa Cruz						
Groundmen	8.09	.20	1%		.02	
Cable Splicers	10.38	.20	1%		.02	
Linenmen	9.23	.20	1%		.02	
MARBLE SETTERS	7.59	.69	.51	.53		
PAINTERS:						
Butte, Colusa, Glenn, Lassen (except extreme S. E. corner), Modoc, Plumas, Shasta, Siskiyou, Sutter, Tehama, Trinity, and Yuba Cos.						
Brush; Roller	5.40	.25	.25	.65		
Spray; Sandblast; Structural; steel; Swingstages & tapers	5.65	.25	.25	.65		
Alpine, Amador, Calaveras, and San Joaquin Counties						
Brush	6.27	.50	.40	.80		
Spray; Sheetrock taper; Swingstage; scaffold; Sandblaster; Structural steel	6.57	.50	.40	.80		

NOTICES

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AM-6734 P. 8 46-CAL-NCAL Counties-I-2-3 (R-12)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLASTERERS: Alameda & Contra Costa Counties (western portion of Contra Costa Co. from Carquinez Straits using westerly city limits of Contra Costa to junction of McEwen Rd. & along McEwen Rd. to junction of Franklin Canyon Rd. (State Hwy. #4) & continues as Arnold Indus- trial Hwy. to junction of State Hwy. #21, south along Hwy. #21 to Hookston Rd., east to Bancroft Rd., southeast to Ygnacio Rd., east to junction Oakgrove Rd. (Mt. Diablo Blvd.) to summit of Mt. Diablo & on 45 degree angle southeast from base line of Mt. Diablo to Alameda and Contra Costa County line).	8.24	.575	.45		.01
Butte, Colusa, Glenn, Lassen (south eastern half of Lassen Co.), Plumas, Sierra, Sutter, and Yuba Counties	6.05	.25	.25	.50	.01
Fresno, Kings, and Madera Counties	7.12	.28	.25		.01
Monterey County	7.38	.46	.35		.01
El Dorado, Nevada, Placer, Sacramento and Yolo Counties	7.65	.245	.25	.65	
San Benito and Santa Clara Counties	6.56	.46	.40	.70	.01
San Francisco County	7.77	.33	.21	e	
San Mateo County	6.75	.33	.40	1.17	
Del Norte, Humboldt, Lassen (north eastern half of Lassen Co.) Marin, Modoc, Napa, Shasta, Siskiyou, Solano, Sonoma, Tehama, and Trinity Counties	7.45	.43	.25		.01
Mariposa, Merced, Stanislaus, and Tuolumne Counties	6.00	.60	.45	.75	
Tulare County	5.00	.20	.20	.75	
PLASTERERS' TENDERS: Alameda & Contra Costa Counties	7.22	.50	.60		.10
Butte, Colusa, Glenn, Plumas, Sutter, & Yuba Counties	5.185	.50	.60	.60	
Fresno, Kings, & Madera Counties	6.60	.20	.60		
Del Norte and Humboldt Counties	5.35	.40	.50	.50	
Marin County	6.70	.40	.30		
Mariposa & Merced Counties	5.25	.50	.60	.60	
Monterey County	5.70	.50	.60	.46	
Napa County	6.65	.50			
Amador, El Dorado, Nevada, Placer, Sac- ramento, Sierra, & Yolo Counties	5.75	.295	.50	.70	
San Francisco & San Mateo Counties	7.00	.25	.40	.95	
San Benito & Santa Clara Counties	6.95	.40	.15		

AM-6734 P. 7 46-CAL-NCAL Counties-I-2-3 (7-12)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS: (Cont'd) Alameda, Contra Costa, Napa, Sacra- mento, Solano, Yolo, El Dorado, Nevada, Placer, and Sierra Counties (excluding Lake Tahoe Area)					
Brush	7.17	.54	.55	.80	
Spray	7.42	.54	.55	.80	
Tapers	7.67	.54	.55	.80	
Lake Tahoe Area	6.00	.20	.20	.40	
Decorators; Machine tapers; Paper- hangers; Roof painters; Spray; Structural steel; Swing stage Work performed over 40' above ground	6.25	.20	.20	.40	
	6.50	.20	.20	.40	
Lake Marin, Mendocino, San Francisco, Sonoma Counties					
Brush; Decorators; Paperhangers; Sandblasters; Sheet rock tapers	7.37	.39	.40		
Spraying on erected steel, bridges, tanks	7.62	.39	.40		
Monterey, San Benito, San Mateo, Santa Clara, Santa Cruz Counties	7.37	.39	.40		
Brush	7.62	.39	.40		
Steel					
PAINTERS: Parking Lot Stripping Work and/or High- way Markers: Fresno and Tulare Counties	5.01	.20	.20	d	
Traffic delineating device applica- tor					
Wheel stop installer; Traffic sur- face sandblaster; Stripper; Traf- fic surface protective coating applicator	4.88	.20	.20	d	
Helper, Traffic surface sandblaster wheel stop installer, traffic surface protective coating appli- cator, stripper)	4.38	.20	.20	d	
Remaining Counties					
Traffic delineating device applica- tor; Traffic surface protective coating applicator; Wheel stop installer; Traffic surface sand- blaster	5.27	.35	.20	d	
Helper (Traffic surface sandblaster wheel stop installer, protective coating applicator)	4.77	.35	.20	d	
Stripper	6.37	.35	.20	d	
Helper (Stripper)	5.37	.35	.20	d	

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46-CAL-NCAL Counties-1-2-3 (9-12)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLASTERERS' TENDERS (CONT'D): Lassen, Modoc, Shasta, Siskiyou, Tehama, & Trinity Counties Solano County Lake, Mendocino, & Sonoma Cos. Stanislaus and Tuolumne Cos. Tulare County	5.25 5.55 5.44 5.45 5.00	.50 .50 .40 .50 .50	.60 .60 .50 .60 .60	.60 .60 .50 .60 .60	
PLUMBERS: Alameda County Contra Costa County PLUMBERS; Steamfitters Del Norte & Humboldt Counties Monterey County Amador (northern half of County), Sacramento, Yolo, El Dorado, Nevada, Placer and Sierra Counties (exclud- ing Lake Tahoe Area) Lake Tahoe Area Marin, Mendocino, San Francisco, & Sonoma Counties San Benito & Santa Clara Counties San Mateo County Alpine, Amador (southern portion of County), Butte, Calaveras, Colusa, Fresno, Glenn, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Plumas, San Joaquin, Santa Cruz, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, & Yuba Counties Lake, Napa & Solano Counties	9.54 9.57 7.24 8.39 8.58 7.40 8.03 8.83 9.075 8.39 8.50	.55 .53 .48 .77 .65 .30 1.44 .46 .485 .77 .35	1.00 1.00 1.06 .79 1.05 .60 .705 .65 .50 .79 .58	.01 .01 .80 .03 1.05 1.55 .735 .065 .08 .075 .03 .07	.075 .07 .05 .03 .06 .07 .065 .08 .075 .03 .07
ROOFERS: Alameda and Contra Costa Counties Roofers Mastic workers; Kettlemen (2 kettles w/o pumps) Bitumastic; enameled; pipewrapper; coal tar built up Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus, and Tuolumne Cos. Roofers (Slate, Tile Composition and Built up) Felt Machine Operator Butte, Colusa, Eldorado, Glenn, Lassen, Modoc, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, and Yuba Counties Roofers	6.64 6.89 6.54	.45 .45 .33	.20 .20 .40	.75 .75	

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46-CAL-NCAL Counties-1-2-3 (10-12)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS (CONT'D): Fresno, Kings, Madera, and Tulare Cos. Roofers Lake, Mendocino, and Sonoma Counties Roofers (Slate & tile) Kettlemen (2 kettles w/o pumps) Bitumastic enameled; Pipewrappers; Coal tar pitch built up Marin County Roofers (Slate; Tile comp.) Mastic workers; Kettlemen (2 kettles without pumps) Bitumastic; Enamelers; Pipewrappers; Coal tar Monterey County Roofers San Francisco & San Mateo Counties Roofers (Slate, Tile composition and built up) Mastic workers & kettlemen (2 kettles) without pumps Bitumastic; Enamelers; Pipewrappers; Coal tar Napa and Solano Cos. Roofers Amador, Sacramento and Yolo Cos. Roofers (Slate, Tile & Composition) Enamel and pitch Felt machine operator, spudding ma- chine operator, all types SHEET METAL WORKERS: Alameda & Contra Costa Counties Alpine, Calaveras, & San Joaquin Amador, Butte, Colusa, El Dorado, Glenn, Lassen, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, and Yolo Counties Del Norte, Humboldt, & Trinity Counties Fresno, Kings, Madera, & Tulare Cos. Lake, Marin, Mendocino, Napa, Sonoma, & Solano Counties Mariposa, Merced, Stanislaus, & Tuolumne Counties Monterey, San Benito, Santa Clara, & Santa Cruz Counties San Francisco County San Mateo County	\$ 6.80 7.34 7.59 8.34 7.37 7.62 8.37 6.30 7.26 7.51 8.26 6.45 6.67 7.42 6.92 7.25 6.375 8.21 8.12 7.00 8.55 6.33 7.70 7.78 8.35	.20 .38 .38 .38 .30 .30 .30 .30 .35 .35 .35 .20 .48 .48 .48 .39 .36 .36 .36 .36 .36 .38 .38 .38	.10 .50 .50 .50 .55 .55 .55 .50 .60 .60 .60 .40 .40 .40 .40 .505 .50 .83 .36 .69 .44 .40 .50 .45 .62	1.00 10% 1.00 .70 10% 2%	.01 .01 .01 .01 .01 .01 .01 .01 .01 .01 .01 .015 .07 .05 .15 .01 .005 2%

1-CAL-NCAL-LAB-1-2-3-u (1-1)

4-CAL-NCAL-LAB-(TUNNEL)-1-2-3-e (1-1)

LABORERS

LABORERS	Fringe Benefits Payments				
	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.
Bridge; Brush loaders & Piler; Cleanup; Dumpman; General; Landscape; Limbers Tool room attendant	5.185	.50	.90	.70	.06
Asphalt Shovelers; Cement Dumper; Chipper; Choker setter & rigger; Chuck tender; Concrete; Guinea Chaser; High pressure Nozzleman-Hydraulic Monitor; Nipper; Pneumatic-Gas-Electric tool Operator (not otherwise classified); Slopers; Loading, Unloading, handling materials for reinforcing concrete construction	5.285	.50	.90	.70	.06
Aligners; Asphalt Ironers & Rakers; Buckler; Buggymobile; Chainsaw; Compactors; Concrete saw & pan work; Cribber and/or Shoring; Curb setter; Form Raiser; Faller; Headerboard Man; Post hole digger (air-gas-electric); Jackhammer; Kettleman; Log loader; Magnet site & Mastic Workers; Pavement Breaker Pipelayer; Pipetrigger; Power Broom Sweeper; Riprap stonepaver & Rockfalling; Rotary Scarifier; Rotary Tiller; Sandblaster; Barko, wackers & similar type tamers; Tank cleaners; Tree Climber; Vibrator; Vibra-Screed Bull Float.	5.435	.50	.90	.70	.06
Burning and Welding	5.485	.50	.90	.70	.06
Pipelayers; Caulkers; Banders (Contracta County only)	5.635	.50	.90	.70	.06
Blasters; Drills (Diamond-Wagon); High scaler; Powderman; Tree Topper	5.66	.50	.90	.70	.06
Laborers on General Construction Work on or in Bell Hole Footings, & Shaft	5.985	.50	.90	.70	.06
Gumite Laborers: Nozzleman; Rodman; Gunman, Groundman Reboundman	5.895 5.305	.50 .50	.90 .90	.70 .70	.06 .06

TUNNEL LABORERS

TUNNEL LABORERS	FRINGE BENEFITS PAYMENTS			
	BASIC HOURLY RATES	H & W	PENSIONS	VACATION
Shaft work & raise (below actual or excavated ground level); Diamond driller; Gunite Nozzleman; Rodmen; Groundmen	\$5.885	.50	.60	.60
Miners-tunnel, including top and bottom man on shaft and raise work; Timberman; retimberman-wood or steel or substitute materials therefore; Blasters, drillers, powdermen; Cherry pickerman-where car is lifted; Nozzleman on slick line; Sandblaster-potman (work assignment interchangeable); Nipper; Steel from raiser and setters	5.635	.50	.60	.60
Chucktenders & cabletenders; Powderman-Primer house; Vibratormen, pavement breaker	5.485	.50	.60	.60
Swamper; Bull gang, muckers, trackmen; Dumpman; Concrete crew - includes rodding and spreading; Grout crew - including headerman & potman; Reboundmen	5.385	.50	.60	.60
Grout gunmen; Jetgunmen; Gunmen	5.585	.50	.60	.60
Compressed Air Operations: 1 lb - 14 lbs, 6 hrs work Over 14 lbs - 18 lbs, 6 hours work Over 18 lbs - 22 lbs, 4 hours work Over 22 lbs - 26 lbs, 6 hours work Over 26 lbs - 32 lbs, 4 hours work Over 32 lbs - 38 lbs, 3 hours work Over 38 lbs - 44 lbs, 2 hours work Outside lock and gauge tender per shift	54.69 57.80 57.74 81.08 62.63 65.39 68.49 69.99 47.25	.50 .50 .50 .50 .50 .50 .50 .50 .50	.60 .60 .60 .60 .60 .60 .60 .60 .60	.60 .60 .60 .60 .60 .60 .60 .60 .60

*AREA 1

POWER EQUIPMENT OPERATORS

GROUP I ASSISTANTS TO ENGINEERS (Brakeman; Fireman; Heavy duty repairman helper; Oilier; Deckhand; Signalman; Switchman; Tar Pot Fireman); Fartsman (Heavy Duty repair shop parts room)	1-CAL-NCAL-PEO-1-2-3-g (1-5)				
	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr. Others
	\$6.23	.59	.75	.60	.24
GROUP II COMPRESSOR OPERATOR; Concrete mixer (up to & incl. 1 yd.); Conveyor belt op. (tunnel); Fireman hot plant; hydraulic monitor; Mechanical conveyor (handling building materials); Mixer box operator (concrete plant); Pump operator Spreader boxman (with screeds); Tar Pot fireman (power agitated)	6.49	.59	.75	.60	.24
GROUP III BOX OPERATOR (bunker); Locomotive; Motorman; Oilier; Rodman or chainman; Ross carrier (construction job site); Rotomist operator; Screedman (except asphaltic concrete paving); Self-propelled, Automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching machine (maximum digging capacity 3 ft. depth); Tugger hoist, single drum	6.65	.59	.75	.60	.24
GROUP IV BALLAST JACK TAMPER; Ballast regulator; ballast tamper multi-purpose; boxman (asphalt plant); Fork lift or lumber stacker (construction job site); Line Master; Lubrication & service engineer (mobile and grease rack); Material hoist (1 drum); Shuttlecar; Tie spacer; Towermobile	7.08	.59	.75	.60	.24
GROUP V COMPRESSOR OPERATOR (2 to 7); Concrete mixers (over 1 yd.); Concrete pumps or pumpcrete guns; Generators (100 K.W. or over); Press-weld (air-operated); Pumps (2 to 7); Welding machines (gasoline or diesel) (2 to 7)	7.24	.59	.75	.60	.24

