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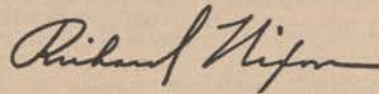
# Presidential Documents

## Title 3—The President

### EXECUTIVE ORDER 11678

#### **Providing for the Repair and Restoration of Nonprofit Private Educational Institutions Damaged by Hurricane and Tropical Storm Agnes**

By virtue of the authority vested in me by section 301 of Title 3 of the United States Code, and as President of the United States, the Director of the Office of Emergency Preparedness, hereinafter referred to as the Director, is hereby empowered to exercise the authority conferred upon me by section 4 of the Act entitled "An Act to authorize for a limited period additional loan assistance under the Small Business Act for disaster victims, to provide a study and report to the Congress by the President setting forth recommendations for a comprehensive revision of disaster relief legislation, and for other purposes" without the approval, ratification or other action by the President. The Director may delegate or assign to the head of any agency of the executive branch of the Government, subject to the consent of the agency head concerned in each case, any authority or function delegated or assigned to the Director by the provisions of this Order. Any such head of agency may redelegate any authority or function so delegated or assigned to him by the Director to any officer or employee subordinate to such head of agency whose appointment is required to be made by and with the advice and consent of the Senate.



THE WHITE HOUSE,  
August 16, 1972.

[FR Doc. 72-14159 Filed 8-17-72; 11:53 am]







# Rules and Regulations

## Title 6—ECONOMIC STABILIZATION

### Chapter III—Price Commission

#### PART 301—RENT STABILIZATION

##### Date for Notification of Options by Lessor

The purpose of this amendment is to specify the date by which a lessor must notify a current lessee of the options provided under § 301.208.

Section 301.208 of the rent stabilization regulations was adopted by the Price Commission, June 1, 1972 (37 F.R. 10944), and republished on July 4, 1972 (37 F.R. 13226), and July 8, 1972 (37 F.R. 13478). When the regulation was adopted the Commission was aware that lessors would need a reasonable time within which to comply with the regulation and that some lessors, by the nature of scope of their operations, would need more time than others. Consequently, no notification date was specified for leases entered into prior to July 1, 1972, and covered by the provisions of that section. Although approximately 3 months have elapsed since the regulation was adopted, the Commission finds that many lessors have not given lessees the notice required by that regulation. To insure compliance with the notification requirements, the Commission has decided to specify September 1, 1972, as the date by which the notice required by § 301.208 must be given. Any lessor will be in violation of this regulation unless he gives the notice required by § 301.208 to a lessee prior to that date.

Since a reasonable time has elapsed for any lessor to give the notification required by § 301.208, and any further delay in giving that notice would adversely affect the interests of those lessees who have not received that notification, further notice and rule-making procedures are impracticable and this amendment may be made effective in less than 30 days.

(Economic Stabilization Act of 1970, as amended, Public Law 91-379, 84 Stat. 799; Public Law 91-588, 84 Stat. 1468; Public Law 92-8, 85 Stat. 13; Public Law 92-15, 85 Stat. 38; Economic Stabilization Act Amendments of 1971, Public Law 92-210; Executive Order No. 11640, 37 F.R. 1213, Jan. 27, 1972; Cost of Living Council Order No. 4, 36 F.R. 20202, Oct. 16, 1971)

In consideration of the foregoing, § 301.208 of Title 6 of the Code of Federal Regulations is amended as set forth below, effective August 17, 1972.

Issued in Washington, D.C. on August 14, 1972.

C. JACKSON GRAYSON, JR.,  
Chairman, Price Commission.

1. Paragraph (d) of § 301.208 is amended by adding the following sentence at the end of that paragraph: "Each lessor of a lease to which this section applies who has entered into a lease with a current lessee between December 29, 1971 and July 1, 1972, inclusive shall, before September 1, 1972, notify that lessee of the options available to him under this section."

[FR Doc.72-14021 Filed 8-17-72; 8:48 am]

## Title 7—AGRICULTURE

### Subtitle A—Office of the Secretary of Agriculture

[Amdt. 7]

#### PART 17—SALES OF AGRICULTURAL COMMODITIES MADE AVAILABLE UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954, AS AMENDED

##### Subpart A—Regulations Governing the Financing of Commercial Sales of Agricultural Commodities

###### FINANCING OF OCEAN FREIGHT DIFFERENTIAL

This amendment is issued pursuant to section 102 of the Agricultural Trade Development and Assistance Act of 1954, as amended. The purpose of the amendment is to authorize the financing by Commodity Credit Corporation of ocean freight differential on the letter of commitment basis as well as by the reimbursement method of financing.

Part 17 is amended by adding to § 17.1(c) the following sentences:

##### § 17.1 General statement.

(c) *Letters of commitment and reimbursement method of financing.* (1) \* \* \* Notwithstanding any other provision of these regulations, if authorized by the purchase authorization, ocean freight differential shall be financed by CCC under the letter of commitment method of financing in cases where ocean freight is not included as a part of the commodity cost, subject to the applicable provisions of these regulations and such other provisions as may be specified in the purchase authorization. In such case, the U.S. supplier of ocean freight will receive payment for ocean freight differential as provided in these regulations and the purchase authorization under irrevocable letters of credit issued, confirmed or advised by a banking institution.

(Sec. 102, 68 Stat. 454, as amended; 7 U.S.C. 1702)

*Effective date.* The foregoing amendment is needed to make available on a more effective basis financing by Commodity Credit Corporation in implementation of certain agricultural commodities agreements under which sales have already taken place. It is therefore essential that the amendment be made effective as soon as possible. It is hereby found and determined that compliance with the notice and public procedure provisions of 5 U.S.C. 553 is impracticable and contrary to the public interest. Accordingly, this amendment shall become effective upon filing with the Office of the Federal Register.

Signed at Washington, D.C., on August 16, 1972.

FRANK G. MCKNIGHT,  
Acting General Sales Manager,  
Export Marketing Service.

[FR Doc.72-14051 Filed 8-16-72; 10:52 am]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER A—GENERAL

#### PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

##### Subpart H—Delegations of Authority

###### ANTIBIOTIC DRUGS FOR HUMAN USE

Pursuant to provisions of the Federal Food, Drug and Cosmetic Act (sec. 701(a), 52 Stat. 1055, 21 U.S.C. 371(a)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), Part 2 is amended to update delegations of authority regarding issuance, amendment, or repeal of regulations pertaining to antibiotic drugs for human use.

Accordingly, § 2.121 is amended by revising paragraph (s) as follows:

##### § 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

(s) *Delegation regarding issuance, amendment, or repeal of regulations pertaining to antibiotic drugs for human use.* The Director and Deputy Director of the Bureau of Drugs and the Assistant to the Director for Regulatory Affairs are authorized to perform all of the functions of the Commissioner of Food and Drugs under section 507 of the Federal Food, Drug, and Cosmetic Act regarding the issuance, amendment, or repeal of regulations pertaining to antibiotic drugs for human use.



**Effective date.** This order shall be effective upon publication in the *FEDERAL REGISTER* (8-18-72).

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: August 11, 1972.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc. 72-13999 Filed 8-17-72; 8:47 am]

#### SUBCHAPTER C—DRUGS

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

#### Final Order Ruling on Objections and Denying Request for Hearing

An order was published in the *FEDERAL REGISTER* of March 22, 1972 (37 F.R. 5816), to become effective in 40 days or, if objections were filed, when objections were ruled upon, amending 21 CFR Part 146a by deleting from the antibiotic drug regulations provisions for certification of *Estro-Biotic*, marketed by Alexander-Shaw Corp., 192 Worcester St., Wellesley Hills, Mass. 02181, on the grounds of lack of substantial evidence that the drug is effective for its recommended use in treating low-grade intrauterine bacterial infection in cows and certain preputial bacterial infections in bulls. Persons who would be adversely affected by the order were allowed 30 days to file proper objections and to request a hearing.

Objections and a request for a hearing were submitted by Alexander-Shaw Corp. in a letter dated March 30, 1972.

Alexander-Shaw's objections and request for hearing have been considered. The Commissioner of Food and Drugs concludes that there is no genuine and substantial issue of fact requiring a hearing, 21 CFR 135.15(b), since no adequate and well controlled studies showing that each of three active ingredients of *Estro-Biotic* makes a contribution to the claimed effects of the drug, as explained in more detail below.

**I. The drug.** The drug involved is a combination of 1 million units crystalline penicillin G, 1.25 grams dihydrostreptomycin sulfate, and 20 milligrams of the synthetic hormone diethylstilbestrol (DES) per 28 cubic centimeters of the drug. The active ingredients are in an oil suspension. The drug is recommended for use by its labeling for the treatment of low-grade intrauterine bacterial infection in cows and certain preputial bacterial infections in bulls. The recommended dosage is 28 cubic centimeters of *Estro-Biotic* for intrauterine infections. The directions advise to repeat the treatment in 24 hours if the infection is severe. For preputial infections the recommended dosage is 28 cubic centimeters, repeated three times at 24-48 hour intervals.

**II. NAS-NRC and FDA evaluation.** A notice was published in the *FEDERAL REGISTER* of May 2, 1970 (35 F.R. 7032), announcing the evaluation by the Food

and Drug Administration of a report concerning *Estro-Biotic* received from the National Academy of Sciences—National Research Council (NAS-NRC) Drug Efficacy Study Group. The Academy stated: (1) that the package insert should show that the product is effective for use against organisms sensitive to the active ingredients; (2) that the manufacturer reconsider the formula because of possible incompatibilities in the mechanism of action of antimicrobial ingredients in a product containing more than one, and (3) that the addition of one antimicrobial to another may result in a less than additive action with regard to inhibition of bacterial multiplication, or with regard to the fraction of a bacterial population killed. The notice stated that the Food and Drug Administration concurred in the findings of the Academy and in addition concluded that substantial evidence should be presented to establish that each ingredient designated as active makes a contribution to the total effect claimed for the drug combination.

Six months were provided for holders of new-animal drug applications to submit adequate documentation in support of the labeling used. No person or firm, including Alexander-Shaw Corp., submitted any such data.

**III. Evidence submitted.** In support of its request for hearing, Alexander-Shaw contends that *Estro-Biotic* is effective and has submitted data divided into 14 groups, each in a separate folder or volume, concerning the drug. These 14 volumes consist exclusively of data compiled before 1964 and which had previously been submitted to and considered by the NAS-NRC and the Food and Drug Administration. These 14 volumes contain no adequate and well controlled studies showing that each of the three active ingredients makes a contribution to the claimed effects for the drug, i.e., that the combination is more effective than any of its active ingredients alone or any combination of two of its active ingredients, as required by 21 CFR 135.4a (b) (8) (v) and the notice appearing in the *FEDERAL REGISTER* of May 2, 1970 (35 F.R. 7032).

Volumes VI, VII, VIII, XI and XIV of the data submitted by Alexander-Shaw contain respectively a study of residues of antibiotics in the milk of cows treated with *Estro-Biotic*, data on diethylstilbestrol (DES) residues in mice fed a diet of 80 percent milk from cows treated with DES, toxicity data on dihydrostreptomycin-streptomycin, data on the spermatogenic effect of *Estro-Biotic* on bulls infected with *vibrio fetus*, and a file of correspondence. These volumes contain no data relating to the efficacy of *Estro-Biotic*, a fixed combination of two antibiotics and diethylstilbestrol, for its intended use.

Volumes I and IV each contain a small number of uncontrolled case histories of observations of animals treated with *Estro-Biotic*. These data do not constitute adequate and well controlled studies of efficacy as defined in 21 CFR 135.12(a) (5) for several reasons, includ-

ing: (1) no controls were used; (2) the data fail to show the type of microorganism causing the infection which *Estro-Biotic* helped treat, thereby not complying with 21 CFR 135.12(a) (5) (ii) (a) which requires confirmation of the disease or the clinical state present; (3) the cases present no criteria of diagnosis of the infections, which also violates 21 CFR 135.12(a) (5) (ii) (a); and (4) the cases present no data showing the contribution made by each active ingredient of *Estro-Biotic*.

Volumes III and V are intended to show the effectiveness of diethylstilbestrol (DES) in treating various infections. Such data are not evidence that *Estro-Biotic*, a combination drug containing two other active ingredients in addition to DES, is effective for its intended use. They do not compare *Estro-Biotic* to DES, nor do they show that *Estro-Biotic* is more effective than any of its active ingredients alone or any combination of two of its active ingredients.

Volume II summarizes the results of a study of infertility problems in cows in which results in 44 cows treated with *Estro-Biotic* were compared to results in 30 cows treated with a product consisting of procaine penicillin G and dihydrostreptomycin sulfate. Percentage of subsequent pregnancy was the evaluation parameter. The test showed that 80 percent of the animals receiving *Estro-Biotic* became pregnant versus 73 percent for the animals in the control group. This is not an adequate and well controlled test showing that each active ingredient of *Estro-Biotic* makes a contribution to the drug or even that the addition of diethylstilbestrol (DES) makes a contribution to the drug since: (1) it does not comply with 21 CFR 135.12(a) (5) (ii) (a), which requires confirmation of the disease or clinical state present and 21 CFR 135.12(a) (5) (iv) which requires documentation of variables such as duration and severity of disease, since no data on the cause of infertility was present, allowing for the possibility that those animals given *Estro-Biotic* had minor infections of short pretreatment duration or were otherwise likely to be more responsive to any treatment; (2) it has no statistical analysis of the data as required by 21 CFR 135.12(a) (5) (vii) to show that the results are significant; (3) the drug was not compared to each of its active ingredients alone, or to combinations of DES and penicillin or DES and dihydrostreptomycin.

Volume IX contains a published article entitled "An Estrogenic Hormone/Antibiotic Approach to the Treatment of Low Grade Intrauterine Infections (Bovine)." Sixty-five cows were treated with *Estro-Biotic* and 30 cows were treated with aqueous penicillin-dihydrostreptomycin. The test showed 83 percent conception rate for *Estro-Biotic*, versus 73 percent for the penicillin-dihydrostreptomycin combination. The test is not an adequate and well controlled study showing that each active



ingredient of Estro-Biotic makes a contribution to the drug or even that the addition of diethylstilbestrol (DES) makes a contribution to the drug since: (1) there is no statistical analysis of the data as required by 21 CFR 135.12 (a) (5) (vi) to show that the results are significant; (2) Estro-Biotic is in an oil medium whereas the control product's medium is aqueous, allowing for the possibility that the aqueous medium may have inhibited the activity of the control drug or that the oil medium may have promoted the activity of Estro-Biotic; (4) the degree of infection in the two groups of animals (i.e., the control group and the study group) is not shown to be of the same severity thereby violating 21 CFR 135.12(a) (5) (ii) (a) which requires adequate confirmation of the disease or clinical state present and 21 CFR 135.12(a) (5) (iv) which requires documentation of variables such as duration and severity of disease; (5) on several occasions the dosage of the control drug was doubled; and (6) no data are presented to show that Estro-Biotic was compared to each of its active ingredients alone, or to combinations of DES and penicillin or DES and dihydrostreptomycin.

Volume X contains data concerning the use of Estro-Biotic in treating *vibrio fetus* in bulls. Nine different preparations were used in treating the infections. These nine preparations, along with suggestions for use, were supplied to veterinarians treating the bulls. Estro-Biotic is purportedly shown to be more effective than the eight other products tested. This is not an adequate and well controlled study. Estro-Biotic was not compared with penicillin, alone or in combination with dihydrostreptomycin or diethylstilbestrol nor with diethylstilbestrol alone or in combination with dihydrostreptomycin nor with dihydrostreptomycin alone. Instead, Estro-Biotic was compared with various other antibiotics in varying dosages and mediums. Therefore, the study does not allow a valid conclusion that each active ingredient in Estro-Biotic adds to the efficacy of the drug. Further, the study is inadequate because: (1) there are no data concerning the severity or length of infection in the test animals thereby violating 21 CFR 135.12(a) (5) (ii) (a), which requires confirmation of the disease or clinical state present and 21 CFR 135.12(a) (5) (iv), which requires documentation of variables such as duration and severity of disease; (2) the number of bulls receiving each product is too disparate; (3) the test does not comply with 21 CFR 135.12(a) (5) (ii) since there are no data concerning how bulls were selected to determine which would receive which treatment; (4) there is no statistical analysis of the data as required by 21 CFR 135.12(a) (5) (vi) to show that the results are significant.

Volume XII contains a study similar to that submitted as Volume X and consists of data concerning the use of Estro-Biotic and six other products in treating *vibrio fetus* in bulls. Treatment con-

sisting of three applications of the test material in 48 hour intervals. The data purports to show that Estro-Biotic is the most effective of the seven products tested. This is not an adequate and well controlled study since the preparations with which Estro-Biotic was compared are not such as to allow for the conclusion that each active ingredient in Estro-Biotic adds to the efficacy of the drug, for the same reasons that the study of Volume X was inadequate. Furthermore, (1) there are no data concerning the severity or duration of infection in the test animals in violation of 21 CFR 135.12(a) (5) (ii) (a) and 21 CFR 135.12 (a) (5) (iv); (2) the number of bulls receiving each test product is too disparate; (3) there was no equivalent dosages of the test drugs; (4) the drugs tested were not all available in the same medium, i.e., Estro-Biotic and another drug were in an oil medium, the rest were in water; (5) there is no data concerning how bulls were selected to determine which would receive which treatment.

Volume XIII contains *in vitro* data comparing the antibacterial action of Estro-Biotic and two other products, and purports to show Estro-Biotic to be more effective than the other two products. The study measures the inhibition zones caused by each test product on four different bacteria on agar plates. This study is not an adequate and well controlled clinical study since: (1) results of an *in vitro* study cannot be extrapolated to the living animal; (2) the two products to which Estro-Biotic is compared are respectively a steroid and a disinfectant neither of which are components of Estro-Biotic, containing antibiotics and a hormone, and neither of which are designed to be effective in treating intrauterine infections in cows or preputial infections in bulls; and (3) it does not show the contribution made by each active ingredient of Estro-Biotic and the efficacy of each combination of two ingredients thereof.

IV. Findings. The Commissioner, on the basis of the information before him and a review of the documentation offered to support the claim of efficacy for Estro-Biotic, finds that there is a lack of substantial evidence that the drug has the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling, and that Alexander-Shaw has failed to set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 507, 512, 59 Stat. 463, as amended, 82 Stat. 343-51; 21 U.S.C. 357, 360b) and under the authority delegated to the Commissioner (21 CFR 2.120), the objections are overruled, the request for a hearing is denied, all certificates for Estro-Biotic are revoked, and the order of March 22, 1972, revoking § 146a.54 is reaffirmed.

**Effective date.** This order shall become effective on its date of publication in the FEDERAL REGISTER (8-18-72).

(Secs. 507, 512, 59 Stat. 463, as amended, 82 Stat. 343-51; 21 U.S.C. 357, 360b)

Dated: August 11, 1972.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc. 72-14000 Filed 8-17-72; 8:47 am]

## Title 28—JUDICIAL ADMINISTRATION

### Chapter I—Department of Justice

#### PART 42—NONDISCRIMINATION: EQUAL OPPORTUNITY: POLICIES AND PROCEDURES

##### Subpart D—Equal Employment Opportunity in Federally Assisted Programs and Activities

On March 30, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 6493) proposing amendment of the equal employment opportunity regulations. The notice stated that it was proposed to amend the regulations as follows:

Sections 42.201(a), 42.203, 42.206(b), and 42.206(c) are amended by addition of the word "sex," after the phrase "race, color, creed," and § 42.203 is further amended by the addition of a new sentence.