*AREA 1 (cont'd)

POWER EQUIPMENT OPERATORS (cont'd)

AREA 1 (cont'd)

1-CAL-NCAL-PEO-1-2-3-g

(2-5)

POWER EQUIPMENT OPERATORS (cont'd)

GROUP VI BLH LIMA ROAD FACTOR or similar; Boom truck or dual purpose A-frame truck; concrete batch plants (wet or dry); Concrete saws (self-propelled unit) on streets, highways, airports, and canals; Drilling and boring machinery, vertical & horizontal (not to apply to waterliners, wagon drills or jack-hammers); Gradesetter, grade checker (mechanical or otherwise); Highline cableway signalman; Locomotives (steam or over 30 tons) Maginnis internal full slab vibrator (on airports, highways, canals & warehouses); Mechanical finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical burn, curb and/or curb and gutter machine, concrete or asphalt; Portable crushers; Power jumbo operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene & similar) (asphaltic concrete paving); Self-propelled compactor (single engine); Self-propelled pipeline wrapping machine (perault, CRC, or similar types); Slip forms pumps (lifting device for concrete forms); small rubber tired tractors; Surface heater	Fringe Benefits Payments				
Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others
\$7.34	.59	.75	.60		.24
GROUP VII CONCRETE CONVEYOR OR CONCRETE PUMP, Truck or equipment mounted (boom length to apply); Concrete conveyor, building site; Deck engineers; Dual drum mixer; Fuller Kenyon pump and similar types; Instrument man; Material hoist (2 or more drums); Mechanical finishers or spreader machine (asphalt, Barber-Greene & similar; Mine or shaft hoist; Mixer-mobile; Pavement breaker with or without compressor combination; Pavement breaker, Truck mounted with compressor combination; Pipe bending machine (pipe lines only); Pipe cleaning machine (tractor propelled & supported); Pipe wrapping machine (tractor propelled and supported); Refrigeration plant; Self-propelled boom type lifting device; Self-propelled Elevating grade plane; Slusher operator; Small tractor (with boom); Soil tester; Truck type loader	7.46	.59	.75	.60	.24

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AREA 1* (cont'd)

POWER EQUIPMENT OPERATORS (cont'd)

GROUP VIII ARMOR-COATER (or similar); Asphalt plant engineer; Cast-in-place pipe laying machine; Combination slusher and motor operator; Concrete batch plant (multi- ple units); Dozer; Heavy duty repairman and/or welders; Ken seal machine (or similar); Kolman loader; Loader (up to 2 yds.); Mechanical shield operator (or similar); Mechanical trench shield; Portable crushing & screening plants; Push cat; Rubber tired earth moving equipment (up to & incl. 45 cu. yds. "struck" m.r.c., euclids, T-pulls, DW-10, 20, 21 and similar); Tractor drawn scraper; Self-propelled compactor with dozer; Sheepfoot; Tractor; Trenching machine; Tri-batch paver; Tunnel mole boring machine operator; Welder; Woods- mixer (and other similar pugmill equipment)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
	\$7.76	.59	.75	.60	.24
GROUP IX CANAL FINGER DRAIN DIGGER; Chicago Boom; Combination mixer & compressor (gunite); Combination Slurry mixer and/ or cleaner; Highline cableway (5 tons & under); Lull hi-lift or similar (20 ft. or over); Mucking machine; Tractor (with boom) (D-6 or larger and similar)	7.93	.59	.75	.60	.24

AREA 1* (cont'd)

POWER EQUIPMENT OPERATORS (cont'd)

POWER EQUIPMENT OPERATORS (cont'd.)		Fringe Benefits Payments				
GROUP X	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others
BOOM-TYPE BACKFILLING MACHINE; Bridge crane; Carry-lift (or similar); Chemical grouting machine; Chief of party; Combination backhoe & Loader (up to and incl. 1/2 cu. yd. m.r.c.); Derricks (2 operators required when swing engine remote from hoist); Derrick Barges (except excavation work); Do-more loader & Adams Elegrader; Elevating grader op.; Rubber tired scraper, self-loading (paddle wheels, etc.); Heavy duty rotary drills rigs (incl. caisson foundation work & Robbins type drills); Koehring Skooper (or similar); Lift slab machine (Vagtborg & similar types); Loader (2 yds. up to & incl. 4 yds.); Locomotive (over 100 tons) (single or multiple units); Multiple engine earth-moving machine (euclids, dozers, etc.) (no tandem scraper); Prestress wire wrapping machine; Shuttle car (reclaim station); Soil stabilizer (P & H or equal); Subgrader (gurrries or other automatic type); Track laying type-Earth moving machine (single engine with tandem scrapers); Tractor, compressor drill comb.; Train loading station; Vacuum cooling plant; Single engine scraper over 45 yds.; Whirley crane (up to & incl. 25 tons)	\$8.08	.59	.75	.60		.24
GROUP X-A BACKHOE (hydraulic) (up to and incl. 1 cu. yd. m.r.c.); Backhoe (cable) (up to and incl. 1 cu. yd. m.r.c.); Combination backhoe and loader over 1/2 cu. yd. m.r.c.); Continuous flight tie back Auger (up to and incl. 1 cu. yd.) (crane attached); Cranes (not over 25 tons, hammerhead & gantry); Grade all up to and incl. 1 cu. yd.; Power shovels, Clamshells, Draglines, (up to and incl. 1 cu. yd. m.r.c.); Power blade; Self-propelled boom-type lifting device (center mount) (over 10 tons); Self-propelled boom-type lifting device (center mounted) (over 15 tons)	8.17	.59	.75	.60		.24

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1-CAL-NCAL-PEO-1-2-3-g (4-5)

AM-6734 P. 19

AN-6734 P. 20

AREA 1* (Cont'd)		1-CAL-NCAL-PEO-1-2-3-8					7-CAL-NCAL-PEO-1-2-3-b					(1-5)					
POWER EQUIPMENT OPERATORS (cont'd)		Basic Hourly Rates		Fringe Benefits Payments			Basic Hourly Rates		Fringe Benefits Payments			Basic Hourly Rates		Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.	Others	H & W	Pensions	Vacation	App. Tr.	Others	H & W	Pensions	Vacation	App. Tr.	Others	
GROUP XI AUTOMATIC CONCRETE SLIP FORM PAVER; Automatic railroad car dumper; Canal finger drain backfiller; Canal trimmer; Canal trimmer w/ditching attachments; Cranes (over 25 tons up to and incl. 125 tons); Continuous flight tie back Auger over 1 cu. yd. (incl. crane); Drott travelift 650-A-1 or similar (45 tons or over); Rubber tired earth moving machines (multiple pro- pulsion power units & two or more scrapers) (up to & incl. 75 cu. yds. "struck" m.r.c.); Highline cableway (over 5 tons); Loader (over 4 yds. up to & incl. 12 cu. yds.); Power blades operator (multi-engine); Power shovels, Clamshells, Draglines, Backhoes, Grad- alls, (over 1 yd. up to & incl. 7 cu. yds. m.r.c.); Self-propelled compactor (with multiple propulsion power units); Slip form paver (concrete or asphalt); Tandem cats; Tower Cranes mobile; Trencher (pulling attached shield); Tower cranes mobile; Single engine rubber tired earth moving machine (with tandem scrapers); Universal Liebher and Tower cranes (and similar types); Wheel excavator (up to & incl. 750 cu. yds. per hour); Whirley cranes (over 25 tons)		\$8.30	.59	.75	.60	.24											
GROUP XI-A LOADER (over 12 cu. yds. up to & incl- 18 cu. yds.); Rubber tired multi- purpose earth moving machine (2 units) (over 75 cu. yds. "struck" m.r.c.); Power shovels & draglines (over 7 cu. yds. m.r.c.); Band Wagons (in con- junction with wheel excavator) Wheel excavator (Over 750 yds. per hour); Cranes (over 125 tons)		\$9.12	.59	.75	.60	.24											
GROUP XI-B LOADER (over 18 cu. yds.)		9.32	.59	.75	.60	.24											
GROUP XI-C OPERATOR OF HELICOPTER (when used in erection work); Remote controlled earth moving equipment		9.54	.59	.75	.60	.24											
GROUP I ASSISTANTS TO ENGINEERS (Brakeman; Fire- man; Heavy duty repairman helper; Oiler; Deckhand; Signaller; Switchman; Tar Pot Fireman); Partsman (Heavy Duty repair shop parts room)		\$7.36	.59	.75	.60	.24											
GROUP II COMPRESSOR OPERATOR; Concrete mixer (up to & incl. 1 yd.); Conveyor belt op. (tunnel); Fireman hot plant; hydraulic monitor; Mechanical conveyor (handling building materials); Mixer box operator (concrete plant); Pump operator Spreaders boxman (with screeds); Tar Pot fireman (power agitated)		7.62	.59	.75	.60	.24											
GROUP III BOX OPERATOR (bunker); Locomotive; Motorman; Oiler; Rodman or chainman; Ross carrier (construction job site); Rotomist operator; Screedman (except asphaltic concrete paving); Self- propelled, Automatically applied con- crete curing machine (on streets, highways, airports and canals); Trenching machine (maximum digging capacity 3 ft. depth); Tugger hoist, single drum		7.78	.59	.75	.60	.24											
GROUP IV BALLAST JACK TAMPER: Ballast regulator; Ballast tamper multi-purpose; boxman (asphalt plant); Fork lift or lumber stacker (construction job site); Line Master; Lubrication & service engineer (mobile and grease rack); Material hoist (1 drum); Shuttlecar; Tie spacer; Towermobile		8.21	.59	.75	.60	.24											
GROUP V COMPRESSOR OPERATOR (2 to 7); Concrete mixers (over 1 yd.); Concrete pumps or pumpcrete guns; Generators (100 K.W. or over); Press-weld (air-operated); Pumps (2 to 7); Welding machines (gasoline or diesel) (2 to 7)		8.37	.59	.75	.60	.24											

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7-CAL-NCAL-PEO-1-2-3-b (2-5)

AREA 2** (cont'd)

POWER EQUIPMENT OPERATORS (Cont'd)

GROUP VI
BLH LIMA ROAD FACTOR or similar; Boom truck or dual purpose A-frame truck; concrete batch plants (wet or dry); Concrete saws (self-propelled unit) on streets, highways, airports, and canals; Drilling and boring machinery, vertical & horizontal (not to apply to waterliners, wagon drills or jack-hammers); Grader, grade checker (mechanical or otherwise); Highline cableway signalman; Locomotives (steam or over 30 tons) Maginnis internal full slab vibrator (on airports, highways, canals & warehouses); Mechanical finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical burn, curb and/or curb and gutter machine, concrete or asphalt; Portable crushers; Power Jumbo operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene & similar) (asphaltic concrete paving); Self-propelled compactor (single engine); Self-propelled pipeline wrapping machine (perault, CRC, or similar types); Slip forms pumps (lifting device for concrete forms); small rubber tired tractors; Surface heater

\$8.47

GROUP VII

CONCRETE CONVEYOR OR CONCRETE PUMP, Truck or equipment mounted (boom length to apply); Concrete conveyor, building site; Deck engineers; Dual drum mixer; Fuller Kenyon pump and similar types; Instrument man; Material hoist (2 or more drums); Mechanical finishers or spreader machine (asphalt, Barber-Greene & similar; Mine or shaft hoist; Mixer-mobile; Pavement breaker with or without compressor combination; Pavement breaker, Truck mounted with compressor combination; Pipe bending machine (pipe lines only); Pipe cleaning machine (tractor propelled &

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7-CAL-NCAL-PEO-1-2-3-b (3-3)

AREA 2** (cont'd)

POWER EQUIPMENT OPERATORS (Cont'd)

GROUP VII (Cont'd)
supported); Pipe wrapping machine (tractor propelled and supported); Refrigeration plant; Self-propelled boom type lifting device; Self-propelled Elevating grade plane; Slusher operator; Small tractor (with boom); Soil tester; Truck type loader

GROUP VIII
ARMOR-COATER (or similar); Asphalt plant engineer; Cast-in-place pipe laying machine; Combination slusher and motor operator; Concrete batch plant (multiple units); Dozer; Heavy duty repairman and/or welders; Ken seal machine (or similar); Kolman loader; Loader (up to 2 yds.); Mechanical shield operator (or similar); Mechanical trench shield; Portable crushing & screening plants; Push cat; Rubber tired earth moving equipment (up to & incl. 45 cu. yds. "struck" m.t.c., euclids, T-pulls, DW-10, 20, 21 and similar); Tractor drawn scraper; Self-propelled compactor with dozer; Sheep-foot; Tractor; Trenching machine; Tri-batch paver; Tunnel mole boring machine operator; Welder; Woodsixer (and other similar pugmill equipment)

GROUP IX

CANAL FINGER DRAIN DIGGER; Chicago Boom; Combination mixer & compressor (gunnite); Combination Slurry mixer and/or cleaner; Highline cableway (5 tons & under); Lull hi-lift or similar (20 ft. or over); Mucking machine; Tractor (with boom) (D-6 or larger and similar)

GROUP X

BOOM-TYPE BACKFILLING MACHINE; Bridge crane; Caisson (or similar); Chemical grouting machine; Chief of party; Combination backhoe & loader (up to and incl. 1/2 cu. yd. m.r.c.); Derricks (2 operators required when swing engine remote from hoist); Derrick Barges (except excavation work); Do-more loader & Adams Elegrader, Elevating grader op.; Rubber tired scraper, self-

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$8.59	.59	.75	.60	.24
8.89	.59	.75	.60	.24
9.06	.59	.75	.60	.24