Interested persons were given 90 days after publication of this notice in which to submit written comments regarding this proposal. Comments received primarily related to interpretation of the new sentence in § 42.203 which establishes a very limited exemption with respect to creed, sex, or national origin in those instances where an individual's creed, sex, or national origin is demonstrably essential to performance on the job. Part 42, Subpart D is hereby amended and reads as follows:

Sec.	
42.201	Purpose and application.
42.202	Definitions.
42.203	Discrimination prohibited.
42.204	Assurances required.
42.205	Compliance information.
42.206	Conduct of investigation, procedures for effecting compliance hearings, decisions, and judicial review; forms, instruction, and effect on other regulations.

**AUTHORITY:** The provisions of this Subpart D issued under 5 U.S.C. 301; and sec. 501 of the Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, 82 Stat. 197, as amended.

##### § 42.201 Purpose and application.

(a) The purpose of this subpart is to enforce the provisions of the 14th amendment to the Constitution by eliminating discrimination on the grounds of race, color, creed, sex, or national origin in the employment practices of State agencies or offices receiving financial assistance extended by this Department.



(b) The regulations in this subpart apply to the employment practices of planning agencies, law enforcement agencies, and other agencies or offices of States or units of general local government administering, conducting, or participating in any program or activity receiving Federal financial assistance extended under title I of the Omnibus Crime Control and Safe Streets Act of 1968 (the Act). This subpart shall not apply to federally assisted construction contracts covered by Part III of Executive Order 11246, September 24, 1965; enforcement of nondiscriminatory employment practices under such contracts shall be effected pursuant to the Executive order.

#### § 42.202 Definitions.

(a) The definitions set forth in § 42.102 of Subpart C, Part 42, Title 28, Code of Federal Regulations are, to the extent not inconsistent with this subpart, hereby made applicable to and incorporated in this subpart.

(b) As used in this subpart, the term "employment practices" means all terms and conditions of employment including but not limited to all practices relating to the screening, recruitment, selection, appointment, promotion, demotion, and assignment of personnel, and includes advertising, hiring, assignments, classification, discipline, layoff and termination, upgrading, transfer, leave practices, rates of pay, fringe benefits, or other forms of pay or credit for services rendered and use of facilities.

(c) As used in this subpart, the terms "law enforcement," "State," and "unit of general local government" shall have the meanings set forth in section 601 of the Act.

#### § 42.203 Discrimination prohibited.

No agency or office to which this subpart applies under § 42.201 shall discriminate in its employment practices against employees or applicants for employment because of race, color, creed, sex, or national origin. Nothing contained in this subpart shall be construed as requiring any such agency or office to adopt a percentage ratio, quota system, or other program to achieve racial balance or to eliminate racial imbalance. Notwithstanding any other provision of this subpart, it shall not be a discriminatory employment practice to hire or assign an individual on the basis of creed, sex, or national origin where the office or agency claiming an exception for an individual based on creed, sex, or national origin is able to demonstrate that the creed, sex, or national origin of the individual is essential to the performance of the job.

#### § 42.204 Assurances required.

(a) (1) Every application for Federal financial assistance to carry out a program to which this regulation applies shall, as a condition of approval of such application and the extension of any Federal financial assistance pursuant to such application, contain or be accom-

panied by an assurance that the applicant will comply with the requirements of this subpart, and will obtain such assurances from its subgrantees, contractors, or subcontractors to which this subpart applies, as a condition of the extension of Federal financial assistance to them.

(2) The responsible Department officials shall specify the form of the foregoing assurances. Such assurances shall be effective for the period during which Federal financial assistance is extended to the applicant or for the period during which a comprehensive law enforcement plan filed pursuant to the Act is in effect in the State, whichever period is longer, unless the form of the assurance as approved in writing by the responsible Department official specifies a different effective period.

(b) Assurances by States and units of general local government relating to employment practices of State and local law enforcement agencies and other agencies to which this subpart applies shall apply to the policies and practices of any other department, agency, or office of the same governmental unit to the extent that such policies or practices will substantially affect the employment practices of the recipient State or local planning unit, law enforcement agency, or other agency or office.

#### § 42.205 Compliance information.

The provisions of § 42.106 are hereby made applicable to and incorporated in this subpart.

§ 42.206 Conduct of investigations, procedures for effecting compliance, hearings, decisions, and judicial review; forms, instruction, and effect on other regulations.

(a) Each responsible Department official shall take appropriate measures to effectuate and enforce the provisions of this subpart; and shall issue and promptly make available to interested persons forms, instructions, and procedures for effectuating this subpart as applied to programs for which he is responsible. Insofar as feasible and not inconsistent with this subpart, the conduct of investigations and the procedures for effecting compliance, holding hearings, rendering decisions and initiating judicial review of such decisions shall be consistent with those prescribed by §§ 42.107 through 42.111 of subpart C of this part; provided, that where the responsible Department official determines that judicial proceedings (as contemplated by § 42.108(d)) are as likely or more likely to result in compliance than administrative proceedings (as contemplated by § 42.108(c)), he shall invoke the judicial remedy rather than the administrative remedy; and provided further, that no recipient of Federal financial assistance or applicant for such assistance shall be denied access to the hearing or appeal procedures set forth in sections 510 and 511 of the Act for denial or discontinuance of a grant or

withholding of payments thereunder resulting from the application of this subpart.

(b) If it is determined, after opportunity for a hearing on the record, that a recipient has engaged or is engaging in employment practices which unlawfully discriminate on the ground of race, color, creed, sex, or national origin, the recipient will be required to cease such discriminatory practices and to take such action as may be appropriate to eliminate present discrimination, to correct the effects of past discrimination, and to prevent such discrimination in the future.

(c) Nothing in this subpart shall be deemed to supersede any provisions of Subparts A, B, and C of Part 42, Title 28, Code of Federal Regulations, or of any other regulation and instruction which prohibits discrimination on the ground of race, color, creed, sex, or national origin in any program or situation to which this subpart is inapplicable, or which prohibits discrimination on any other ground.

*Effective date.* This regulation shall become effective upon publication in the FEDERAL REGISTER (8-18-72).

Dated: August 9, 1972.

JERRIS LEONARD,  
Administrator, Law Enforcement  
Assistance Administration.

Concur:

RICHARD W. VELDE,  
Associate Administrator.

CLARENCE M. COSTER,  
Associate Administrator.

[FR Doc.72-14083 Filed 8-17-72; 8:50 am]

## Title 45—PUBLIC WELFARE

Chapter II—Social and Rehabilitation Service (Assistance Programs), Department of Health, Education, and Welfare

### PART 250—ADMINISTRATION OF MEDICAL ASSISTANCE PROGRAMS

#### Subpart C—Fiscal Administration

##### STATE FINANCIAL PARTICIPATION AND PLAN REQUIREMENTS

The heading, Subpart C—Fiscal Administration, and § 250.210, *State financial participation; State plan requirements*, are deleted from Part 250 inasmuch as the content has been superseded by § 205.130 of this chapter.

Dated: August 8, 1972.

JOHN D. TWINAME,  
Administrator, Social and  
Rehabilitation Service.

Approved: August 15, 1972.

ELLIOT L. RICHARDSON,  
Secretary.

[FR Doc.72-14019 Filed 8-17-72; 8:49 am]



# Title 24—HOUSING AND URBAN DEVELOPMENT

## Chapter X—Federal Insurance Administration, Department of Housing and Urban Development

### SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

### PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

#### Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. This entry differs from prior entries to the tables in that a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or under the regular flood insurance program. The entry reads as follows:

#### § 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
California	Los Angeles	San Dimas				Aug. 18, 1972. Emergency.
Do.	Alameda	Union City				Do.
Connecticut	Fairfield	Stratford				Do.
Florida	Brevard	Indialantic	I 12 009 1483 01	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301.	Office of the Town Manager, Town of Indialantic, 216 Fifth, Ave., Indial- antic, FL 32901.	Nov. 2, 1971. Emergency. Aug. 18, 1972. Regular.
Do.	Franklin	Apalachicola		State of Florida Insurance Depart- ment, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.		Aug. 18, 1972. Emergency.
Indiana	Spencer	Unincorporated areas.				Do.
Massachusetts	Middlesex	Billerica				Do.
Minnesota	Washington	Lake Elmo Village.				Do.
Nebraska	Sarpy	Papillion	I 31 153 3800 01	Nebraska Natural Resources Com- mission, State Capitol Bldg., Lincoln, Nebr. 68509.	Office of the Mayor, City of Papillion, 146 North Adams, Papillion, NE 68046.	July 2, 1971. Emergency. Aug. 18, 1972. Regular.
New Jersey	Hunterdon	Lebanon Borough	I 34 019 1660 01 through I 34 019 1660 08	Nebraska Insurance Department, 1335 L St., Lincoln, NE 68509. Division of Water Resources, Depart- ment of Environmental Protection, Post Office Box 1396, Trenton, NJ 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Office of the Borough Clerk, Municipal Offices, Sammis Bldg., Lebanon, NJ 08833.	May 8, 1971. Emergency. Aug. 18, 1972. Regular.
Do.	Morris	East Hanover Township.				Aug. 18, 1972. Emergency.
Do.	Union	Scotch Plains Township.				Do.
Ohio	Greene	Sugarcreek Township.				Do.
Pennsylvania	Allegheny	Fox Chapel Borough.				Do.
Do.	Cambria	Stoney Creek Township.				Do.
Do.	Bucks	Warrington Township.				Do.
Do.	Cumberland	Wormleysburg				Do.
Do.	Delaware	Clifton Heights Borough.				Do.
Do.	do	Norwood Borough.				Do.
Do.	Montgomery	Upper Dublin Township.				Do.
Pennsylvania	Schuylkill	Gilberton Borough.				Do.
Do.	Venango	Oil City				Do.
Rhode Island	Newport	Tiverton				Do.
Wisconsin	Lafayette	Darlington				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: August 10, 1972.

GEORGE K. BERNSTEIN,  
Federal Insurance Administrator.

[FR Doc.72-13032 Filed 8-17-72; 8:45 am]



## PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

## List of Communities With Special Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

## § 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
California	Los Angeles	San Dimas				Aug. 18, 1972.
Do.	Alameda	Union City				Do.
Connecticut	Fairfield	Stratford				Do.
Florida	Brevard	Indianalantic	H 12 009 1483 01	Department of Community Affairs, 300 Office Plaza, Tallahassee, Fla. 32301.	Office of the Town Manager, Town of Indianalantic, 216 Fifth Ave., Indianalantic, FL 32901	Nov. 2, 1971
Do.	Franklin	Apalachicola		State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.		Aug. 18, 1972.
Indiana	Spencer	Unincorporated areas.				Do.
Massachusetts	Middlesex	Billerica				Do.
Minnesota	Washington	Lake Elmo Village.				Do.
Nebraska	Sarpy	Papillion	H 31 153 3800 01	Nebraska Natural Resources Commission, State Capitol Bldg., Lincoln, Nebr. 68509.	Office of the Mayor, City of Papillion, 146 North Adams, Papillion, NE 68046.	July 2, 1971.
New Jersey	Hunterdon	Lebanon Borough.	H 34 019 1660 01 through H 34 019 1660 08	Nebraska Insurance Department, 1335 L St., Lincoln, NE 68509.	Division of Water Resources, Department of Environmental Protection, Post Office Box 1390, Trenton, NJ 08625.	May 8, 1971.
Do.	Morris	East Hanover Township.		New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Office of the Borough Clerk, Municipal Offices, Sammis Bldg., Lebanon, N.J. 08833.	Aug. 18, 1972.
Do.	Union	Scotch Plains Township.				Do.
Ohio	Greene	Sugarcreek Township.				Do.
Pennsylvania	Allegheny	Fox Chapel Borough.				Do.
Do.	Cambria	Stoneycreek Township.				Do.
Do.	Bucks	Warrington Township.				Do.
Do.	Cumberland	Wormleysburg				Do.
Do.	Delaware	Clifton Heights Borough.				Do.
Do.	do	Norwood Borough				Do.
Do.	Montgomery	Upper Dublin Township.				Do.
Pennsylvania	Schuylkill	Gilberton Borough.				Do.
Do.	Venango	Oil City				Do.
Rhode Island	Newport	Tiverton				Do.
Wisconsin	Lafayette	Darlington				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: August 10, 1972.

GEORGE K. BERNSTEIN,  
Federal Insurance Administrator.

[FR Doc.72-13033 Filed 8-17-72; 8:45 am]

## Title 32—NATIONAL DEFENSE

## Chapter I—Office of the Secretary of Defense

## SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

## PART 91—POLICIES GOVERNING PARTICIPATION OF DOD COMPONENTS AND PERSONNEL IN ACTIVITIES OF PRIVATE ASSOCIATIONS

The Secretary of Defense approved the following revision to Part 91 on August 4, 1972:

Sec.  
91.1 Purpose and reissuance.  
91.2 Policies.

AUTHORITY: The provisions of this Part 91 are issued under 5 U.S.C. 301.

## § 91.1 Purpose and reissuance.

(a) This part establishes policies governing membership and participation of Department of Defense Components (Office of the Secretary of Defense, the Military Departments, Defense Agencies, Organization of the Joint Chiefs of Staff and Unified and Specified Commands) and personnel in the activities of private or nongovernmental organizations, societies, or associations (hereinafter referred to as associations), including technical and professional societies.

(b) This revised Part 91 incorporates a new § 91.2(d), which relates to honorary office or membership in trade or professional associations. There are no other substantive changes.

## § 91.2 Policies.

(a) Department of Defense Components are authorized to participate in activities of scientific, technical, professional, and other organizations, societies, and associations in the discussions of matters of mutual interest, otherwise consistent with law, including antitrust laws, and laws relating to security and subject to Part 40 of this subchapter.

(b) Participation by Department of Defense Components in the activities of private or nongovernmental associations or societies shall be limited to the extent of the Department of Defense interest involved and shall be upon such basis as will avoid (1) the favoring of one association or organization over another; (2) the unauthorized acceptance of legal membership by the United States in private organization; (3) the use of the



name of the U.S. Government by a private organization, voluntary association, or corporation, implying the sponsorship of such organization by the Government, without authority of Congress; (4) participation in the management and control of such organization without Congressional authorization; and (5) participation in the determinations or conclusions of private organizations or associations, in such manner as to suggest compliance therewith by the Government without subsequent responsible administrative authority or Congressional authorization.

(c) Subject to the above limitations, liaison representatives of Department of Defense components while participating in the activities of scientific, technical, professional, and other organizations, societies, and associations, including technical committees and standards, committees thereof, may give free and complete expression of their views on the subject matter under discussion and may vote verbally or in writing on issues presented for a vote, providing it is made clear to the private organizations, societies, and associations that such vote indicates no more than the opinion on that issue of the liaison representative of the DOD component voting. No vote so cast shall be considered to bind the Department of Defense or any component thereof in any way to any particular present or future course of action.

(d) DOD personnel shall not accept an honorary office or honorary membership in any trade or professional association which includes in its membership business entities which are engaged or are endeavoring to engage in providing goods and/or services to a component of the Department of Defense, including nonappropriated fund activities of the Department of Defense. An honorary office includes any office, whether termed honorary or not, when the selection for that office is on the basis of an official Department of Defense position or assignment.

(e) These policies shall not apply to membership or participation by officers or employees of the Department of Defense, as individuals, in private organizations or associations, including technical and professional societies, and military or veterans organizations, otherwise consistent with law, including the Hatch Act, and Anti-Lobby Act, and other laws which prohibit Government officers and employees from engaging in activities inconsistent with their government employment.

MAURICE W. ROCHE,  
Director, Correspondence and  
Directives Division, OASD  
(Comptroller).

[FR Doc.72-14022 Filed 8-17-72;8:48 am]

## Title 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter I—Coast Guard, Department of Transportation

[CGD 72-157R]

#### PART 127—SECURITY ZONES

##### Sandy Hook Bay, N.J.; Establishment of Security Zone

This amendment to the Coast Guard's Security Zone Regulations establishes the waters of Sandy Hook Bay, N.J., within 750 yards of the Naval Ammunition Depot Piers at Leonardo, N.J., and the Terminal Channel as security zones. The security zone around the Naval Ammunition Piers is coextensive with the navigation prohibited area shown on C&GS Chart No. 544, Second Edition, November 14, 1970. It is marked by horizontally banded special purpose buoys. These security zones are established to prevent interference with the loading of cargo at, and the safe movement of vessels from, the Naval Ammunition Depot Pier.

This amendment is issued without publication of a notice of proposed rule making and this amendment is effective in less than 30 days from the date of publication, because these security zones involve a military function of the United States.

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by adding § 127.301, to read as follows:

##### § 127.301 Sandy Hook Bay, N.J.

(a) Naval Ammunition Depot Piers: The waters within the following boundary is a security zone: A line beginning on the shore at 40°25'57" N. latitude, 74°04'32" W. longitude; thence to 40°27'52.5" N. latitude, 74°03'14.5" W. longitude; thence to 40°27'28.3" N. latitude, 74°02'12.4" W. longitude; thence to 40°26'29.2" N. latitude, 74°02'53" W. longitude; thence to 40°26'31.1" N. latitude, 74°02'57.2" W. longitude; thence to 40°25'27.3" N. latitude, 74°03'41" W. longitude; thence along the shoreline to the beginning point.

(b) Terminal Channel: The waters within the following boundary is a security zone: A line beginning at 40°27'41.2" N. latitude, 74°02'46" W. longitude; thence to 40°28'27" N. latitude, 74°02'17.2" W. longitude; thence to 40°28'21.1" N. latitude, 74°02'00" W. longitude; thence to 40°28'07.8" N. latitude, 74°02'22" W. longitude; thence to 40°27'39.8" N. latitude, 74°02'41.4" W. longitude; thence to the beginning.

(c) The following rules apply to the security zone established in paragraph (b) of this section (Terminal Channel), instead of § 127.15(a) (37 F.R. 10801)—

(1) No vessel may anchor, stop, remain, or drift without power at anytime in the security zone.

(2) No vessel may enter, cross, or otherwise navigate in the security zone when a public vessel or any other vessel, that cannot safely navigate outside the Terminal Channel, is approaching or leaving the Naval Ammunition Depot Piers at Leonardo, N.J.

(3) Vessels may enter or cross the security zone, except as provided in subparagraph (2) of this paragraph of this section.

(4) No person may swim in the security zone.

(46 Stat. 220, as amended, 63 Stat. 503, sec. 6(b), 80 Stat. 937; 50 U.S.C. 191, 14 U.S.C. 91, 49 U.S.C. 1655(b); E.O. 10173, E.O. 19277, E.O. 10352, E.O. 11249; 3 CFR, 1947-1953 Comp. 356, 778, 873, 3 CFR, 1964-1965 Comp. 349, 33 CFR Part 6, 33 CFR Part 127 (37 F.R. 10801), 49 CFR 1.46(b))

**Effective date.** This amendment becomes effective on July 1, 1972.

Dated: July 1, 1972.

WILLIAM KESLER, Jr.,  
Captain, U.S. Coast Guard,  
Captain of the Port, New  
York, N.Y.

[FR Doc.72-13993 Filed 8-17-72;8:46 am]

## Title 39—POSTAL SERVICE

### Chapter I—U.S. Postal Service

#### PART 619—PURCHASE OF MAIL TRANSPORTATION AND RELATED SERVICES BY CONTRACT

##### Air Taxi Operators

Regulations codified under Part 619 are amended to remove the requirement that air taxi operators who do not operate regularly scheduled passenger flights furnish a performance bond and to delete the requirement that air taxi operators have FAA Operations Specifications for at least 6 months in order to be eligible to bid or submit proposals on mail transportation service.