POWER EQUIPMENT OPERATORS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP X (Cont'd)					
loading (paddle wheels, etc.); Heavy duty rotary drills rigs (incl. caisson foundation work & Robbins type drills); Koehring Skooter (or similar); Lift slab machine (Vagtborg & similar types); Loader (2 yds. up to & incl. 4 yds.); Locomotive (over 100 tons) (single or multiple units); Multiple engine earth-moving machine (euclids, dozers, etc.) (No tandem scraper); Prestress wire wrapping machine; Shuttle car (reclaim station); Soil stabilizer (P & H or equal); Subgrader (guries or other automatic type); Track laying type-Earth moving machine (single engine with tandem scrapers); Tractor, compressor drill comb.; Train loading station; Vacuum cooling plant; Single engine scraper over 45 yds.; Whirley crane (up to & incl. 25 tons)	\$9.21	.59	.75	.60	.24
GROUP X-A BACKHOE (hydraulic) (up to and incl. 1 cu. yd. m.r.c.); Backhoe (cable) (up to and incl. 1 cu. yd. m.r.c.); Combination backhoe and loader over 1/2 cu. yd. m.r.c.); Continuous flight tie back Auger (up to and incl. 1 cu. yd.) (crane attached); Cranes (not over 25 tons, hammerhead & gantry); Grade all up to and incl. 1 cu. yd.); Power shovels, Clamshells, Draglines, (up to and incl. 1 cu. yd. m.r.c.); Power blade; Self-propelled boom-type lifting device (center mount) (over 10 tons); Self-propelled boom-type lifting device (center mounted) (over 15 tons)					
GROUP XI AUTOMATIC CONCRETE SLIP FORM PAVER; Automatic railroad car dumper; Canal finger drain backfiller; Canal trimmer; Canal trimmer w/ditching attachments; Cranes, (over 25 tons up to and incl. 125 tons); Continuous flight tie back Auger over 1 cu. yd. (incl. crane); Drott travelift 650-A-1 or similar (45 tons or over); Rubber tired earth-moving machines (multiple propulsion power units & two or more scrapers)	9.30	.59	.75	.60	.24

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	H & W	Fringe Benefits Payments		
			Pensions	Vacation	App. Tr.
GROUP XI (Cont'd)					
(up to & incl. 75 cu. yds. "struck" m.r.c.); Highline cableway (over 5 tons); Loader (over 4 yds. up to & incl. 12 cu. yds.); Power blades operator (multi-engine); Power shovels, Clamshells, Draglines, Backhoes, Gralls, (over 1 yd. up to & incl. 7 cu. yds. m.r.c.); Self-propelled compactor (with multiple propulsion power units); Slip form paver (concrete or asphalt); Tandem cats; Tower Cranes mobile; Trencher (pulling attached shield); Tower cranes mobile; Single engine rubber tired earth moving machine (with tandem scrapers); Universal Lieber and Tower cranes (and similar types); Wheel excavator (up to & incl. 750 cu. yds. per hour); Whirley cranes (over 25 tons)	\$9.43	.59	.75	.60	.24
GROUP XI-A LOADER (over 12 cu. yds. up to & incl. 18 cu. yds.); Rubber tired multi-purpose earth moving machine (2 units) (over 75 cu. yds. "struck" m.r.c.); Power shovels & draglines (over 7 cu. yds. m.r.c.); Band Wagons (in conjunction with wheel excavator) Wheel excavator (over 750 yds. per hour); Cranes (over 125 tons)	10.25	.59	.75	.60	.24
GROUP XI-B LOADER (over 18 cu. yds.)	10.45	.59	.75	.60	.24
GROUP XI-C OPERATOR OF HELICOPTER (when used in erection work); Remote controlled earth moving equipment	10.67	.59	.75	.60	.24

5-CAL-NCAL-PEO-(Dredging)-b

4-CAL-NCAL-PEO(Piledriving)-1-2-3-a (1-1)

POWER EQUIPMENT OPERATORS DREDGING (Hydraulic Suction Dredges)	FRINGE BENEFITS PAYMENTS				
	BASIC HOURLY RATES	H & W	PENSIONS	VACATION	APP. TR.
LEVERMAN	\$7.48	.475	.65	.50	.14
WATCH ENGINEER (steam or electric); Welder	6.79	.475	.65	.50	.14
DECKMATE	6.27	.475	.65	.50	.14
WINCHMAN (steam winch on dredge)	6.20	.475	.65	.50	.14
BARGE MAN; Deckhand; Leveehand; Fireman; Oiler	5.65	.475	.65	.50	.14
DREDGING (Clam Shell Dredges)					
LEVERMAN	7.48	.475	.65	.50	.14
WATCH ENGINEER	6.79	.475	.65	.50	.14
BARGE MATE (Seagoing); Deckmate	6.27	.475	.65	.50	.14
WINCHMAN (steam or electric or diesel)	6.20	.475	.65	.50	.14
BARGE MAN; Deckhand; Fireman; Oiler	5.65	.475	.65	.50	.14

PILED RIVING	FRINGE BENEFITS PAYMENTS				
	BASIC HOURLY RATES	H & W	PENSIONS	VACATION	APP. TR.
GROUP I ASSISTANT TO ENGINEER (Fireman, Oiler, Deckhand)	\$6.21	.55	.75	.55	.14
GROUP Ia COMPRESSOR OPERATOR	6.46	.55	.75	.55	.14
GROUP Ib TRUCK CRANE OILER	6.56	.55	.75	.55	.14
GROUP IIa OPERATOR OF TUGGER HOIST (Hoisting material only)	7.04	.55	.75	.55	.14
GROUP IIb COMPRESSOR OPERATOR (2-7); Generator operator (100 k.w. or over); Pump operator (2-7); Welding machine operator (2-7 - powered other than by electricity)	7.20	.55	.75	.55	.14
GROUP III DECK ENGINEER; Fork lift operator; A-frames; Self-propelled boom-type lifting device	7.42	.55	.75	.55	.14
GROUP IIIa HEAVY DUTY REPAIRMAN &/OR WELDER	7.71	.55	.75	.55	.14
GROUP IV OPERATING ENGINEER IN LIEU OF ASSISTANT TO ENGINEER TENDING BOILER OR COMPRESSOR ATTACHED TO CRANE PILED RIVER; Operator of Piledriving rigs, skid or floating and derrick barges; Operator of diesel or gasoline powered crane piledriver (w/o boiler) up to & incl. 1 cu yd. rating; Truck crane op. (up to & incl. 25 tons - Hoisting material only)	8.12	.55	.75	.55	.14
GROUP V OPERATOR OF DIESEL OR GASOLINE POWERED CRANE FILEDRIVER (w/o boiler) OVER 1 CU YD RATING; Operator of crane (w/steam, flash boiler, pump or com- pressor attached); Operator of steam powered crawler, or Universal type driver (Raymond or similar type); Truck crane operator (over 25 tons - Hoisting material or performing piledriving work)	8.24	.55	.75	.55	.14

1-CAL-NCAL-TD-1-2-3-f (1-4)

TRUCK DRIVERS

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
BULK CEMENT SPREADER (w/wo auger, over 80 yds. & including 95 yds. water level); Dump (over 80 yds. & incl. 95 yds. water level); Dumpcrete Truck (over 80 yds. & incl. 95 yds. water level); Dumpster (over 80 yds. & incl. 95 yds. water level); Skid Truck (debris box over 80 yds. & incl. 95 yds. water level); Trucks (dry pre-batch concrete mix, over 80 yds. & incl. 95 yds. water level)	.565	.40	.65		
BULK CEMENT SPREADER (w/wo auger, over 65 yds. & including 80 yds. water level); Dump (65 yds. & incl. 80 yds. water level); Dumpcrete Truck (65 yds. & incl. 80 yds. water level); Dumpster (65 yds. & incl. 80 yds. water level); Skid Truck (debris box, 65 yds. & incl. 80 yds. water level); Trucks (dry pre-batch concrete mix, 65 yds. & incl. 80 yds. water level)	6.86	.40	.65		
BULK CEMENT SPREADER (w/wo auger, over 50 yds. & under 65 yds. water level); Dump (over 50 yds. & under 65 yds. water level); Dumpcrete Truck (over 50 yds. & under 65 yds. water level); Dumpster (over 50 yds. & under 65 yds. water level); Helicopter pilot (when transporting men or materials); Skid Truck (debris box, over 50 yds. & under 65 yds. water level); Trucks (dry pre-batch concrete mix, over 50 yds. & under 65 yds. water level)	6.71	.40	.65		
BULK CEMENT SPREADER (w/wo auger, over 35 yds. & including 50 yds. water level); Dump (over 35 yds. & incl. 50 yds. water level); Dumpcrete Truck (over 35 yds. & incl. 50 yds. water level); Dumpster (over 35 yds. & incl. 50 yds. water level); Skid Truck (debris box, over 35 yds. & incl. 50 yds. water level); Trucks (dry pre-batch concrete mix, over 35 yds. & incl. 50 yds. water level)	6.56	.40	.65		

1-CAL-NCAL-TD-1-2-3-f

(2-4)

TRUCK DRIVERS (cont'd)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
BULK CEMENT SPREADER (w/wo auger, over 24 yds. & including 35 yds. water level); Dump (over 24 yds. & incl. 35 yds. water level); Dumpcrete Truck (over 24 yds. & incl. 35 yds. water level); Dumpster (over 24 yds. & incl. 35 yds. water level); DW 10's, 20's, 21's, & other similar cat type, Terra Cobra, LeTourneau Pulls, Tournorocker, Euclid & similar type equipment when pulling Aqua/Pak, water tank trailers & fuel and/or grease tank trailers or other miscellaneous trailers; Skid Truck (debris box, over 24 yds. & incl. 35 yds. water level); Trucks (dry pre-batch concrete mix, over 24 yds. & incl. 35 yds. water level)	.565	.40	.65		
BULK CEMENT SPREADER (w/wo auger, over 18 yds. & including 24 yds. water level); Combination Dump Truck & Dump Trailer; Dump (over 18 yds. & incl. 24 yds. water level); Dumpcrete Truck (over 18 yds. & incl. 24 yds. water level); Dumpster (over 18 yds. & incl. 24 yds. water level); Skid Truck (debris box, over 18 yds. & incl. 24 yds. water level); Transit Mix, agitator (over 14 yds through 16 yds.); Trucks (dry pre-batch concrete mix, over 17 yds. & incl. 24 yds. water level)	6.335	.40			.65
TRUCK REPAIRMAN	6.345	.40			.65
P. B. or SIMILAR TYPE Self-Loading Truck	6.31	.40			.65
BULK CEMENT SPREADER (w/wo auger, over 12 yds. & incl. 18 yds. water level); Dump (over 12 yds. & incl. 18 yds. water level); Dumpcrete Truck (over 12 yds. & incl. 18 yds. water level); Dumpster (over 12 yds. & incl. 18 yds. water level); Skid Truck (debris box, over 12 yds. & incl. 18 yds. water level); Trucks (dry pre-batch concrete mix, over 12 yds. & incl. 18 yds. water level)	6.25	.40			.65
TRANSIT MIX, AGITATOR (Over 12 yds. through 14 yds.)	6.225	.40			.65

NOTICES

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1-CAL-NCAL-TD-1-2-3-f (3-4)

TRUCK DRIVERS (cont'd)

Basic Hourly Rates	Fringe Benefits Payments (1-4)			
	H & W	Pensions	Vacation	Others
BULK CEMENT SPREADER (w/wo auger, 8 yds. & incl. 12 yds. water level); Dump (8 yds. & incl. 12 yds. water level); Dumpcrete (8 yds. & incl. 12 yds. water level); Dumpster (8 yds. & incl. 12 yds. water level); Self-propelled Street Sweeper with Self-contained Refuse Bin; Skid Truck (debris box, 8 yds. & incl. 12 yds. water level); Snow go &/or Snow Plow; Trucks (dry pre-batch concrete mix, 8 yds. & incl. 12 yds. water level)	.565	.40	.65	
TRANSIT MIX, AGITATOR (over 10 yds. through 12 yds.)	.565	.40	.65	
HEAVY DUTY TRANSPORT (goose-neck low bed)	.565	.40	.65	
JETTING TRUCK AND WATER TRUCK (5,000 and under 7,000 gals)	.565	.40	.65	
VACUUM TRUCK (5,000 gals, and under 7,500 gals.)	.565	.40	.65	
TRANSIT MIX, AGITATOR (8 yds. through 10 yds.)	.565	.40	.65	
ROSS HYSTER, similar Straddle Carrier	.565	.40	.65	
HEAVY DUTY TRANSPORT (high bed)	.565	.40	.65	
"A" Frame drivers, winch truck; Buggy-mobile; Hydro-lift, Swedish Crane Type (incl. when Swedish Crane is used for Jetting); Jetting Truck & Water Truck (4,000 & under 5,000 gals); Rubber-tired Truck Jumbo	.565	.40	.65	
BULK CEMENT SPREADER (w/wo auger, 6 yds. & under 8 yds. water level); Dump (6 yds. & under 8 yds. water level); Dumpcrete Truck (6 yds. & under 8 yds. water level); Dumpster (6 yds. & under 8 yds. water level); Skid Truck (debris box, 6 yds. & under 8 yds. water level); Trucks (dry pre-batch concrete mix, 6 yds. & under 8 yds. water level)	.565	.40	.65	
RUBBER-TIRED MUCK CAR (not self-loaded)	.565	.40	.65	
VACUUM TRUCK (3,500 gals & under 5,500 gals)	.565	.40	.65	

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1-CAL-NCAL-TD-1-2-3-f (1-4)

TRUCK DRIVERS (cont'd)

Basic Hourly Rates	Fringe Benefits Payments (1-4)			
	H & W	Pensions	Vacation	Others
COMBINATION WINCH TRUCK with hoist-transit mix, agitator (6 yds. & under 8 yds.)	.565	.40	.65	
JETTING TRUCK & Water Truck (2,500 gals. under 4,000 gals.)	.565	.40	.65	
SCISSOR TRUCK; Single Unit Flat Rack (3 axle unit-industrial lift truck, mechanical tailgate); Small Rubber Tired Tractor (when used within teamsters jurisdiction)	.565	.40	.65	
VACUUM TRUCK (under 3,500 gals.)	.565	.40	.65	
TRUCK REPAIRMAN HELPER	.565	.40	.65	
TRANSIT MIX, AGITATOR (under 6 yds.)	.565	.40	.65	
LIFT JITNEYS, Fork Lift	.565	.40	.65	
JETTING TRUCK & WATER TRUCK (under 2,500 gals.)	.565	.40	.65	
BULK CEMENT SPREADER (w/wo auger, 4 yds. & under 6 yds. water level); Dump (4 yds. & under 6 yds. water level); Dumpcrete Truck (4 yds. & under 6 yds. water level); Dumpster (4 yds. & under 6 yds. water level); Skid Truck (debris box, 4 yds. & under 6 yds. water level); Single unit Flat Rack (2 axle unit-industrial lift truck, mechanical tailgate); Trucks (dry pre-batch concrete mix, 4 yds. & under 6 yds. water level)	.565	.40	.65	
BULK CEMENT SPREADER (w/wo auger, under 4 yds. water level); Bus or Manhaul Driver; Concrete Pump Machine; Concrete Pump Truck (when Flat Rack Truck is used appropriate Flat Rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete Truck (under 4 yds. water level); Dumpster (under 4 yds. water level); Escort or Pilot Car Driver; Mipper Truck (when flat rack truck is used appropriate flat rack rate shall apply); Pickup Trucks; Skid Trucks (debris box, under 4 yds. water level); Team Drivers; Trucks (dry pre-batch concrete mix, under 4 yds. water level); Vacuum Truck Helpers Warehousemen	.565	.40	.65	

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS

(1-3)