Accordingly, in Part 619 make the following changes:

1. In § 619.207-2 *Exceptions*, amend paragraph (a) to read as follows:

##### § 619.207-2 *Exceptions.*

(a) Requires the mail to be transported by:

- (1) An ocean carrier;
- (2) An air carrier certificated to transport mail;
- (3) A scheduled air taxi operator;
- (4) A rail carrier in railway equipment; or
- (5) An air taxi operator.

##### § 619.403-4 [Amended]

2. In § 619.403-4 *Eligibility to bid or submit proposals*, delete the last sentence.

(39 U.S.C. 401, 2008(c), 5401, 5402)

ROGER P. CRAIG,  
Deputy General Counsel.

[FR Doc.72-14073 Filed 8-17-72;8:50 am]



## Title 42—PUBLIC HEALTH

### Chapter I—Public Health Service, Department of Health, Education, and Welfare

#### SUBCHAPTER D—GRANTS

#### PART 57—GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES (INCLUDING MENTAL RETARDATION RESEARCH FACILITIES), TEACHING FACILITIES, STUDENT LOANS, EDUCATIONAL IMPROVEMENT AND SCHOLARSHIPS

##### Grants for Conversion of 2-Year Schools of Medicine

Notice of proposed rule making, public rule making procedures and postponement of effective date have been omitted in the issuance of the following new Subpart N of Part 57, which relates to the awarding of grants to assist public or nonprofit private 2-year schools of medicine to convert to schools accredited to grant the degree of doctor of medicine pursuant to section 771(b) of the Public Health Service Act, because for good cause it has been found that such procedures would be contrary to the public interest in light of the delay in the passage of the authorizing legislation (Comprehensive Health Manpower Training Act of 1971, Public Law 92-157).

Under this program 2-year schools of medicine which intend to become schools accredited to grant the degree of doctor of medicine will be eligible to receive a grant equal to \$50,000 times the number of full-time third-year students which the Secretary determines will be enrolled in its first third-year class.

Written comments concerning the regulations are invited from interested persons. Inquiries may be addressed, and data, views, and arguments relating to the regulations may be presented in writing, in triplicate, to the Associate Director (Program Implementation), Bureau of Health Manpower Education, National Institutes of Health, 9000 Rockville Pike, Building 31, Room 5 C 12, Bethesda, MD 20014. All comments received in response to this regulation will be available for public inspection at the above referred to address on weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5 p.m. All relevant materials received not later than 30 days after publication of these regulations in the FEDERAL REGISTER will be considered.

The regulations set forth below shall become effective on the date of publication in the FEDERAL REGISTER (8-18-72).

Dated: July 21, 1972.

ROBERT Q. MARSTON,  
Director,  
National Institutes of Health.

Approved: August 11, 1972.

ELLIOT L. RICHARDSON,  
Secretary.

Part 57 is hereby amended by adding thereto a new Subpart N as follows:

##### Subpart N—Grants for Conversion of 2-Year Schools of Medicine

- Sec.  
57.1301 Applicability.  
57.1302 Definitions.  
57.1303 Eligibility.  
57.1304 Application.  
57.1305 Determination of number of full-time third-year students.  
57.1306 Grant award.  
57.1307 Payments.  
57.1308 Expenditure of grant funds.  
57.1309 Nondiscrimination.  
57.1310 Records, reports, inspection and audit.  
57.1311 Additional conditions.  
57.1312 Early termination and withholding of payments.

**AUTHORITY:** The provisions of this Subpart N issued under sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216; sec. 771(b)(1), 85 Stat. 444; 42 U.S.C. 295(f)-1.

##### § 57.1301 Applicability.

The regulations in this subpart are applicable to the award of grants under section 771(b) of the Public Health Service Act (42 U.S.C. 295(f)-1) to assist public or nonprofit private 2-year schools of medicine to convert to a school accredited to grant the degree of doctor of medicine.

##### § 57.1302 Definitions.

As used in this subpart:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved has been delegated.

(c) "School" means a public or other nonprofit 2-year school of medicine which provides a course of study leading to a degree of doctor of medicine which is accredited by the recognized body or bodies approved for such purpose by the Commissioner of Education as provided in section 775(b)(2) of the Act.

(d) "Full-time student" means a student who is or will be enrolled in a school on a full-time basis, as determined by the school, and is pursuing a course of study leading to the degree specified in paragraph (c) of this section.

(e) "Council" means the National Advisory Council on Health Professions Education established by section 725 of the Act.

##### § 57.1303 Eligibility.

To be eligible for a grant under this subpart the applicant shall:

(a) Be a school as defined in § 57.1302 (c) with respect to which there has been a finding that there is reasonable assurance that the school will meet the accreditation standards of the appropriate accreditation body for a school granting the degree of doctor of medicine prior to the beginning of the academic year following the normal graduation date of students who are in their first year of instruction.

(b) Be located in a State, the District of Columbia, Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa or the Trust Territories of the Pacific Islands.

##### § 57.1304 Application.

(a) Each school desiring a grant under this subpart shall submit an application in such form and at such time as the Secretary may require; *Provided, however, That* all applications for a grant under this subpart shall be submitted before July 1, 1974.

(b) Each such application shall contain or be supported by reasonable assurances satisfactory to the Secretary, that in the fiscal year for which the grant is made (i.e. the first 12-month period during which funds are available for expenditure) the school will be affiliated with a hospital accredited by the Joint Committee on Accreditation of Hospitals pursuant to a written agreement between the school and the hospital providing for effective control by the school of the teaching in the hospital.

##### § 57.1305 Determination of number of full-time third-year students.

(a) For purposes of this subpart, the number of full-time third-year students to be enrolled in the school's third-year class, shall be the number of full-time students which the Secretary, on the basis of information relating to the school's past and anticipated enrollment, determines will be enrolled in the school's first third-year class.

(b) The classification of a full-time student as being in a particular year class in a school shall be in accordance with the policies of such school.

##### § 57.1306 Grant award.

(a) The Secretary shall award a grant under this subpart to each applicant whose application is found, after consultation with the council, to meet the applicable requirements of the Act and of the regulations of this subpart. No school shall receive more than one grant authorized by section 771(b) of the Act.

(b) The amount of each grant awarded under this subpart shall be an amount computed in accordance with the formula set forth in section 771(b)(1) of the Act.

(c) All grant awards shall be in writing, shall set forth the amount of funds granted and the period for which such funds will be available for obligation by the grantee.

##### § 57.1307 Payments.

The Secretary shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement.

##### § 57.1308 Expenditure of grant funds.

(a) Grant funds may be expended for the purpose of assisting the school in converting to operation as a school accredited to confer the degree of doctor of medicine; *Provided, however, That* grant funds may not be used for construction or student aid.



(b) Funds granted will be available for obligation by the school for the period specified in the grant award, not to exceed 3 years, except that the Secretary may extend the period of fund availability when the grantee justifies such an extension on the basis of costs related to its conversion to a school granting the degree of doctor of medicine. Any grant funds not obligated as of the end of this period must be refunded to the Federal Government.

**§ 57.1309 Nondiscrimination.**

(a) Attention is called to the requirements of section 799A of the Act and 45 CFR Part 83 which together provide that the Secretary may not make a grant, loan guarantee, or interest subsidy payment under title VII of the Act to, or for the benefit of, any school of medicine, osteopathy, dentistry, veterinary medicine, optometry, pharmacy, podiatry, or public health, or any training center for allied health personnel, or any other entity unless the application for the grant, loan guarantee, or interest subsidy payment contains assurances satisfactory to the Secretary that the school, training center, or other entity will not discriminate on the basis of sex in the admission of individuals to its training programs.

(b) Attention is called to the requirements of title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.) which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such title VI, which is applicable to grants made under this subpart, has been issued by the Secretary with the approval of the President (45 CFR Part 80).

(c) Use of grant funds for remodeling, alterations, or repairs necessary for the educational program of the school shall be subject to the condition that the grantee shall comply with the requirements of Executive Order 11246 (September 24, 1965), 30 F.R. 12319, as amended, relating to nondiscrimination in construction contract employment, and with the applicable rules, regulations, and procedures prescribed pursuant thereto.

**§ 57.1310 Records, reports, inspection, and audit.**

(a) *Records and reports.* (1) All payments made by the Secretary shall be recorded by the grantee on accounting records separate from the records of all other funds, including funds derived from other grant awards. With respect to each grant awarded, the grantee shall account for the sum total of all amounts

paid by presenting or otherwise making available evidence satisfactory to the Secretary of expenditures for costs of meeting the requirement of the subpart.

(2) Each grant awarded pursuant to this subpart shall be subject to the condition that the grantee shall maintain such operational and accounting records, identifiable by grant number, and file with the Secretary such operational and fiscal reports relating to the use of grant funds, as the Secretary may find necessary to carry out the purposes of the Act and the regulations. All records shall be retained for 3 years after the close of the period of time during which the funds are available for obligation by the grantee. (See § 57.1308(b).) Such records may be destroyed at the end of such 3-year period if the applicant has been notified of the completion of the Federal audit by such time. If the applicant has not been so notified, such records shall be retained (i) for 5 years after the close of the period of time during which the funds are available for obligation by the grantee, or (ii) until the grantee is notified of the completion of the Federal audit, whichever comes first. In all cases where audit questions have arisen before the expiration of such 5-year period, records shall be retained until resolution of all such questions.

(b) *Inspection and audit.* Any application for a grant award under this subpart shall constitute the consent of the applicant to inspections of the facilities, equipment and other resources of the applicant at reasonable times by persons designated by the Secretary, and to interviews with the principal staff members and students to the extent that such resources, personnel, and students are, or will be involved in the project. In addition, the acceptance of any grant award under this subpart shall constitute the consent of the grantee to inspection and fiscal audits by such person of the supported activity and of progress and fiscal records relating to the use of grant funds.

**§ 57.1311 Additional conditions.**

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the grant purposes, the interest of the public health or the conservation of grant funds.