****AREA 2:** All areas not included within Area 1 as defined below.

***AREA 1:** All areas included in the description defined below which is based upon township and range lines of Areas 1 and 2.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S, Thence Easterly along the Southerly line of Township 19S, crossing the Mt. Diablo meridian to the S.W. corner of township 19S, range 6E, Mt. Diablo base line and meridian,
Thence Southerly to the S.W. corner of township 20S, range 6E,
Thence Easterly to the S.E. corner of township 20S, range 13E,
Thence Southerly to the S.W. corner of township 21S, range 13E,
Thence Easterly to the S.E. corner of township 21S, range 17E,
Thence Southerly to the S.W. corner of township 22S, range 17E,
Thence Easterly to the S.E. corner of township 22S, range 17E,
Thence Southerly to the S.W. corner of township 23S, range 18E,
Thence Easterly to the S.E. corner of township 23S, range 18E,
Thence Southerly to the S.W. corner of township 24S, range 19E,
falling on the Southerly line of Kings County, thence Easterly along the Southerly boundary of Kings County and the Southerly boundary of Tulare County, to the S.E. corner of township 21S, range 29E,
Thence Northerly to the N.E. corner of township 21S, range 29E,
Thence Westerly to the N.W. corner of township 21S, range 29E,
Thence Northerly to the N.E. corner of township 13S, range 28E,
Thence Westerly to the N.W. corner of township 13S, range 28E,
Thence Northerly to the N.E. corner of township 11S, range 27E,
Thence Westerly to the N.W. corner of township 11S, range 27E,
Thence Northerly to the N.E. corner of township 10S, range 26E,
Thence Westerly to the N.W. corner of township 10S, range 26E,
Thence Northerly to the N.E. corner of township 9S, range 25E,
Thence Westerly to the N.W. corner of township 9S, range 25E,
Thence Northerly to the N.E. corner of township 8S, range 24E,
Thence Westerly to the N.W. corner of township 8S, range 24E,
Thence Northerly to the N.E. corner of township 6S, range 23E,
Thence Westerly to the S.E. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 5S, range 19E,
Thence Westerly to the N.W. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 3S, range 18E,
Thence Westerly to the N.W. corner of township 3S, range 18E,
Thence Northerly to the N.E. corner of township 2S, range 17E,
Thence Westerly to the N.W. corner of township 2S, range 17E,
Thence Northerly crossing the Mt. Diablo baseline to the N.E. corner of township 2N, range 16E,
Thence Westerly to the N.W. corner of township 2N, range 16E,
Thence Northerly to the N.E. corner of township 3N, range 15E,
Thence Westerly to the N.W. corner of township 3N, range 15E,
Thence Northerly to the N.E. corner of township 4N, range 14E,
Thence Westerly to the N.W. corner of township 4N, range 14E,
Thence Northerly to the N.E. corner of township 5N, range 13E,
Thence Westerly to the N.W. corner of township 5N, range 13E,
Thence Northerly to the N.E. corner of township 10N, range 12E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

(2-3)

***Area 1 (cont'd):**
Thence Easterly to the S.E. corner of township 11N, range 14E,
Thence Northerly to the N.E. corner of township 11N, range 14E,
Thence Westerly to the N.E. corner of township 11N, range 10E,
Thence Northerly to the N.E. corner of township 15N, range 10E,
Thence Easterly to the S.E. corner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 16N, range 11 E,
Thence Easterly to the S.E. corner of township 17N, range 14E,
Thence Southerly to the S.W. corner of township 14N, range 15E,
Thence Easterly to the S.E. corner of township 14N, range 15E,
Thence Southerly to the S.W. corner of township 13N, range 16E,
Thence Easterly to the S.E. corner of township 13N, range 16E,
Thence Southerly to the S.W. corner of township 12N, range 17E,
Thence Easterly along the Southern line of township 12N to the Eastern boundary of the state of California,
Thence Northwesterly, thence Northerly along the Eastern boundary of the state of California to the N.E. corner of township 17N, range 18E,
Thence Westerly to the N.W. corner of township 17N, range 11E,
Thence Northerly to the N.E. corner of township 20N, range 10E,
Thence Westerly to the N.W. corner of township 20N, range 10E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.W. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 22N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner of township 30N, range 6E,
Thence Westerly to the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo meridian to the N.E. corner of township 34N, range 6W,
Thence Southerly to the N.E. corner of township 32N, range 7W,
Thence Westerly to the N.W. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7W,
Thence Easterly to the S.E. corner of township 30N, range 7W,
Thence Southerly to the S.W. corner of township 16N, range 6W,
Thence Easterly to the S.E. corner of township 16N, range 6W,
Thence Southerly to the S.W. corner of township 14N, range 5W,
Thence Westerly to the S.E. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 15N, range 8W,
Thence Westerly to the S.E. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 16N, range 12W,
Thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 13W,

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CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd) (3-3)

*Area 1 (cont'd):

Thence Westerly to the N.W. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 16N, range 13W,
Thence Westerly to the N.W. corner of township 15N, range 14W,
Thence Southerly to the S.W. corner of township 14N, range 14W,
Thence Easterly to the S.E. corner of township 14N, range 14W,
Thence Southerly to the S.W. corner of township 13N, range 13W,
Thence Easterly to the S.E. corner of township 13N, range 13W,
Thence Southerly to the S.W. corner of township 11N, range 12W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly along the Eastern line of range 12W to the Pacific Ocean excluding that portion of
Northern California within Santa Clara County included within the following line:
Commencing at the N.W. corner of township 6S, range 3E, Mt. Diablo baseline and meridian:
Thence in a Southerly direction to the S.W. corner of township 7S, range 3E,
Thence in a Easterly direction to the S.E. corner of township 7S, range 4E,
Thence in a Northerly direction to the N.E. corner of township 6S, range 4E,
Thence in a Westerly direction to the N.W. corner of township 6S, range 3E, to the point of beginning,
which portion is a part of Area 2.

Area 1 also includes that portion of Northern California within the following lines:
Commencing in the Pacific Ocean on an extension of the Southerly line of township 2N, Humboldt baseline
and meridian:

Thence Easterly along the Southerly line of township 2N to the S.W. corner of township 2N, range 1W,
Thence Southerly to the S.W. corner of township 1N, range 1W,
Thence Easterly along the Humboldt baseline to the S.W. corner of township 1N, range 2E,
Thence Southerly to the S.W. corner of township 2S, range 2E,
Thence Easterly to the S.E. corner of township 2S, range 2E,
Thence Southerly to the S.W. corner of township 4S, range 3E,
Thence Easterly to the S.E. corner of township 4S, range 3E,
Thence Northerly to the N.E. corner of township 2S, range 3E,
Thence Westerly to the N.W. corner of township 2S, range 3E,
Thence Northerly crossing the Humboldt baseline to the S.W. corner of township 1N, range 3E,
Thence Easterly along the Humboldt baseline to the S.E. corner of township 1N, range 3E,
Thence Northerly to the N.E. corner of township 9N, range 3E,
Thence Westerly to the N.W. corner of township 9N, range 2E,
Thence Northerly to the N.E. corner of township 10N, range 1E,
Thence Westerly along the Northerly line of township 10N, into the Pacific Ocean.
Area 1 also includes that portion of Northern California included within the following line:
Commencing at the Northerly boundary of the state of California at the N.W. corner of township 48N,
range 7W, Mt. Diablo baseline and meridian:
Thence Southerly to the S.W. corner of township 44N, range 7W,
Thence Easterly to the S.E. corner of township 44N, range 7W,
Thence Southerly to the S.W. corner of township 43N, range 6W,
Thence Easterly to the S.E. corner of township 43N, range 6W,
Thence Northerly to the N.E. corner of township 48N, range 5W,
on the Northerly boundary of the state of California,
Thence Westerly along the Northerly boundary of the state of California to the point of beginning.

STATE: California	AM-6735 P. 2 20-CAL-NCAL Counties (2-6)	Fringe Benefits Payments				
		Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.
COUNTRIES: Alameda, Amador, Contra Costa, Fresno, Marin, Merced, Monterey, Napa, Nevada, Placer, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, Sonoma, Sutter, Yolo and Yuba DATE: June 23, 1972 Superior Decision No. AM-6735 dated November 12, 1971 in 36 FR 21725; and AM-6242 dated November 19, 1971 in 36 FR 22095. DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.	20-CAL-NCAL Counties (1-6)	8.62	.60	.40	.90	.04
		7.20	.30	.70	.45	.02
ASBESTOS WORKERS BOILERMAKERS BOILERMAKERS' HELPERS BRICKLAYERS; Stonemasons: Marin, Napa, San Francisco, San Mateo Solano and Sonoma Counties Alameda and Contra Costa Counties Fresno and Merced Counties Nevada, Placer, Sacramento, Sutter, Yolo, and Yuba Counties Monterey County Santa Clara County Amador and San Joaquin Counties BRICK TENDERS: Alameda and Contra Costa Counties Sutter and Yuba Counties Fresno County Marin County Merced County Monterey County Napa County Amador, Nevada, Placer, Sacramento, and Yolo Counties San Joaquin County Santa Clara County Solano County Sonoma County CARPENTERS CEMENT MASONS DRYWALL INSTALLERS ELECTRICIANS: Alameda County Electricians Cable splicers	20-CAL-NCAL Counties (1-6)	6.90	.30	.70	.45	.02
		8.20	.78	.58	.55	.01
ELECTRICIANS: (Cont'd) Amador, Sacramento, Sutter, Yolo, Yuba & those portions of Nevada & Placer Counties West of the Main Sierra Mountain Watershed Electricians Cable splicers Lake Tahoe Area: Electricians; Instrument Technicians Cable splicers San Joaquin County Electricians; Technicians Cable splicers Contra Costa County Electricians Cable splicers Fresno County Electricians Cable splicers Marin and Sonoma Counties Electricians Cable splicers Merced County Electricians Cable splicers Monterey County (West of the Salinas River) Electricians Cable splicers Monterey County (East of the Salinas River) Electricians Cable splicers Napa and Solano Counties Electricians Cable splicers Santa Clara County Electricians Cable splicers San Francisco County Electricians Cable splicers San Mateo County Electricians GLAZIERS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	7.35	.42	.38	.40	.01
		7.73	.25	.20	.50	.10
ELECTRICIANS: Amador, Sacramento, Sutter, Yolo, Yuba & those portions of Nevada & Placer Counties West of the Main Sierra Mountain Watershed Electricians Cable splicers Lake Tahoe Area: Electricians; Instrument Technicians Cable splicers San Joaquin County Electricians; Technicians Cable splicers Contra Costa County Electricians Cable splicers Fresno County Electricians Cable splicers Marin and Sonoma Counties Electricians Cable splicers Merced County Electricians Cable splicers Monterey County (West of the Salinas River) Electricians Cable splicers Monterey County (East of the Salinas River) Electricians Cable splicers Napa and Solano Counties Electricians Cable splicers Santa Clara County Electricians Cable splicers San Francisco County Electricians Cable splicers San Mateo County Electricians GLAZIERS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	7.45	.54	.50	.75	.01
		7.80	.25	.15	.75	.01
ELECTRICIANS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	6.50	.50	.50	.60	.10
		5.185	.50	.60	.60	.01
ELECTRICIANS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	5.75	.50	.60	.60	.01
		6.90	.40	.30	.60	.02
ELECTRICIANS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	5.15	.50	.60	.60	.02
		5.19	.50	.60	.60	.03
ELECTRICIANS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	5.64	.50	.60	.60	.02
		5.355	.245	.60	.50	.02
ELECTRICIANS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	5.20	.50	.60	.60	.03
		6.58	.45	.40	.60	.04
ELECTRICIANS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	5.55	.50	.60	.60	.04
		5.44	.40	.50	.50a	.03
ELECTRICIANS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	7.50	.60	.50	.75	.03
		6.52	.56	.75	.50	.03
ELECTRICIANS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	7.25	.45	.50	.50	.03
		9.10	.25	.4%	.25	.03
ELECTRICIANS: Amador, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, Yuba & Merced (North of the city of Livingston) Counties	20-CAL-NCAL Counties (1-6)	10.24	.25	.4%	.25	.03

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20-CAL-NCAL Counties

20-CAL-NCAL Counties

	Basic Hourly Rates	Fringe Benefits Payments				Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.	H & W	Pensions	Vacation	App. Tr.
GLAZIERS: (CONT'D)									
Alameda, Contra Costa, Marin, Monterey, Napa, San Francisco, San Mateo, Santa Clara, Solano (SW from E. of Fairfield), and Sonoma Counties	8.225	.25	.25	6%	.01	.25	.25		
Merced (Remainder of County), & Fresno County	6.34	.30	.35	.38		.30	.35		
IRONWORKERS:									
Fence erectors	7.89	.43	.425	.50	.02	.43	.425	.50	.02
Ornamental; Structural	8.03	.43	.425	.50	.02	.43	.425	.50	.02
Reinforcing	7.98	.43	.425	.50	.02	.43	.425	.50	.02
LATHERS:									
Alameda and Contra Costa Counties	7.84	.34	.385		.025	.34	.385		.025
Amador, Sacramento and Yolo Counties	6.40	.195	.20			.195	.20		
Nevada and Placer Counties	7.68	.43	.40		.01	.43	.40		.01
San Joaquin County	7.20	.25	.20	.80		.25	.20	.80	
Fresno County	5.90	.15				.15			
Marin and Sonoma Counties	6.71	.37	.45	.91	1/8%	.37	.45	.91	1/8%
Merced County	6.50				.01				.01
Monterey County	7.10	.40	.40	.20b	.01	.40	.40	.20b	.01
Napa and Solano Counties	5.20	.24	.20	.50	.01	.24	.20	.50	.01
San Francisco County	8.23	.46	.65	1.00	.01	.46	.65	1.00	.01
Santa Clara County	7.73	.30	.25			.30	.25		
PAINTERS:									
Sutter and Yuba Cos.	5.40	.25	.25	.65		.25	.25	.65	
Brush; Roller	5.65	.25	.25	.65		.25	.25	.65	
Spray									
Alameda, Contra Costa, Napa, Sacra- mento, Solano, Yolo, Nevada and Placer Cos.	7.17	.54	.55	.80		.54	.55	.80	
(excluding Lake Tahoe Area)	7.42	.54	.55	.80		.54	.55	.80	
Brush	7.67	.54	.55	.80		.54	.55	.80	
Spray									
Tapers	6.00	.20	.20	.40		.20	.20	.40	
Lake Tahoe Area	6.25	.20	.20	.40		.20	.20	.40	
Brush									
Decorators; Machine tapers; Paper- hangers; Spray									
Marin, San Francisco & Sonoma Counties	7.37	.39	.40			.39	.40		
Brush; Decorators; Paperhangers; Sheet rock tapers									
Monterey, San Mateo, and Santa Clara Counties	7.37	.39	.40			.39	.40		
Brush									
PLASTERERS:									
Alameda & Contra Costa Counties									
(western portion of Contra Costa Co. from Carquinez Straits using westerly									
city limits of Portia Costa to junc- tion of McEwen Rd. & along McEwen Rd. to junction of Franklin Canyon Rd. (State Hwy. #4) & continues as Arnold Industrial Hwy. to junction of State Hwy. #21, south along Hwy. #21 to Hookston Rd., east to Bancroft Rd., southeast to Ygnacio Rd., east to junction Oakgrove Rd. (Mt. Diablo Blvd.) to summit of Mt. Diablo & on 45 degree angle southeast from base line of Mt. Diablo to Alameda and Contra Costa County line).	8.24	.575	.45			.575	.45		
Sutter, and Yuba Counties	6.05	.25	.25	.50		.25	.25	.50	
Fresno County	7.12	.28	.25			.28	.25		
Monterey County	7.38	.46	.35			.46	.35		
Nevada, Placer, Sacramento and Yolo Counties	7.65	.25	.25	.65		.25	.25	.65	
Santa Clara County	6.56	.46	.40	.70		.46	.40	.70	
San Francisco County	7.77	.33	.21	c		.33	.21		
San Mateo County	6.75	.33	.40	1.17		.33	.40	1.17	
Marin, Napa, Solano, and Sonoma Counties	7.45	.43	.25			.43	.25		
Merced County	6.00	.60	.45	.75		.60	.45	.75	
PLASTERERS' TENDERS:									
Alameda & Contra Costa Counties	7.22	.50	.60	.60		.50	.60	.60	
Sutter & Yuba Counties	5.185	.50	.60	.60		.50	.60	.60	
Fresno County	6.60	.20	.60			.20	.60		
Marin County	6.70	.40	.30			.40	.30		
Merced County	5.25	.50	.60	.60		.50	.60	.60	
Monterey County	5.70	.50	.60	.46		.50	.60	.46	
Napa County	6.65	.50				.50			
Amador, Nevada, Placer, Sacramento & Yolo Counties	5.75	.295	.50	.70		.295	.50	.70	
San Francisco & San Mateo Counties	7.00	.25	.40	.95		.25	.40	.95	
Santa Clara County	6.95	.40	.15			.40	.15		
Solano County	5.55	.50	.60	.60		.50	.60	.60	
Sonoma County	5.44	.40	.50	.50		.40	.50	.50	
PLUMBERS:									
Alameda County	9.54	.55	1.00	.01	.075	.55	1.00	.01	.075
Contra Costa County	9.57	.53	1.00	.01	.07	.53	1.00	.01	.07
Monterey County	8.39	.77	.79	.03		.77	.79	.03	
Amador (northern half of County), Sacramento, Yolo, Nevada & Placer Counties (excluding Lake Tahoe Area)	8.58	.65	1.05	.06		.65	1.05	.06	
Lake Tahoe Area	7.40	.30	.60	.07		.30	.60	.07	
Marin, San Francisco, & Sonoma Counties	8.03	1.44	.705	.735		1.44	.705	.735	
Santa Clara County	8.83	.46	.65	.08		.46	.65	.08	

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20-CAL-NCAL Counties (5-6)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLUMBERS: (CONT'D)					
San Mateo County	9.075	.485	.50		.075
Amador (southern portion of County), Fresno, Merced, San Joaquin, Sutter, & Yuba Counties	8.39	.77	.79		.03
Napa & Solano Counties	8.50	.35	.58		.07
ROOFERS:					
Alameda and Contra Costa Counties	7.30	.43	.50		.01
Merced and San Joaquin Counties	6.64	.45	.20		
Placer, Sutter, and Yuba Counties	6.54	.33	.40	.75	
Fresno County	6.80	.20	.10		
Sonoma County	7.34	.38	.50		.01
Marin County	7.37	.30	.55		.01
Monterey County	6.30	.30	.50	1.00	
San Francisco & San Mateo Counties	7.26	.35	.60		.01
Napa and Solano Counties	6.45	.20	.40	.35	
Amador, Sacramento and Yolo Counties	6.67	.48	.40		
SHEET METAL WORKERS:					
Alameda & Contra Costa Counties	7.25	.39	.505	10% d	.015
San Joaquin County	6.375	.36	.50	1.00	
Amador, Nevada, Placer, Sacramento, Sutter, and Yolo Counties	8.21	.36	.83		.07
Fresno County	7.00	.38	.69	.70	.05
Marin, Napa, Sonoma, & Solano Cos.	8.55	.36	.44		.15
Merced County	6.33	.36	.40		.01
Monterey and Santa Clara Counties	7.70	.38	.50	10%	
San Francisco County	7.78	.38	.45		.005
San Mateo County	8.35	.38	.62		2%
SOFT FLOOR LAYERS:					
Alameda, Contra Costa, Napa, & Solano Counties	7.10	.36	.30	e + 28f	.05
Amador, Merced (east of the San Joa- quin River), San Joaquin, Sacramento, Sutter, Yolo, & Yuba Counties, & those portions of Nevada and Placer Counties excluding Lake Tahoe Area	6.895	.405	.30	.82	
Lake Tahoe Area	6.02	.20	.20	.40	.07
Fresno County	6.30	.20			
Marin, San Francisco, San Mateo, & Sonoma Counties	7.10	.41	.30	8 + .28h	.04
Monterey & Santa Clara Counties	7.19	.35	.30	.55	.05
TILE SETTERS:					
Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma Counties	7.56	.49	.60		.015
Amador and San Joaquin Counties	6.60	.25		.65	
Nevada, Placer, Sacramento, Sutter, Yolo, & Yuba Counties	6.40	.42	.35	.80	i
Fresno County	6.02	.25			
Monterey County	6.96	.575	.20		

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20-CAL-NCAL Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
RIGGERS; WELDERS: Receive rate pre- scribed for craft performing opera- tion to which rigging or welding is incidental.					
PAID HOLIDAYS:					
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.					
FOOTNOTES:					
a. Employer contributes \$.35 per hour to Holiday Fund and \$.15 per hour to Vacation Fund.					
b. Employer contributes \$.20 per hour to Paid Holiday Fund. 6 paid holidays: A through F.					
c. 8 Paid Holidays: A through F, Washington's Birthday and Admission Day.					
d. 4 Paid Holidays: C, D, E, and Washington's Birthday.					
e. 1st year of employment employer contributes \$.14 p/h to Vacation; 2nd thru 5th year \$.30 p/h; 6th year and thereafter \$.46 p/h.					
f. Employer contributes \$.28 p/h to Holiday Fund.					
g. 1st year of employment, employer contributes \$.14 per hour to Vacation Fund; 2nd through 5th year, \$.295 per hour; 6th year and thereafter \$.46 per hour.					
h. Employer contributes \$.28 per hour to Holiday Fund.					
i. Employer contributes \$2.00 per month per apprentice employed.					

AREA 1*

LABORERS	Basic Hourly Rates	Fringe Benefits Payments (1-1)			
		H & W	Pensions	Vocation	App. Tr.
Bridge; Brush loaders & Piler; Cleanup; Dumpman; General; Landscape; Limbers Tool room attendant	5.185	.50	.90	.70	.06
Asphalt Shovelers; Cement Dumper; Chipper; Choker setter & rigger; Chuck tender; Concrete; Guinea Waser; High pressure Nozzleman-Hydraulic Monitor; Nipper; Pneumatic-Gas-Electric tool Operator (not otherwise classified); Sloper; Loading, Unloading, handling materials for reinforcing concrete construction	5.285	.50	.90	.70	.06
Aligners; Asphalt Ironers & Rakers; Buckler; Buggymobile, Chainsaw; Compactors; Concrete saw & pan work; Cribber and/or Shoring; Curb setter; Form Raiser; Faller; Headerboard Man; Post hole digger (air-gas-electric); Jackhammer; Kettleman; Log loader; Magnet site & Mastic Workers; Pavement Breaker Pipelayer; Pipewrapper; Power Broom Sweeper; Riprap stonepaver & Rocking; Rotary Scarifier; Roto-Tiller; Sandblaster; Barko, wackers & similar type tampers; Tank cleaners; Tree Climber; Vibrator; Vibra-Screed Bull Float.	5.435	.50	.90	.70	.06
Burning and Welding	5.485	.50	.90	.70	.06
Pipelayers; Caulkers; Banders (Contracta County only)	5.635	.50	.90	.70	.06
Blasters; Drills (Diamond-Wagon); High scaler; Powderman; Tree Topper	5.66	.50	.90	.70	.06
Laborers on General Construction Work on or in Bell Hole Footings, & Shaft	5.985	.50	.90	.70	.06
Gunnite Laborers; Nozzlemans; Rodman; Groundman Reboundman	5.895 5.305	.50 .50	.90 .90	.70 .70	.06 .06

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments (1-1)			
		H & W	Pensions	Vocation	App. Tr.
GROUP I ASSISTANTS TO ENGINEERS (Erakeman; Fireman; Heavy duty repairman helper; Oilier; Deckhand; Signalman; Switchman; Tar Pot Fireman); Parisman (Heavy Duty repair shop parts room)	\$6.23	.59	.75	.60	.24
GROUP II COMPRESSOR OPERATOR; Concrete mixer (up to & incl. 1 yd.); Conveyor belt op. (tunnel); Fireman hot plant; Hydraulic monitor; Mechanical conveyor (handling building materials); Mixer box operator (concrete plant); Pump operator; Spreader boxman (with screeds); Tar Pot fireman (power agitated)	6.49	.59	.75	.60	.24
GROUP III BOX OPERATOR (bunker); Locomotive; Motorman; Oilier; Rodman or chainman; Ross carrier (construction job site); Rotomist operator; Screedman (except asphaltic concrete paving); Self-propelled, Automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching machine (maximum digging capacity 3 ft. depth); Tugger hoist, single drum	6.65	.59	.75	.60	.24
GROUP IV BALLAST JACK TAMPER; Ballast regulator; ballast tamper multi-purpose; boxman (asphalt plant); Fork lift or lumber stacker (construction job site); Line Master; Lubrication & service engineer (mobile and grease rack); Material hoist (1 drum); Shuttlecar; Tie spacer; Towermobile	7.08	.59	.75	.60	.24
GROUP V COMPRESSOR OPERATOR (2 to 7); Concrete mixers (over 1 yd.); Concrete pumps or pumpcrete guns; Generators (100 K.W. or over); Press-weld (air-operated); Pumps (2 to 7); Welding machines (gasoline or diesel) (2 to 7)	7.24	.59	.75	.60	.24

(1-5)

NOTICES

AREA 1* (cont'd)

POWER EQUIPMENT OPERATORS (cont'd)

1-CAL-NCAL-PEO-1-2-3-8 (2-5)

POWER EQUIPMENT OPERATORS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
GROUP VI BLH LINA ROAD FACTOR or similar; Boom truck or dual purpose A-frame truck; concrete batch plants (wet or dry); Concrete saws (self-propelled unit) on streets, highways, airports, and canals; Drilling and boring machinery, vertical & horizontal (not to apply to waterliners, wagon drills or jack-hammers); Gradesetter, grade checker (mechanical or otherwise); Highline cableway signalman; Locomotives (steam or over 30 tons) Maginnis internal full slab vibrator (on airports, highways, canals & warehouses); Mechanical finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical burm, curb and/or curb and gutter machine, concrete or asphalt; Portable crushers; Power jumbo operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene & similar) (asphaltic concrete paving); Self-propelled compactor (single engine); Self-propelled pipeline wrapping machine (perault, CRC, or similar types); Slip forms pumps (lifting device for concrete forms); small rubber tired tractors; Surface heater	\$7.34	.59	.75	.60	.24
GROUP VII CONCRETE CONVEYOR OR CONCRETE PUMP, Truck or equipment mounted (boom length to apply); Concrete conveyor, building site; Deck engineers; Dual drum mixer; Fuller Kenyon pump and similar types; Instrument man; Material hoist (2 or more drums); Mechanical finishers or spreader machine (asphalt, Barber-Greene & similar; Mine or shaft hoist; Mixer-mobile; Pavement breaker with or without compressor combination; Pavement breaker, Truck mounted with compressor combination; Pipe bending machine (pipe lines only); Pipe cleaning machine (tractor propelled & supported); Pipe wrapping machine (tractor propelled and supported); Refrigeration plant; Self-propelled boom type lifting device; Self-propelled Elevating grade plane; Slusher operator; Small tractor (with boom); Soil tester; Truck type loader	7.46	.59	.75	.60	.24

AREA 1* (cont'd)

POWER EQUIPMENT OPERATORS (cont'd)

1-CAL-NCAL-PEO-1-2-3-8 (3-5)

POWER EQUIPMENT OPERATORS (cont'd)					
GROUP VIII ANNOR-COATER (or similar); Asphalt plant engineer; Cast-in-place pipe laying machine; Combination slusher and motor operator; Concrete batch plant (multiple units); Dozer; Heavy duty repairman and/or welders; Ken seal machine (or similar); Kolman loader; Loader (up to 2 yds.); Mechanical shield operator (or similar); Mechanical trench shield; Portable crushing & screening plants; Push cat; Rubber tired earth moving equipment (up to & incl. 45 cu. yds. "struck" m.r.c., euclids, T-pulls, DW-10, 20, 21 and similar); Tractor drawn scraper; Self-propelled compactor with dozer; Sheepfoot; Tractor; Trenching machine; Tri-batch paver; Tunnel mole boring machine operator; Welder; Woods-mixer (and other similar pigmill equipment)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
	\$7.76	.59	.75	.60	.24
GROUP IX CANAL FINDER DRAIN DYCKER; (Chicago Boom; Combination mixer & compressor (gunite); Combination Slurry mixer and/or cleaner; Highline cableway (5 tons & under); Lull hi-lift or similar (20 ft. or over); Mucking machine; Tractor (with boom) (D-6 or larger and similar)					
	7.93	.59	.75	.60	.24

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AREA 1* (cont'd)

POWER EQUIPMENT OPERATORS (cont'd)

(5-5)

1-CAL-NCAL-PEO-1-2-3-E

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Asp. Tr.
GROUP XI AUTOMATIC CONCRETE SLIP FORM PAVES; Automatic railroad car dumper; Canal finger drain backfiller; Canal trimmer; Canal trimmer w/ditching attachments; Cranes (over 25 tons up to and incl. 125 tons); Continuous flight tie back Auger over 1 cu. yd. (incl. crane); Drott travelift 650-A-1 or similar (45 tons or over); Rubber tired earth moving machines (multiple pro- pulsion power units & two or more scrapers) (up to & incl. 75 cu. yds. "struck" m.r.c.); Highline cableway (over 5 tons); Loader (over 4 yds. up to & incl. 12 cu. yds.); Power blades operator (multi-engine); Power shovels, Clamshells, Draglines, Backhoes, Grad- alls, (over 1 yd. up to & incl. 7 cu. yds. m.r.c.); Self-propelled compactor (with multiple propulsion power units); Slip form paver (concrete or asphalt); Tandem cats; Tower Cranes mobile; Trencher (pulling attached shield); Tower crane mobile; Single engine rubber tired earth moving machine (with tandem scrapers); Universal Liebher and Tower cranes (and similar types); Wheel excavator (up to & incl. 750 cu. yds. per hour); Whirley cranes (over 25 tons)	.59	.75	.60	.24
\$8.30				
GROUP XI-A LOADER (over 12 cu. yds. up to & incl. 18 cu. yds.); Rubber tired multi- purpose earth moving machine (2 units) (over 75 cu. yds. "struck" a.r.c.); Power shovels & draglines (over 7 cu. yds. m.r.c.); Band Wagons (in con- junction with wheel excavator) Wheel excavator (Over 750 yds. per hour); Cranes (over 125 tons)	.59	.75	.60	.24
\$9.12				
GROUP XI-B LOADER (over 18 cu. yds.)	.59	.75	.60	.24
9.32				
GROUP XI-C OPERATOR OF HELICOPTER (when used in erection work); Remote controlled earth moving equipment	.59	.75	.60	.24
9.54				