**§ 57.1312 Early termination and withholding of payments.**

Whenever the Secretary finds that a grantee has failed in a material respect to comply with the applicable provisions of the Act, the regulations of this subpart, or the terms of the grant, he may, on reasonable notice to the grantee, withhold further payments, and take such

other action, including the termination of the grant, as he finds appropriate to carry out the purposes of the Act and regulations. Noncancellable obligations of the grantee properly incurred prior to the receipt of the notice of termination will be honored. The grantee shall be promptly notified of such termination in writing and given the reasons therefor.

[FR Doc.72-14009 Filed 8-17-72;8:49 am]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 101—Federal Property Management Regulations

#### SUBCHAPTER H—UTILIZATION AND DISPOSAL

#### PART 101-46—UTILIZATION AND DISPOSAL OF PERSONAL PROPERTY PURSUANT TO EXCHANGE/SALE AUTHORITY

##### Subpart 101-46.2—Authorization

##### AUTOMATIC DATA PROCESSING EQUIPMENT

The policy governing utilization and disposal of personal property pursuant to exchange/sale authority is amended to provide for the exemption of automatic data processing equipment (ADPE) from certain restrictions and limitations.

Sections 101-46.202 (a) (2) and (d) (4) are revised as follows:

##### § 101-46.202 Restrictions and limitations.

(a) \* \* \*

(2) The items sold or exchanged (with the exception of automatic data processing equipment to be exchanged by GSA) are not excess, and the items acquired are needed in the conduct of approved programs;

(d) \* \* \*

(4) Even though otherwise eligible, the sale, transfer, or exchange of excess property (other than automatic data processing equipment to be exchanged by GSA) or surplus property in connection with the acquisition of personal property.

(Secs. 111, 79 Stat. 1127; 40 U.S.C. 759, and 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

*Effective date.* This amendment is effective upon publication in the FEDERAL REGISTER (8-18-72).

Dated: August 11, 1972.

ARTHUR F. SAMPSON,  
Acting Administrator  
of General Services.

[FR Doc.72-14029 Filed 8-17-72;8:48 am]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[ 7 CFR Part 981 ]

#### ALMONDS GROWN IN CALIFORNIA

##### Salable, Reserve, and Export Percentages for 1972-73 Crop Year

Notice is hereby given of a proposal to establish, for the 1972-73 crop year, which began July 1, 1972, salable, reserve, and export percentages of 55, 45, and 100 percent, respectively, applicable to California almonds. The proposed percentages would be established in accordance with the provisions of the marketing agreement, as amended, and Order No. 981, as amended (7 CFR Part 981; 37 F.R. 3983), regulating the handling of almonds grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was unanimously recommended by the Almond Control Board.

All persons who desire to file written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, to be received not later than August 28, 1972. All written submissions made pursuant to this notice will be made available for public inspection at the office of the hearing clerk during official hours of business (7 CFR 1.27(b)).

The proposed percentages are based upon the following estimates (kernel weight basis) for the crop year beginning July 1, 1972:

- (1) Production of 180 million pounds;
- (2) Trade demand for domestic almonds of 85 million pounds (which is based on a total demand of 85.2 million pounds less 200,000 pounds of imports for consumption);
- (3) Handler carryover of 18.7 million pounds on July 1, 1972;
- (4) Desirable handler carryover of 32.7 million pounds on June 30, 1973;
- (5) Trade demand and desirable handler carryover requirements for 1972 crop almonds of 99.0 million pounds (items 2 plus 4 minus 3);
- (6) 81.0 million pounds of reserve almonds (item 1 minus item 5);
- (7) Export requirements of 75.0 million pounds of reserve almonds;
- (8) Reserve carryover of 6.0 million pounds on June 30, 1973, needed for export during the period July 1, 1973, through August 31, 1973 (which is based on a total reserve carryover of 6.1 million pounds minus 100,000 pounds of reserve carry-in on June 30, 1972); and

(9) Total export requirements of 81.0 million pounds from 1972 crop (item 7 plus item 8).

On the basis of the foregoing estimates, salable, reserve, and export percentages of 55, 45, and 100 percent, respectively appear to be appropriate for the 1972-73 season.

The proposal is as follows:

§ 981.222 Salable, reserve, and export percentages for almonds during the crop year beginning July 1, 1972.

The salable, reserve, and export percentages during the crop year beginning July 1, 1972, shall be 55, 45, and 100 percent, respectively.

Dated: August 14, 1972.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable  
Division, Agricultural Mar-  
keting Service.

[FR Doc.72-13989 Filed 8-17-72; 8:46 am]

[ 7 CFR Part 991 ]

#### HOPS OF DOMESTIC PRODUCTION

##### Proposed Expenses and Rate of Assessment for 1972-73 Marketing Year

Notice is hereby given of a proposal regarding expenses of the Hop Administrative Committee for the 1972-73 marketing year and rate of assessment for that marketing year, pursuant to §§ 991.55 and 991.56 of Order No. 991, as amended (7 CFR Part 991). The amended marketing order regulates the handling of hops of domestic production, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Hop Administrative Committee has recommended for the 1972-73 marketing year beginning August 1, 1972, a budget of expenses in the total amount of \$166,300 and a rate of assessment of 0.3 cent per pound of salable hops. Expenses in that amount and the rate of assessment are specified in the proposal hereinafter set forth.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, to be received not later than August 29, 1972. 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 proposal is as follows:

§ 991.307 Expenses of the Hop Administrative Committee and rate of assessment for the 1972-73 marketing year.

(a) *Expenses.* Expenses in the amount of \$166,300 are reasonable and likely to be incurred by the Hop Administrative Committee during the marketing year beginning August 1, 1972, for its maintenance and functioning and for such purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for said marketing year, payable by each handler in accordance with § 991.56, is fixed at 0.3 cent per pound of salable hops.

Dated: August 15, 1972.

CHARLES R. BRADER,  
Acting Deputy Director, Fruit  
and Vegetable Division, Agri-  
cultural Marketing Service.

[FR Doc.72-14032 Filed 8-17-72; 8:49 am]

## DEPARTMENT OF COMMERCE

### Maritime Administration

[ 46 CFR Part 381 ]

#### CARGO PREFERENCE

##### Uniform Chartering Procedure

In F.R. Doc. 72-11703, appearing in the FEDERAL REGISTER issue of July 29, 1972 (37 F.R. 15318) giving notice that the Assistant Secretary of Commerce is considering the promulgation of certain regulations under the Cargo Preference Act of 1954, section 901(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1241(b)), the return date for submission of views and comments by interested persons was stated as "on or before August 21, 1972."

Said notice is hereby amended by deleting the date of "August 21, 1972" and substituting therefor the date of "September 15, 1972."

By order of the Assistant Secretary of Commerce for Maritime Affairs.

Dated: August 16, 1972.

JAMES S. DAWSON, Jr.,  
Secretary,  
Maritime Administration.

[FR Doc.72-14122 Filed 8-17-72; 8:51 am]



**National Oceanic and Atmospheric  
Administration**

**[ 50 CFR Part 260 ]**

**QUALITY CONTROL SYSTEMS**

**Statement of Policy and Intent**

**AUGUST 14, 1972.**

On pages 9328 through 9331 of the **FEDERAL REGISTER** of May 9, 1972, there was published a statement of policy and intent which encouraged official establishments to develop and implement complete or partial programs for quality control. Appendices to the statement contained, (1) proposed Guidelines for Development of Quality Control Systems—Official Establishments and, (2) proposed Guidelines for Assessment and Approval of Quality Control Systems—Official Establishments.

Interested persons were given 60 days in which to submit comments regarding the proposed guidelines. Few comments of a substantive technical nature were received. All indicated agreement in principle with the basic objectives and intent of the quality control program. However, one comment stated that the guidelines implied too rigid a concept of quality control, and suggested that instead of requiring strict adherence to the proposed guidelines, each system be evaluated on its own merits. Another comment suggested a modification of the plan with provision made for an agreed period of time for companies to attain compliance. One comment requested clarification of pertinent reports and quality control records that would be made available to the National Marine Fisheries Service (NMFS).

In response to the foregoing comments, the following clarifications are made: (1) Quality control plans should be developed in a simple, disciplined manner, and should not be unnecessarily rigid. Quality control systems will be assessed on their individual merits and demonstrated effectiveness, with the expectation that the plan has been developed using standard quality control principles and terms. During the onsite assessment of a quality control system, the official establishment quality control official will be invited to accompany the NMFS survey team. (2) Official establishment reports pertinent to use by NMFS are those recorded findings resulting from the performance of examinations and tests designated in the quality control plan. Such information and results provide part of the basis for product certification.

NMFS plans to use the guidelines as presently issued, until such time as changes are indicated. As experience in the use of the guidelines develops, further review and modification may be necessary, and subsequently will be undertaken with due notice to NMFS inspection service users with a corresponding opportunity for comment. It should be noted that NMFS policy provides for partial as well as complete quality control systems; and since implementation of a quality control program is voluntary

at official establishments, processors may proceed with developing and implementing a quality control program as their resources permit.

**JOSEPH W. SLAVIN,  
Acting Director,  
National Marine Fisheries Service.**

[FR Doc.72-14002 Filed 8-17-72; 8:47 am]

**DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE**

**Food and Drug Administration**

**[ 21 CFR Part 273 ]**

**BIOLOGICAL PRODUCTS**

**Procedures for Review of Safety,  
Effectiveness, and Labeling**

The importance to the American public of safe and effective vaccines, serums, blood, and other analogous biological products cannot be understated. As early as 1902, Congress enacted biologics control provisions in the Public Health Service Act. These provisions were revised and codified in section 351 of the Public Health Service Act of 1944. A regulatory program has been developed under this congressional mandate, whereby manufacturers of biological products are licensed to distribute these products with adequate showing that they are pure, potent, and safe for their intended uses.