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AREA 1* (cont'd)

POWER EQUIPMENT OPERATORS (cont'd)

1-CAL-NCAL-PEO-1-2-3-E (4-5)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Asp. Tr.
GROUP X BOOM-TYPE BACKFILLING MACHINE; Bridge crane; Carry-lift (or similar); Chemical grouting machine; Chief of party; Com- bination backhoe & loader (up to and incl. 1/2 cu. yd. m.r.c.); Derricks (2 operators required when swing engine remote from hoist); Derrick Barges (except excavation work); Dr-more loader & Adams Elevator; Elevating grader op.; Rubber tired scraper, self- loading (paddle wheels, etc.); Heavy duty rotary drills rigs (incl. caisson foundation work & Robbins type drills); Koehring Skooter (or similar); Lift slab machine (Vagborg & similar types); Loader (2 yds. up to & incl. 4 yds.); Locomotive (over 100 tons) (single or multiple units); Multiple engine earth-moving machine (euclids, dozers, etc.) (no tandem scraper); Prestress wire wrapping machine; Shuttle car (reclaim station); Soil stabilizer (P & H or equal); Subgrader (gurrries or other automatic type); Track laying type-Earth moving machine (single engine with tandem scrapers); Tractor, compressor drill comb.; Train loading station; Vacuum cooling plant; Single engine scraper over 45 yds.; Whirley crane (up to & incl. 25 tons)	.59	.75	.60	.24
\$8.08				
GROUP X-A BACKHOE (hydraulic) (up to and incl. 1 cu. yd. m.r.c.); Backhoe (cable) (up to and incl. 1 cu. yd. m.r.c.); Com- bination backhoe and loader over 1/2 cu. yd. m.r.c.); Continuous flight tie back Auger (up to and incl. 1 cu. yd.) (crane attached); Cranes (not over 25 tons, hammerhead & gantry); Grade all up to and incl. 1 cu. yd.); Power shovels, Clamshells, Draglines, (up to and incl. 1 cu. yd. m.r.c.); Power blade; Self-propelled boom-type lifting device (center mount) (over 10 tons); Self-propelled boom-type lifting device (center mounted) (over 15 tons)	.59	.75	.60	.24
8.17				

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7-CAL-NCAL-PEO-1-2-3-b (2-5)

AREA 2** (cont'd)		Fringe Benefits Payments (1-5)				Fringe Benefits Payments	
POWER EQUIPMENT OPERATORS (Cont'd)		Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	App. Tr.
GROUP VI BLH LIMA ROAD PACTOR or similar; Boom truck or dual purpose A-frame truck; concrete batch plants (wet or dry); Concrete saws (self-propelled unit) on streets, highways, airports, and canals; Drilling and boring machinery, vertical & horizontal (not to apply to waterliners, wagon drills or jack-hammers); Grader, grade checker (mechanical or otherwise); Highline cableway signalman; Locomotives (stream or over 30 tons) Maginnis internal full slab vibrator (on airports, highways, canals & warehouses); Mechanical finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical burm, curb and/or curb and gutter machine, concrete or asphalt; Portable crushers; Power jumbo operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene & similar) (asphaltic concrete paving); Self-propelled compactor (single engine); Self-propelled pipeline wrapping machine (perault, CRC, or similar types); Slip forms pumps (lifting device for concrete forms); small rubber tired tractors; Surface heater		\$8.47	.59	.75	.60	.24	
GROUP VII CONCRETE CONVEYOR OR CONCRETE PUMP, Truck or equipment mounted (boom length to apply); Concrete conveyor, building site; Deck engineers; Dual drum mixer; Fuller Kenyon pump and similar types; Instrument man; Material hoist (2 or more drums); Mechanical finishers or spreader machine (asphalt, Barber-Greene & similar; Mine or shaft hoist; Mixer-mobile; Pavement breaker with or without compressor combination; Pavement breaker, Truck mounted with compressor combination; Pipe bending machine (pipe lines only); Pipe cleaning machine (tractor propelled &							

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7-CAL-NCAL-PEO-1-2-3-b (1-5)

AREA 2**		Fringe Benefits Payments (1-5)				Fringe Benefits Payments	
POWER EQUIPMENT OPERATORS		Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	App. Tr.
GROUP I ASSISTANTS TO ENGINEERS (Brakeman; Fireman; Heavy duty repairman helper; Oiler; Deckhand; Signalman; Switchman; Tar Pot Fireman); Partsman (Heavy Duty repair shop parts room)		\$7.36	.59	.75	.60	.24	
GROUP II COMPRESSOR OPERATOR; Concrete mixer (up to & incl. 1 yd.); Conveyor belt op. (tunnel); Fireman hot plant; hydraulic monitor; Mechanical conveyor (handling building materials); Mixer box operator (concrete plant); Pump operator (spreaders); Tar Pot fireman (power agitated)		7.62	.59	.75	.60	.24	
GROUP III BOX OPERATOR (bunker); Locomotive; Motorman; Oiler; Rodman or chainman; Ross carrier (construction job site); Rotomist operator; Screedman (except asphaltic concrete paving); Self-propelled, Automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching machine (maximum digging capacity 3 ft. depth); Tugger hoist, single drum		7.78	.59	.75	.60	.24	
GROUP IV BALLAST JACK TAMPER; Ballast regulator; Ballast tamper multi-purpose; boxman (asphalt plant); Fork lift or lumber stacker (construction job site); Line Master; Lubrication & service engineer (mobile and grease rack); Material hoist (1 drum); Shuttlecar; Tie spacer; Towermobile		8.21	.59	.75	.60	.24	
GROUP V COMPRESSOR OPERATOR (2 to 7); Concrete mixers (over 1 yd.); Concrete pumps or pumpcrete guns; Generators (100 K.W. or over); Press-weld (air-operated); Pumps (2 to 7); Welding machines (gasoline or diesel) (2 to 7)		8.37	.59	.75	.60	.24	

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AREA 2** (cont'd)

(3-3)

7-CAL-NCAL-PFO-1-2-3-b

POWER EQUIPMENT OPERATORS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP VII (Cont'd) supported); Pipe wrapping machine (tractor propelled and supported); Refrigeration plant; Self-propelled boom type lifting device; Self-propelled Elevating grade plane; Slusher operator; Small tractor (with boom); Soil tester; Truck type loader	\$8.59	.59	.75	.60	.24
GROUP VIII ARMOR-COATER (or similar); Asphalt plant engineer; Cast-in-place pipe laying machine; Combination slusher and motor operator; Concrete batch plant (multiple units); Dozer; Heavy duty repairman and/or welders; Ken seal machine (or similar); Kolman loader; Loader (up to 2 yds.); Mechanical shield operator (or similar); Mechanical trench shield; Portable crushing & screening plants; Push cat; Rubber tired earth moving equipment (up to & incl. 45 cu. yds. "struck" m.r.c., euclids, T-pulls, DM-10, 20, 21 and similar); Tractor drawn scraper; Self-propelled compactor with dozer; Sheepfoot; Tractor; Trenching machine; Tri-batch paver; Tunnel mole boring machine operator; Welder; Woodmixer (and other similar pugmill equipment)	8.89	.59	.75	.60	.24
GROUP IX CANAL FINGER DRAIN DIGGER; Chicago Boom; Combination mixer & compressor (gunnite); Combination Slurry mixer and/or cleaner; Highline cableway (5 tons & under); Lull hi-lift or similar (20 ft. or over); Mucking machine; Tractor (with boom) (D-6 or larger and similar)	9.06	.59	.75	.60	.24

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AREA 2** (cont'd)

7-CAL-NCAL-PFO-1-2-3-b

(4-5)

POWER EQUIPMENT OPERATORS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP X (Cont'd) loading (paddle wheels, etc.); Heavy duty rotary drills rigs (incl. caisson foundation work & Robbins type drills) Koehring Skooper (or similar); Lift slab machine (Vagthorg & similar types); Loader (2 yds. up to & incl. 4 yds.); Locomotive (over 100 tons) (single or multiple units); Multiple engine earth-moving machine (euclids, dozers, etc.) (No tandem scraper); Prestress wire wrapping machine; Shuttle car (reclaim station); Soil stabilizer (P & H or equal); Subgrader (gurties or other automatic type); Track laying type-earth moving machine (single engine with tandem scrapers); Tractor, compressor drill comb.; Train loading station; Vacuum cooling plant; Single engine scraper over 45 yds.; Whirley crane (up to & incl. 25 tons)	\$9.21	.59	.75	.60	.24
GROUP X-A BACKHOE (hydraulic) (up to and incl. 1 cu. yd. m.r.c.); Backhoe (cable) (up to and incl. 1 cu. yd. m.r.c.); Combination backhoe and loader over 1/2 cu. yd. m.r.c.; Continuous flight tie back Auger (up to and incl. 1 cu. yd.) (crane attached); Cranes (not over 25 tons, hammerhead & gantry); Grade all up to and incl. 1 cu. yd.; Power shovels, Clamshells, Draglines, (up to and incl. 1 cu. yd. m.r.c.); Power blade; Self-propelled boom-type lifting device (center mount) (over 10 tons); Self-propelled boom-type lifting device (center mounted) (over 15 tons)	9.30	.59	.75	.60	.24
GROUP XI AUTOMATIC CONCRETE SLIP FORM PAVER; Automatic railroad car dumper; Canal finger drain backfiller; Canal trimmer; Canal trimmer w/ditching attachments; Cranes, (over 25 tons up to and incl. 125 tons); Continuous flight tie back Auger over 1 cu. yd. (incl. crane); Drott travelift 650-A-1 or similar (45 tons or over); Rubber tired earth-moving machines (multiple propulsion power units & two or more scrapers)					

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AREA 2** (cont'd)

POWER EQUIPMENT OPERATORS (CONT'D)

GROUP XI (Cont'd)
 (up to & incl. 75 cu. yds. "struck" m.r.c.); Highline cableway (over 5 tons); Loader (over 4 yds. up to & incl. 12 cu. yds.); Power blades operator (multi-engine); Power shovels, Clamshells, Draglines, Backhoes, Graders, (over 1 yd. up to & incl. 7 cu. yds. m.r.c.); Self-propelled compactor (with multiple propulsion power units); Slip form paver (concrete or asphalt); Tandem cats; Tower cranes mobile; Trencher (pulling attached shield); Tower cranes mobile; Single engine rubber tired earth moving machine (with tandem scrapers); Universal Liebherr and Tower cranes (and similar types); Wheel excavator (up to & incl. 750 cu. yds. per hour); Whirley cranes (over 25 tons)

GROUP XI-A
 LOADER (over 12 cu. yds. up to & incl. 18 cu. yds.); Rubber tired multipurpose earth moving machine (2 units) (over 75 cu. yds. "struck" m.r.c.); Power shovels & draglines (over 7 cu. yds. m.r.c.); Band Wagons (in conjunction with wheel excavator) Wheel excavator (over 750 yds. per hour); Cranes (over 125 tons)

GROUP XI-B
 LOADER (over 18 cu. yds.)

GROUP XI-C
 OPERATOR OF HELICOPTER (when used in erection work); Remote controlled earth moving equipment

7-CAL-NCAL-PEO-1-2-3-b (5-5)

Basic Hourly Rates	Fringe Benefits Payments		
	H & W	Pensions	Vacation App. Tr.
\$9.43	.59	.75	.60 .24
10.25	.59	.75	.60 .24
10.45	.59	.75	.60 .24
10.67	.59	.75	.60 .24

AM-6735 P. 18

1-CAL-NCAL-TD-1-2-3-f (1-4)

TRUCK DRIVERS

Basic Hourly Rates	Fringe Benefits Payments		
	H & W	Pensions	Vacation App. Tr.
\$7.01	.565	.40	.65
6.86	.565	.40	.65
6.71	.565	.40	.65
6.56	.565	.40	.65

BULK CEMENT SPREADER (w/wo auger, over 80 yds. & including 95 yds. water level); Dump (over 80 yds. & incl. 95 yds. water level); Dumpcrete Truck (over 80 yds. & incl. 95 yds. water level); Dumpster (over 80 yds. & incl. 95 yds. water level); Skid Truck (debris box over 80 yds. & incl. 95 yds. water level); Trucks (dry pre-batch concrete mix, over 80 yds. & incl. 95 yds. water level)

BULK CEMENT SPREADER (w/wo auger, over 65 yds. & including 80 yds. water level); Dump (65 yds. & incl. 80 yds. water level); Dumpcrete Truck (65 yds. & incl. 80 yds. water level); Dumpster (65 yds. & incl. 80 yds. water level); Skid Truck (debris box, 65 yds. & incl. 80 yds. water level); Trucks (dry pre-batch concrete mix, 65 yds. & incl. 80 yds. water level)

BULK CEMENT SPREADER (w/wo auger, over 50 yds. & under 65 yds. water level); Dump (over 50 yds. & under 65 yds. water level); Dumpcrete Truck (over 50 yds. & under 65 yds. water level); Dumpster (over 50 yds. & under 65 yds. water level); Helicopter pilot (when transporting men or materials); Skid Truck (debris box, over 50 yds. & under 65 yds. water level); Trucks (dry pre-batch concrete mix, over 50 yds. & under 65 yds. water level)

BULK CEMENT SPREADER (w/wo auger, over 35 yds. & including 50 yds. water level); Dump (over 35 yds. & incl. 50 yds. water level); Dumpcrete Truck (over 35 yds. & incl. 50 yds. water level); Dumpster (over 35 yds. & incl. 50 yds. water level); Skid Truck (debris box, over 35 yds. & incl. 50 yds. water level); Trucks (dry pre-batch concrete mix, over 35 yds. & incl. 50 yds. water level)

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TRUCK DRIVERS (cont'd)

(2-4)

1-CAL-NCAL-TD-1-2-3-f

TRUCK DRIVERS (cont'd)

1-CAL-NCAL-TD-1-2-3-f

(3-4)