Section 351 of the Public Health Service Act does not explicitly confer the authority to deny or revoke a license on the ground that the product is ineffective or misbranded. Because all biological products are drugs, and because the Federal Food, Drug, and Cosmetic Act does contain explicit authority to control the effectiveness and misbranding of all drugs, applicable provisions of the Federal Food, Drug, and Cosmetic Act were redelegated, as published in the **FEDERAL REGISTER** on February 25, 1972 (37 F.R. 4004), for use to control these aspects of biological products. Shortly thereafter a review of the effectiveness of all licensed biologics was announced, with the first category to consist of certain bacterial vaccines and bacterial antigens, as published in the **FEDERAL REGISTER** of March 15, 1972 (37 F.R. 5404). On July 1, 1972, the Division of Biologics Standards, National Institutes of Health, which has been charged with administering and enforcing section 351 of the Public Health Service Act, was transferred to the Food and Drug Administration, where it is now the Bureau of Biologics (37 F.R. 12865). As part of this transfer, the February 25, 1972, redelegation has been rescinded.

The Commissioner of Food and Drugs, in accepting the transfer of responsibilities for the regulation of biological products, concluded that a systematic review of present procedures should be undertaken.

This proposal will establish a procedure under which the safety, effective-

ness, and labeling of all biological products presently licensed under section 351 of the Public Health Service Act will be reviewed. Advisory review panels comprised of independent experts will provide their conclusions and recommendations to the Commissioner of Food and Drugs, who then will review and implement them. Although these products have been reviewed for safety in the past, it is concluded that the safety of these products should be reviewed again at this time, not only because a review of effectiveness requires a consideration of safety factors, but also because new safety criteria have been developed relating to the necessity for long term scientific evaluation, in that long periods of time may pass before latent adverse effects become manifest. The use of independent advisory panels to participate in this review will insure objective review of these past decisions, and thus will assure public confidence in the use of these products.

The review procedure proposed in this notice relies for legal authority on both the Federal Food, Drug, and Cosmetic Act and section 351 of the Public Health Service Act. To the extent that licensed biological products are presently not required to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, these regulations supersede any such exemptions. As the provisions of the Federal Food, Drug, and Cosmetic Act are gradually applied to licensed biological products and new biological products such existing exemptions will be modified or revoked for a biological product or category of products, on a transitional basis.

The Commissioner of Food and Drugs is aware of the unique problems involved in applying the requirement of "substantial evidence of effectiveness" to biological products, under the Federal Food, Drug, and Cosmetic Act. Where adequate and well-controlled studies are not feasible, and acceptable alternative scientific methods of demonstrating effectiveness are available, the latter will be sufficient. The advisory review panels convened under the procedure proposed in this notice will initially develop the standard and methodology for effectiveness for a particular class of biological products, taking into account all of the circumstances involved, subject to review by the Commissioner of Food and Drugs.

The review procedure proposed in this notice represents the first amalgamation of the licensing procedure established under section 351 of the Public Health Service Act and the new drug and misbranding provisions established under the Federal Food, Drug, and Cosmetic Act. Each review panel will determine those biological products that are and are not safe, effective, and not misbranded, as well as those for which further study is required. The applicable product licenses will then be confirmed, revoked, or permitted to remain in effect on an interim basis pending further study.



The review procedure proposed in this notice encompasses the overall safety and effectiveness of the biological product. The purity and potency of individual lots of a safe and effective biological product will continue to be handled on a lot-by-lot basis pursuant to the requirements already established in 21 CFR Part 273.

All biological products must be licensed prior to marketing, and there are no exemptions or grandfather clauses. It is possible that some biological products are excluded from the definition of a "new drug" under the 1938 or 1962 grandfather clauses, but no biological product is exempt from the misbranding or adulteration provisions of the Federal Food, Drug, and Cosmetic Act. Accordingly, product licenses for products that are determined by the Commissioner of Food and Drugs, on the basis of the recommendations of the applicable advisory review panel, to be either not safe and effective or misbranded, will be revoked.

This notice constitutes only the first step in bringing together the provisions of section 351 of the Public Health Service Act and the requirements of the Federal Food, Drug, and Cosmetic Act. New procedural and substantive regulations governing the licensing of biological products, which will incorporate all applicable provisions of the Federal Food, Drug, and Cosmetic Act, are in preparation and will be proposed for comment when they are available.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201, 502, 505, 701, 52 Stat. 1040-1042, as amended, 1050-1053 as amended, 1055-1056 as amended by 70 Stat. 919 and 72 Stat. 948; 21 U.S.C. 321, 352, 355, 371), the Public Health Service Act (sec. 351, 58 Stat. 702, as amended; 42 U.S.C. 262), and the Administrative Procedure Act (secs. 4, 10, 60 Stat. 238 and 243, as amended; 5 U.S.C. 553, 702, 703, 704), and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that 21 CFR Part 273, formerly 42 CFR Part 73, be amended by adding a new section, as follows:

**§ 273.245 Review procedures to determine that licensed biological products are safe, effective, and not misbranded under prescribed, recommended, or suggested conditions of use.**

For purposes of reviewing biological products that have been licensed prior to July 1, 1972, to determine that they are safe and effective and not misbranded, the following regulations shall apply, and any prior administrative action exempting biological products from the provisions of the Federal Food, Drug, and Cosmetic Act is superseded to the extent that these regulations result in imposing requirements pursuant to provisions therein for a designated biological product or category of products.

(a) *Advisory review panels.* The Commissioner of Food and Drugs shall appoint advisory review panels (1) to evaluate the safety and effectiveness of biological products for which a license

has been issued pursuant to section 351 of the Public Health Service Act, (2) to review the labeling of such biological products, and (3) to advise him on which of the biological products under review are safe, effective, and not misbranded. An advisory review panel shall be established for each designated category of biological product. The members of a panel shall be qualified experts, appointed by the Commissioner, and may include persons from lists submitted by organizations representing professional, consumer, and industry interests. The Commissioner shall designate the chairman of each panel, and summary minutes of all meetings shall be made.

(b) *Request for data and views.* (1) The Commissioner of Food and Drugs will publish a notice in the FEDERAL REGISTER requesting interested persons to submit, for review and evaluation by an advisory review panel, published and unpublished data and information pertinent to a designated category of biological products. The license for any biological product falling within the category shall promptly be revoked if no such submission is made. (2) Data and information submitted pursuant to a published notice, and falling within the confidentiality provisions of 18 U.S.C. 1905, 5 U.S.C. 552(b), or 21 U.S.C. 331(j), shall be handled by the advisory review panel and the Food and Drug Administration as confidential until publication of a proposed evaluation of the biologics under review and the full report or reports of the panel. Thirty days thereafter such data and information shall be made publicly available and may be viewed at the Office of the Hearing Clerk of the Food and Drug Administration, except to the extent that the person submitting it demonstrates that it still falls within the confidentiality provisions of one or more of those statutes. (3) To be considered, eight copies of the data and/or views on any marketed biological product within the class must be submitted, preferably bound, indexed, and on standard sized paper, approximately 8½ x 11 inches. The time allotted for submission will ordinarily be 60 days. When requested, abbreviated submissions should be sent. All submissions shall be in the following format, indicating "none" or "not applicable" where appropriate, unless changed in the FEDERAL REGISTER notice:

#### BIOLOGICAL PRODUCTS REVIEW INFORMATION

I. Label or labels and all other labeling (preferably mounted. Facsimile labeling is acceptable in lieu of actual container labeling.)

II. Representative advertising used during the past 5 years.

III. The complete quantitative composition of the biological product.

IV. Animal safety data.

A. Individual active components.

1. Controlled studies.

2. Partially controlled or uncontrolled studies.

B. Combinations of the individual active components.

1. Controlled studies.

2. Partially controlled or uncontrolled studies.

C. Finished biological product.

1. Controlled studies.

2. Partially controlled or uncontrolled studies.

V. Human safety data.

A. Individual active components.

1. Controlled studies.

2. Partially controlled or uncontrolled studies.

3. Documented case reports.

4. Pertinent marketing experiences that may influence a determination as to the safety of each individual active component.

5. Pertinent medical and scientific literature.

B. Combinations of the individual active components.

1. Controlled studies.

2. Partially controlled or uncontrolled studies.

3. Documented case reports.

4. Pertinent marketing experiences that may influence a determination as to the safety of combinations of the individual active components.

5. Pertinent medical and scientific literature.

C. Finished biological product.

1. Controlled studies.

2. Partially controlled or uncontrolled studies.

3. Documented case reports.

4. Pertinent marketing experiences that may influence a determination as to the safety of the finished biological product.

5. Pertinent medical and scientific literature.

VI. Efficacy data.

A. Individual active components.

1. Controlled studies.

2. Partially controlled or uncontrolled studies.

3. Documented case reports.

4. Pertinent marketing experiences that may influence a determination as to the effectiveness of combinations of the individual active components.

5. Pertinent medical and scientific literature.

B. Combinations of the individual active components.

1. Controlled studies.

2. Partially controlled or uncontrolled studies.

3. Documented case reports.

4. Pertinent marketing experiences that may influence a determination as to the effectiveness of the finished biological product.

5. Pertinent medical and scientific literature.

VII. A summary of the data and views setting forth the medical rationale and purpose (or lack thereof) for the biological product and its components and the scientific basis (or lack thereof) for the conclusion that the biological product, including its components, has been proven safe and effective and is properly labeled for the intended use or uses. If there is an absence of controlled studies in the material submitted, an explanation as to why such studies are not considered necessary shall be included.

VIII. If the submission is by a licensee, a statement signed by the person responsible for the submission must be included, stating that to the best of his knowledge and belief, it includes all information, favorable and unfavorable, pertinent to an evaluation of the safety, effectiveness, and labeling of



the product, including information derived from investigation, commercial marketing, or published literature. If the submission is by an interested person other than a licensee, a statement signed by the person responsible for such submission must be included, stating that to the best of his knowledge and belief, it fairly reflects a balance of all the information, favorable and unfavorable, available to him pertinent to an evaluation of the safety, effectiveness, and labeling of the product.