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Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. To		H & W	Pensions	Vacation	App. To
BULK CEMENT SPREADER (w/no auger, over 24 yds. & incl. 35 yds. water level); Dump (over 24 yds. & incl. 35 yds. water level); Dumpster Truck (over 24 yds. & incl. 35 yds. water level); Dumpster (over 24 yds. & incl. 35 yds. water level); DW 10's, 20's, 21's, & other similar cat type, Terra Cobra, LeTourneau Pulls, Tournorocker, Euclid & similar type equipment when pulling Aqua/Pak, water tank trailers & fuel and/or grease tank trailers or other miscellaneous trailers; Skid Truck (debris box, over 24 yds. & incl. 35 yds. water level); Trucks (dry pre-batch concrete mix, over 24 yds. & incl. 35 yds. water level)	\$6.41				\$6.21	.565	.40	.65	
BULK CEMENT SPREADER (w/no auger, over 18 yds. & incl. 24 yds. water level); Combination Dump Truck & Dump Trailer; Dump (over 18 yds. & incl. 24 yds. water level); Dumpster Truck (over 18 yds. & incl. 24 yds. water level); Dumpster (over 18 yds. & incl. 24 yds. water level); Skid Truck (debris box, over 18 yds. & incl. 24 yds. water level); Transit Mix, agitator (over 14 yds. through 16 yds.); Trucks (dry pre-batch concrete mix, over 17 yds. & incl. 24 yds. water level)	6.335	.565	.40	.65	6.125	.565	.40	.65	
TRUCK REPAIRMAN	6.345	.565	.40	.65	6.025	.565	.40	.65	
P. B. or SIMILAR TYPE Self-Loading Truck	6.31	.565	.40	.65	6.015	.565	.40	.65	
BULK CEMENT SPREADER (w/no auger, over 12 yds. & incl. 18 yds. water level); Dump (over 12 yds. & incl. 18 yds. water level); Dumpster Truck (over 12 yds. & incl. 18 yds. water level); Dumpster (over 12 yds. & incl. 18 yds. water level); Skid Truck (debris box, over 12 yds. & incl. 18 yds. water level); Trucks (dry pre-batch concrete mix, over 12 yds. & incl. 18 yds. water level)	6.25	.565	.40	.65	5.97	.565	.40	.65	
TRANSIT MIX, AGITATOR (over 12 yds. through 14 yds.)	6.225	.565	.40	.65	5.945	.565	.40	.65	

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(1-4)

J-CAL-NCAL-TD-1-2-3-f

TRUCK DRIVERS (cont'd)

COMBINATION WINCH TRUCK with hoist-transit mix, agitator (6 yds. & under 8 yds.)

JETTING TRUCK & Water Truck (2,500 gals. under 4,000 gals.)

SCISSOR TRUCK; Single Unit Flat Rack (3 axle unit-industrial lift truck, mechanical tailgate); Small Rubber Tired Tractor (when used within teamsters jurisdiction)

VACUUM TRUCK (under 3,500 gals.)

TRUCK REPAIRMAN HELPER

TRANSIT MIX, AGITATOR (under 6 yds.)

LIFT JITNEYS, Fork Lift

JETTING TRUCK & WATER TRUCK (under 2,500 gals.)

BULK CEMENT SPREADER (w/wo auger, 4 yds. and under 6 yds. water level); Dump (4 yds. & under 6 yds. water level); Dumpcrete Truck (4 yds. & under 6 yds. water level); Dumpster (4 yds. & under 6 yds. water level); Skid truck (debris box, 4 yds. & under 6 yds. water level); Single unit Flat Rack (2 axle unit-industrial lift truck, mechanical tailgate); Trucks (dry pre-batch concrete mix, 4 yds. & under 6 yds. water level)

BULK CEMENT SPREADER (w/wo auger, under 4 yds. water level); Bus or Manhaul Driver; Concrete Pump Mad line; Concrete Pump Truck (when Flat Rack truck is used appropriate Flat Rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete Truck (under 4 yds. water level); Dumpster (under 4 yds. water level); Escort or Pilot Car Driver; Nipper Truck (when flat rack truck is used appropriate flat rack rate shall apply); Pickup Trucks; Skid Trucks (debris box, under 4 yds. water level); Team Drivers; Trucks (dry pre-batch concrete mix, under 4 yds. water level); Vacuum Truck Helpers Warehouseman

Basic Hourly Rates	Fringe Benefits Payments			Op...
	H & W	Pensions	Vacation	
\$5.925	.565	.40	.65	
5.885	.565	.40	.65	
5.87	.565	.40	.65	
5.855	.565	.40	.65	
5.845	.565	.40	.65	
5.825	.565	.40	.65	
5.805	.565	.40	.65	
5.785	.565	.40	.65	
5.77	.565	.40	.65	
5.675	.565	.40	.65	

**AREA 2: All areas not included within Area 1 as defined below

*AREA 1: All areas included in the description defined below which is based upon township and range lines of Areas 1 and 2.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S, Thence Easterly along the Southerly line of Township 19S, crossing the Mt. Diablo meridian to the S.W. corner of township 19S, range 6E, Mt. Diablo base line and meridian, Thence Southerly to the S.W. corner of township 20S, range 6E, Thence Easterly to the S.W. corner of township 20S, range 13E, Thence Southerly to the S.W. corner of township 21S, range 13E, Thence Easterly to the S.W. corner of township 21S, range 17E, Thence Southerly to the S.W. corner of township 22S, range 17E, Thence Easterly to the S.E. corner of township 22S, range 17E, Thence Southerly to the S.W. corner of township 23S, range 18E, Thence Easterly to the S.E. corner of township 24S, range 18E, Thence Southerly to the S.W. corner of township 24S, range 19E, falling on the Southerly line of Kings County, thence Easterly along the Southerly boundary of Kings County and the Southerly boundary of Tulare County, to the S.E. corner of township 24S, range 23E, Thence Northerly to the N.E. corner of township 21S, range 20E, Thence Westerly to the N.W. corner of township 21S, range 29E, Thence Northerly to the N.E. corner of township 13S, range 28E, Thence Westerly to the N.W. corner of township 13S, range 28E, Thence Northerly to the N.E. corner of township 11S, range 27E, Thence Westerly to the N.W. corner of township 11S, range 27E, Thence Northerly to the N.E. corner of township 10S, range 26E, Thence Westerly to the N.W. corner of township 10S, range 26E, Thence Northerly to the N.E. corner of township 9S, range 25E, Thence Westerly to the N.W. corner of township 9S, range 25E, Thence Northerly to the N.E. corner of township 8S, range 24E, Thence Westerly to the N.W. corner of township 8S, range 24E, Thence Northerly to the N.E. corner of township 6S, range 23E, Thence Westerly to the S.E. corner of township 5S, range 19E, Thence Northerly to the N.E. corner of township 5S, range 19E, Thence Westerly to the N.W. corner of township 5S, range 18E, Thence Northerly to the N.E. corner of township 3S, range 18E, Thence Westerly to the N.W. corner of township 3S, range 17E, Thence Northerly to the N.E. corner of township 2S, range 17E, Thence Westerly to the N.W. corner of township 2S, range 16E, Thence Northerly crossing the Mt. Diablo baseline to the N.E. corner of township 2N, range 16E, Thence Westerly to the N.W. corner of township 3N, range 15E, Thence Northerly to the N.E. corner of township 3N, range 15E, Thence Westerly to the N.W. corner of township 4N, range 14E, Thence Northerly to the N.E. corner of township 4N, range 14E, Thence Westerly to the N.W. corner of township 5N, range 13E, Thence Northerly to the N.E. corner of township 5N, range 13E, Thence Westerly to the N.W. corner of township 10N, range 12E,

CALIFORNIA
AREA DESCRIPTION for
POWER EQUIPMENT OPERATORS (cont'd)

(2-3)

*Area 1 (cont'd):

Thence Easterly to the S.E. corner of township 11N, range 14E,
Thence Northerly to the N.E. corner of township 11N, range 14E,
Thence Westerly to the N.E. corner of township 11N, range 10E,
Thence Northerly to the N.E. corner of township 15N, range 10E,
Thence Easterly to the S.E. corner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 16N, range 11E,
Thence Easterly to the S.E. corner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 17N, range 14E,
Thence Southerly to the S.W. corner of township 14N, range 15E,
Thence Easterly to the S.E. corner of township 14N, range 15E,
Thence Southerly to the S.W. corner of township 13N, range 16E,
Thence Easterly to the S.E. corner of township 13N, range 16E,
Thence Southerly to the S.W. corner of township 12N, range 17E,
Thence Easterly along the Southern line of township 12N to the Eastern boundary of the state of California,
Thence Northerly along the Eastern boundary of the state of California to the N.E. corner of township 17N, range 18E,
Thence Westerly to the N.W. corner of township 17N, range 11E,
Thence Northerly to the N.E. corner of township 20N, range 10E,
Thence Westerly to the N.W. corner of township 20N, range 10E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.E. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 22N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner of township 30N, range 6E,
Thence Westerly to the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo meridian to the N.E. corner of township 34N, range 1W,
Thence Southerly to the N.W. corner of township 34N, range 6W,
Thence Westerly to the N.E. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 32N, range 7W,
Thence Easterly to the S.E. corner of township 30N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7W,
Thence Easterly to the S.E. corner of township 16N, range 6W,
Thence Southerly to the S.W. corner of township 16N, range 6W,
Thence Westerly to the S.E. corner of township 14N, range 5W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 15N, range 8W,
Thence Westerly to the S.E. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 16N, range 12W,
Thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 13W,

AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

(3-3)

*Area 1. (cont'd):

Thence Westerly to the N.W. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 16N, range 13W,
Thence Westerly to the N.W. corner of township 15N, range 14W,
Thence Southerly to the S.W. corner of township 14N, range 14W,
Thence Easterly to the S.E. corner of township 14N, range 14W,
Thence Southerly to the S.W. corner of township 13N, range 13W,
Thence Easterly to the S.E. corner of township 13N, range 13W,
Thence Southerly to the S.W. corner of township 11N, range 12W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly along the Eastern line of range 12W to the Pacific Ocean excluding that portion of Northern California within Santa Clara County included within the following line:
Commencing at the N.W. corner of township 6S, range 3E, Mt. Diablo baseline and meridian:
Thence in a Southerly direction to the S.W. corner of township 7S, range 3E,
Thence in a Easterly direction to the S.E. corner of township 7S, range 4E,
Thence in a Northerly direction to the N.E. corner of township 6S, range 4E,
Thence in a Westerly direction to the N.W. corner of township 6S, range 3E, to the point of beginning, which portion is a part of Area 2.
Area 1 also includes that portion of Northern California within the following lines:
Commencing in the Pacific Ocean on an extension of the Southerly line of township 2N, Humboldt baseline and meridian:
Thence Easterly along the Southerly line of township 2N to the S.W. corner of township 2N, range 1W,
Thence Southerly to the S.W. corner of township 1N, range 1W,
Thence Easterly along the Humboldt baseline to the S.W. corner of township 1N, range 2E,
Thence Southerly to the S.W. corner of township 2S, range 2E,
Thence Easterly to the S.E. corner of township 2S, range 2E,
Thence Southerly to the S.W. corner of township 4S, range 3E,
Thence Easterly to the S.E. corner of township 4S, range 3E,
Thence Northerly to the N.E. corner of township 2S, range 3E,
Thence Southerly to the N.W. corner of township 2S, range 3E,
Thence Northerly crossing the Humboldt baseline to the S.W. corner of township 1N, range 3E,
Thence Easterly along the Humboldt baseline to the S.E. corner of township 1N, range 3E,
Thence Northerly to the N.E. corner of township 9N, range 3E,
Thence Southerly to the N.W. corner of township 9N, range 2E,
Thence Northerly to the N.E. corner of township 10N, range 1E,
Thence Southerly along the Northerly line of township 10N, into the Pacific Ocean.
Area 1 also includes that portion of Northern California included within the following line:
Commencing at the Northerly boundary of the state of California at the N.W. corner of township 48N, range 7W, Mt. Diablo baseline and meridian:
Thence Southerly to the S.W. corner of township 44N, range 7W,
Thence Easterly to the S.E. corner of township 44N, range 7W,
Thence Southerly to the S.W. corner of township 43N, range 6W,
Thence Easterly to the S.E. corner of township 43N, range 5W,
Thence Northerly to the N.E. corner of township 48N, range 5W,
on the Northerly boundary of the state of California,
Thence Southerly along the Northerly boundary of the state of California to the point of beginning.

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10 - Kentucky - L (2-2)

FOOTNOTES:

- a. Six paid holidays, A through F.
- b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who worked in business less than 5 years.
- c. Two paid holidays, C and F.
- d. Eight paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.
- PAID HOLIDAYS (Where Applicable):
 A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;
 E-Thanksgiving Day; F-Christmas Day.

SUPERSEDES DECISION

COUNTY: Boyd
DATE: June 23, 1972

STATE: Kentucky
 DECISION NUMBER: AM-8,625
 Supersedes Decision No. AM-478, dated August 20, 1971, in 36 FR 16427.
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction.

10 - Kentucky - L (1-2)		Fringe Benefits Payments			
Basic Hourly Rates	H & W	Vacation			Other
		Pensions	Inc. Tr.	Charr	
ASBESTOS WORKERS	.25	.25	.02		
BOILERMAKERS-BLACKSMITHS	.30	.60	.01		
BOILERMAKERS-BLACKSMITHS' HELPERS	.30	.60	.01		
BRICKLAYERS:					
Bricklayers	7.72				
Stonemasons	7.72				
CARPENTERS:					
Carpenters	.30	.50	.02		
Millwrights	.30	.30	.02		
Piledrivermen	.30	.50	.02		
CEMENT MASONS					
ELECTRICIANS:					
Electricians	.30	1 1/4+.27	1.02	.04	
Cable splicers (electricians)	.30	1 1/4+.27	1.02	.04	
Linemen	.20	1 1/4+.17	1.02	.02	
Groundman	.20	1 1/4+.17	1.02	.02	
ELEVATOR CONSTRUCTORS:					
Elevator constructors	.105	.125	3/4+.a+b	.005	
Elevator constructors' helpers	.105	.125	3/4+.a+b	.005	
Elevator constructors' helpers (prob.)					
GLAZIERS	50%JR				
IRONWORKERS:	3.30				
Structural	8.10	.55		.01	
Ornamental	8.10	.55		.01	
Reinforcing	8.10	.55		.01	
LATHERS	7.05	.10		.01	
LEADBURNERS	6.90		d		
PAINTERS, COMMERCIAL:					
Brush	5.10				
Spray	5.60				
PAINTERS, INDUSTRIAL:					
Brush	6.00				
Spray	6.55				
PLASTERERS	8.23				
PLUMBERS AND STEAMFITTERS	6.75				
ROOFERS	7.89	.60	C+1.00	.10	
SHEET METAL WORKERS	8.13	.38		.04	
SOFT FLOOR LAYERS	6.96	.30		.01	
SPRINKLER FITTERS	8.20	.40		.05	

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Kentucky - Zone 3 - A

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$5.21	.15	.15			
5.94	.20				
6.62	.16	1%+.16	.495	1%	
6.75	.225	.35			
5.53	.15	.15			
5.46	.15	.15			

HEAVY CONSTRUCTION

CARPENTERS
CEMENT MASONS
ELECTRICIANS
IRONWORKERS:
Structural & reinforcing
PAINTERS, BRUSH
PILEDRIVERMEN

AM-8,625 P. 3

Kentucky - 10 - LAB- J

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$5.20	.20	.15			
5.35	.20	.15			
5.45	.20	.15			
5.37	.20	.15			
5.40	.20	.15			
5.70	.20	.15			
5.90	.20	.15			
6.40	.20	.15			
5.20	.20	.15			
5.35	.20	.15			
5.45	.20	.15			
5.37	.20	.15			
5.40	.20	.15			
5.70	.20	.15			
5.90	.20	.15			
6.40	.20	.15			

BUILDING CONSTRUCTION

LABORERS:

INDUSTRIAL WORK:
Laborers, carpenter helper, concrete men, wreckers and wall men, handlers of empty oxygen & acetylene bottles
Hod carriers & mortar men, cement finisher helpers, lathers & plasterers' tenders

Jackhammer & electrical, gas or air power driven tools, burning torch, wagon drill operators & tile layers, handling of all creosote material, signal men and asphalt raker

Wrapping, heating & applying hot and cold tar on all pipes, applying tape on pipes & operating of tester

Deck hand & scow men

Rock & powder men

Sand hog or mucker, tunnel miners

Caisson worker

COMMERCIAL WORK:

Laborers, carpenter helpers, concrete men, wrecker, wall men, handlers of empty oxygen & acetylene bottles

Hod carriers, mortar men, cement finishers' helpers, lathers and plasterers' tenders

Jackhammer and electrical, gas or air power driven tools, burning torch, wagon drill operators & tile layers, handling of all creosote material, signal men, tool room men, asphalt raker, sandblasters

Wrapping, heating & applying hot & cold tar on all pipes, applying tape on pipes and operating of tester

Deck hand & scow men

Rock & powder men

Sand hog or mucker, tunnel miners

Caisson worker

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Kentucky 1-TD		Fringe Benefits Payments			
Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others
\$4.59	.15	a 6.00			
4.70	.15	a 6.00			
4.87	.15	a 6.00			
4.77	.15	a 6.00			
4.47	.15	a 6.00			

HEAVY CONSTRUCTION

TRUCK DRIVERS:
Drivers (3 tons & under), greaser, tire changer & mechanics' helper

Driver (over 3 tons), distributors, dump truck tandem axle, semi-trailer or pole trailer (when used to pull building material or equipment)

Driver, euclid and other heavy earth-moving equipment, low-boy, fork lift truck (when used to transport building materials), pavement breakers, winch truck and A-frame (when used in transporting materials)

Driver, mixer trucks (all types), truck mechanic

Truck helper

FOOTNOTE:

a. Per week per employee when employed a minimum of 20 work days within any 90 day consecutive period.

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Kentucky 10 - TD - H		Fringe Benefits Payments			
Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others
\$6.60	a28.50	a26.00	b		
6.70	a28.50	a26.00	b		
6.85	a28.50	a26.00	b		
6.90	a28.50	a26.00	b		
7.25	a28.50	a26.00	b		
7.00	a28.50	a26.00	b		
6.95	a28.50	a26.00	b		

BUILDING CONSTRUCTION

TRUCK DRIVERS
Warehousemen, yardmen, truck helpers, pick-ups, station wagons, panel trucks, Flatbody material trucks (straight jobs), greasers, washers, tiremen, gas pump attendants, dump trucks (up to 5 cu. yds.)

Tank Trucks (straight)

Dump trucks (5 cu. yds. or over), semi-dump trucks, semitrailers whether flat, rack or pole & hauling or pushed by trucks or tractors, agitators or mixer trucks (up to 5 cu. yds.), farm type tractors, tank trucks (semi)

Lowboys trailers, winch trucks, fork trucks, distributors trucks (front and back end), truck cranes, monirails

Euclids, dumpsters, Turnarockers, Ross carriers, Athey wagons or similar equipment, A-Frame, Hydro-lifts, dual purpose trucks & mechanics

Agitators or mixer trucks (5 cu. yds. & over)

Material checkers and receivers mechanics helpers

FOOTNOTES:

a. Per month, for employees employed over 30 days or more

b. Employees working a minimum of 480 hours receive 1 hours pay for each 40 hours worked with limit to 52 hours pay.

Kentucky 3-Lab.		Fringe Benefits Payments				
Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others	
HEAVY CONSTRUCTION						
LABORERS:						
Aging and curing of concrete, grade checkers, guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers and placers	\$4.08	.15	.15			
Air track drillers, asphalt lute & raker men	4.35	.15	.15			
Caisson workers	5.53	.15	.15			
Gumite nozzle men, tunnel muckers (free air)	4.73	.15	.15			
Gumite operators, tunnel laborers (free air)	4.58	.15	.15			
Hand blade operators, batch truck dumpers, rip-rap & grouters	4.18	.15	.15			
Operator & deck hand, scow men, power-driven tools, wagon drills jack-hammers, chain saws, concrete saws, sewer pipe layers (all storm sewers), bottom men, dry cement handlers, concrete rubber, mason tenders, concrete green cutting, sand blasting, concrete chippers, vibrator operators, power wheelbarrow or buggies	4.18	.15	.15			
Powdermen, blasters and site rail setters	4.48	.15	.15			
Tunnel miners, blasters (free air), drillers	5.08	.15	.15			

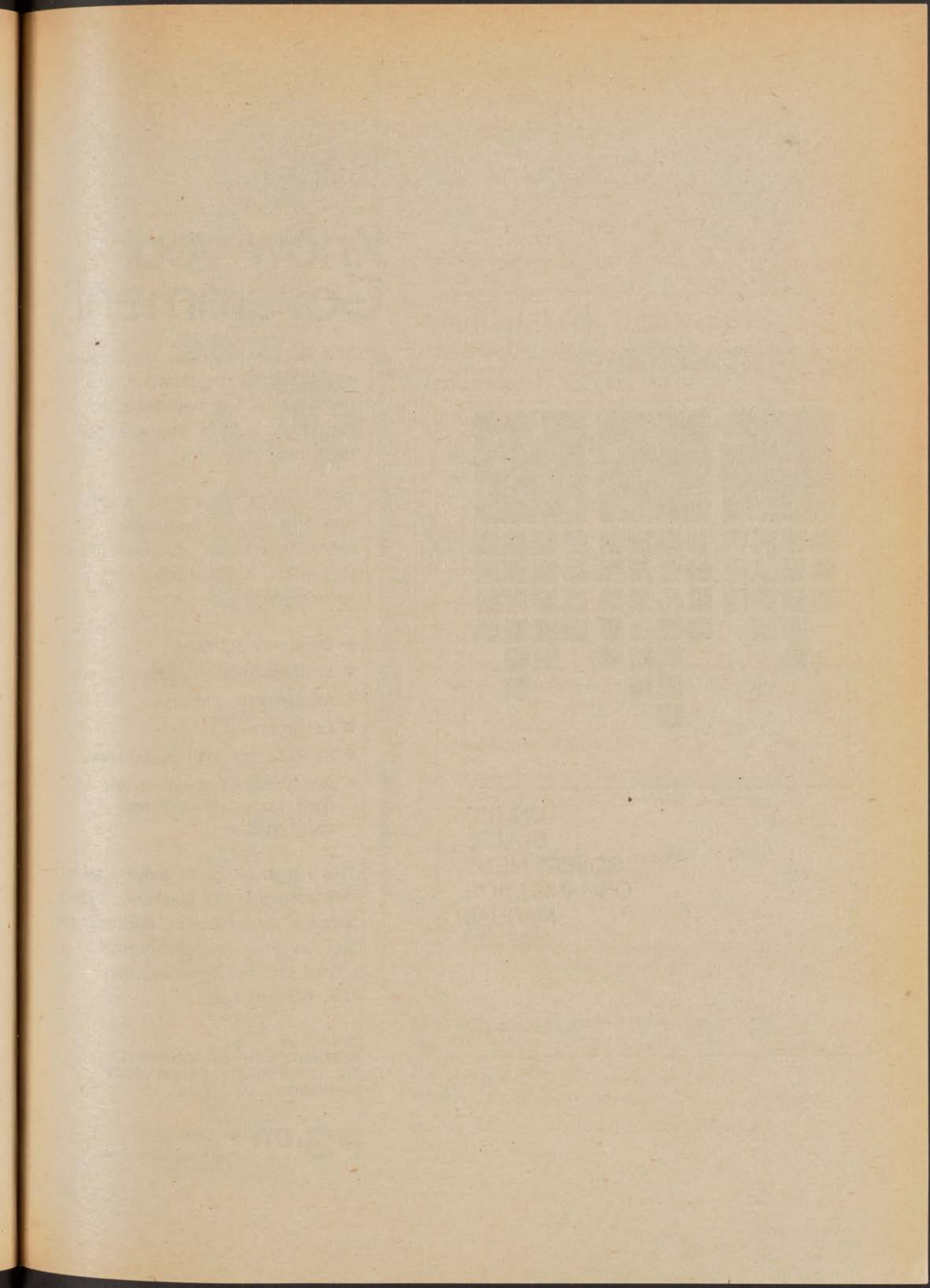
Kentucky 1-PEO G (1-2)		Fringe Benefits Payments				
Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others	
BUILDING AND HEAVY CONSTRUCTION						
POWER EQUIPMENT OPERATORS						
CLASS A OPERATORS:						
Auto patrol, batcher plant, bituminous paver, cableway clamshell, concrete mixer (21 cu. ft. or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching & trenching machine, dragline, dredge engineer elevator (regardless of ownership when used for hoisting any building material), elevating grader & all types of loaders, hoe-type machine, Hoisting engine locomotive, LeTourneau or carry-all scoop, bulldozer, mechanic, orangepeel bucket, pile driver, power blade, roller (bituminous), scarifier, shovel tractor shovel, truck crane, well points, winch truck, push dozer, grout pump, high lift, fork lift (regardless of lift height), all types of boom cats, multiple op., core drill, tow or push boat, A-frame winch truck, concrete paver, gradeall, hoist, hysiter, material pump, pumpcrete, ross carrier, sheep feet, side boom, tail boom, throttlevalve man, rotary drill, joint sealing machine, power generator, mucking machine, rock spreader attached to equip., scoopmobile, KeGal loader, Tower Cranes (French, German & other types), hydrocrane, tugger, backfiller, guries, sub-grader, electric vibrator compactor	6.65	.25	.25			
CLASS B OPERATORS:						
All air compressor (200 cu. ft. per min. or greater cap.), bituminous mixer, concrete mixer (under 21 cu. ft.), welding machine, form grader, roller (rock), tractor (50 HP & over), bull float, finish machine, outboard motor boat, flex-lane, firemen, boom type tamping machine, self-propelled drill, truck crane oiler, greaser on grease facilities servicing heavy equip., switchman or brakeman, mechanic helper, whirley oiler, air track drill, Ingersoll Rand track drill, self propelled compactor, tractair & road widening trencher.	5.50	.25	.25			

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Kentucky 1- PEO (2-2)

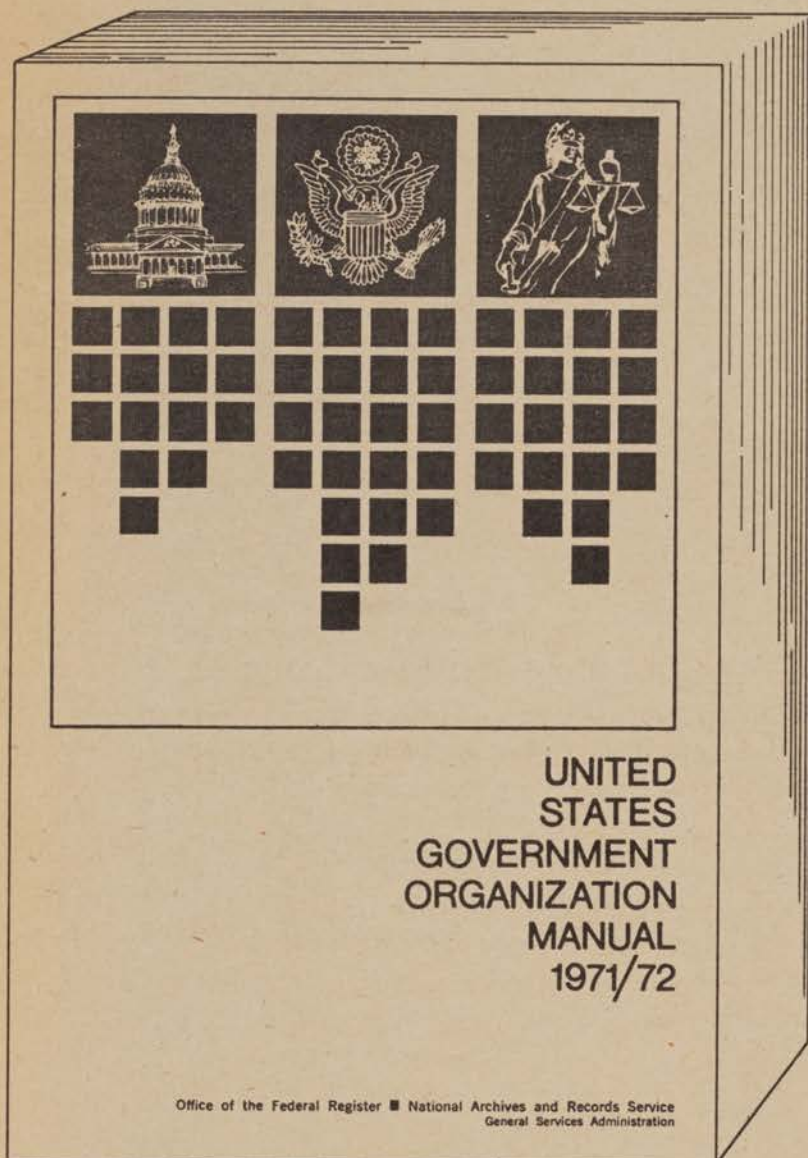
	Basic Hourly Rates	Fringe Benefits Payments				Others
		H & W	Pensions	Vacation	App. Tr.	
BUILDING AND HEAVY CONSTRUCTION						
POWER EQUIPMENT OPERATORS						
CLASS C OPERATORS						
Bituminous Dist., Cement gun, conveyor, mud jack, paving joint machine, pump, roller (earth), tamping machine, tractor (under 50 HP) vibrator, oiler, air compressor (under 200 cu. ft. per min., cap), concrete saw, burlap & curing machine, hydro seeder, power form handling equip. deckhand oiler and hydraulic boatdriver.	5.10	.25	.25	.		

[FR Doc. 72-9823 Filed 6-22-72; 8:45 am]





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