(c) *Deliberations of an advisory review panel.* An advisory review panel will meet as often and for as long as is appropriate to review the data submitted to it and to prepare a report containing its conclusions and recommendations to the Commissioner of Food and Drugs with respect to the safety, effectiveness, and labeling of the biological products in the designated category under review.

(1) A panel may also consult any individual or group.

(2) Any interested person may request in writing an opportunity to present oral views to the panel. Such written requests for oral presentations should include a summarization of the data to be presented to the panel. Such request may be granted or denied by the panel.

(3) Any interested person may present written data and views which shall be considered by the panel. This information shall be presented to the panel in the format set forth in paragraph (b) (3) of this section and within the time period established for the biological product category in the notice for review by a panel.

(d) *Standards for safety, effectiveness, and labeling.* The advisory review panel, in reviewing the submitted data and preparing the panel's conclusions and recommendations, and the Commissioner of Food and Drugs, in reviewing and implementing the conclusions and recommendations of the panel, shall apply the following standards to determine that a biological product is safe and effective and not misbranded.

(1) Safety means the relative freedom from harmful effect to persons affected, directly or indirectly, by a product when prudently administered, taking into consideration the character of the product in relation to the condition of the recipient at the time. Proof of safety shall consist of adequate tests by methods reasonably applicable to show the biological product is safe under the prescribed conditions of use, including results of significant human experience during use.

(2) Effectiveness means a reasonable expectation that, in a significant proportion of the target population, the pharmacological or other effect of the biological product, when used under adequate directions for use and warnings against unsafe use, will serve a clinically significant function in the diagnosis, cure, mitigation, treatment, or prevention of disease in man. Proof of effectiveness shall consist of controlled clinical investigations as defined in § 130.12(a) (5) (ii) of this chapter, unless this requirement is waived on the basis of a showing

that it is not reasonably applicable to the biological product or essential to the validity of the investigation, and that an alternative method of investigation is adequate to substantiate effectiveness. Investigations may be corroborated by partially controlled or uncontrolled studies, documented clinical studies by qualified experts, and reports of significant human experience during marketing. Isolated case reports, random experience, and reports lacking the details which permit scientific evaluation will not be considered.

(3) The benefit-to-risk ratio of a biological product shall be considered in determining safety and effectiveness.

(4) A biological product may combine two or more safe and effective active components: (i) When each active component makes a contribution to the claimed effect or effects; (ii) when combining of the active ingredients does not decrease the purity, potency, safety, and effectiveness of any of the individual active components; and (iii) if the combination, when used under adequate directions for use and warnings against unsafe use, provides rational concurrent preventive therapy or treatment for a significant proportion of the target population.

(5) Labeling shall be clear and truthful in all respects and may not be false or misleading in any particular. It shall comply with section 351 of the Public Health Service Act and sections 502 and 503 of the Federal Food, Drug, and Cosmetic Act, and in particular with the applicable requirements of §§ 273.600 through 273.605 and 1.106 of this chapter.

(e) *Advisory review panel report to the Commissioner.* An advisory review panel shall submit to the Commissioner of Food and Drugs a report containing the panel's conclusions and recommendations with respect to the biological products falling within the category covered by the panel. Included within this report shall be:

(1) A statement which designates those biological products determined by the panel to be safe and effective and not misbranded. This statement may include any condition relating to active components, labeling, tests required prior to release of lots, product standards, or other conditions necessary or appropriate for their safety and effectiveness.

(2) A statement which designates those biological products determined by the panel to be unsafe or ineffective, or to be misbranded. The statement shall include the panel's reasons for each such determination.

(3) A statement which designates those biological products determined by the panel not to fall within either subparagraph (1) or (2) of this paragraph on the basis of the panel's conclusion that the available data are insufficient to classify such biological products, and for which further testing is therefore required. The report shall recommend with as much specificity as possible the type of further testing required and the time

period within which it might reasonably be concluded. The report shall also recommend whether the product license should or should not be revoked, thus permitting or denying continued manufacturing and marketing of the biological product pending completion of the testing. This recommendation will be based on an assessment of the potential benefits and risks likely to result from the continued use of the product for a limited period of time while the questions raised concerning the product are being resolved by further study.

(f) *Proposed order.* After reviewing the conclusions and recommendations of the advisory review panel, the Commissioner of Food and Drugs shall publish in the FEDERAL REGISTER a proposed order containing:

(1) A statement designating the biological products in the category under review that are determined by the Commissioner of Food and Drugs to be safe and effective and not misbranded. This statement may include any condition relating to active components, labeling, tests required prior to release of lots, product standards, or other conditions necessary or appropriate for their safety and effectiveness, and may propose corresponding amendments in other regulations under this Part 273.

(2) A statement designating the biological products in the category under review that are determined by the Commissioner of Food and Drugs to be unsafe or ineffective, or to be misbranded, together with the reasons therefor. All licenses for such products shall be proposed to be revoked.

(3) A statement designating the biological products not included in either of the above two statements on the basis of the Commissioner of Food and Drugs determination that the available data are insufficient to classify such biological products under either subparagraphs (1) or (2) of this paragraph. Licenses for such products may be proposed to be revoked or to remain in effect on an interim basis. Where the Commissioner determines that the potential benefits outweigh the potential risks, the proposed order shall provide that the product license for any biological product falling within this paragraph will not be revoked but will remain in effect on an interim basis while the data necessary to support its continued marketing are being obtained for evaluation by the Food and Drug Administration. The tests necessary to resolve whatever safety or effectiveness questions exist shall be described.

(4) The full report or reports of the panel to the Commissioner of Food and Drugs. The summary minutes of the panel meeting or meetings shall be made available to interested persons upon request. Any interested person may, within 60 days after publication in the FEDERAL REGISTER, file with the Hearing Clerk of the Food and Drug Administration written comments in quintuplicate. Comments may be accompanied by a memorandum or brief in support thereof. All comments may be reviewed at the office



of the Hearing Clerk during regular working hours, Monday through Friday.

(g) *Final order.* After reviewing the comments, the Commissioner of Food and Drugs shall publish in the **FEDERAL REGISTER** a final order on the matters covered in the proposed order. The final order shall become effective as specified in the order.

(h) *Additional studies.* (1) Within 30 days following publication of the final order, each licensee for a biological product designated as requiring further study to justify continued marketing on an interim basis, pursuant to paragraph (f)(3) of this section, shall satisfy the Commissioner of Food and Drugs in writing that studies adequate and appropriate to resolve the questions raised about the product have been undertaken, or the Federal Government may undertake the studies. The Commissioner may extend this 30-day period if necessary to review and act on proposed protocols. If no such commitment is made or adequate and appropriate studies are not undertaken, the product license or licenses shall be revoked.

(2) A progress report shall be filed on the studies every January 1 and July 1 until completion. If the progress report is inadequate or if the Commissioner of Food and Drugs concludes that the studies are not being pursued promptly and diligently, or if interim results indicate the potential benefits do not outweigh the potential risks, the product license or licenses shall be revoked.

(3) Promptly upon completion of the studies undertaken on the product, the Commissioner of Food and Drugs will review all available data and will either retain or revoke the product license or licenses involved. In making this review and evaluation the Commissioner may again consult the advisory review panel, which prepared the report on the product, or other advisory committees, professional organizations, or experts. The Commissioner shall take such action by notice published in the **FEDERAL REGISTER**.

(i) *Court appeal.* The final order published pursuant to paragraph (g) of this section, and any notice published pursuant to paragraph (h) of this section, constitute final agency action from which appeal lies to the courts. The Food and Drug Administration will request consolidation of all appeals in a single court. Upon court appeal, the Commissioner of Food and Drugs may, at his discretion, stay the effective date for part or all of the final order or notice, pending appeal and final court adjudication.

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: August 14, 1972.

CHARLES C. EDWARDS,  
Commissioner of Food and Drugs.

[FR Doc.72-13998 Filed 8-17-72; 8:47 am]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Parts 2, 89, 91, 93 ]

[Docket No. 18302]

### AUTOMOTIVE VEHICLE LOCATOR SYSTEMS IN LAND MOBILE RADIO SERVICES

#### Further Notice of Inquiry; Extension of Time

In the matter of inquiry as to Automotive Vehicle Locator Systems in the

Land Mobile Radio Services involving Parts 2, 89, 91, and 93 of the Commission's rules. Docket No. 18302, RM-1734.

1. The Department of Transportation (DOT) has requested an extension of time of 90 days for the filing of comments and replies in the above-captioned proceeding, published July 12, 1972 (37 F.R. 13640).

2. In support of its request, DOT states that it is now conducting a series of vehicle location tests and evaluations, the results of which will not be available until early September. DOT states that these results are essential for it to be able to provide comprehensive and meaningful comments in reply to the further notice of inquiry.

3. It appears that the public interest would be served by granting the additional 90 days asked to afford the petitioner and other interested parties a full opportunity for the preparation and presentation of their views in this inquiry to aid the Commission in evaluating the issues raised therein.

4. Accordingly, it is ordered, Pursuant to § 0.331(b)(4) of the Commission's rules, that the time for filing comments in the above-captioned proceeding is extended from September 14, 1972, to December 14, 1972, and for reply comments from September 28, 1972, to December 28, 1972.

Adopted: August 8, 1972.

Released: August 10, 1972.

[SEAL] JAMES E. BARR,  
Chief, Safety and Special  
Radio Services Bureau.

[FR Doc.72-13080 Filed 8-17-72; 8:45 am]



# Notices

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

#### STEEL WIRE ROPE FROM JAPAN

##### Antidumping Proceeding Notice

On July 11, 1972, information was received in proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that steel wire rope from Japan is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

[SEAL] EDWIN F. RAINS,  
*Acting Commissioner of Customs.*

Approved: August 16, 1972.

EUGENE T. ROSSIDES,  
*Assistant Secretary  
of the Treasury.*

[FR Doc.72-14091 Filed 8-17-72; 8:50 am]

### Office of the Secretary

#### MECHANICAL AIRFOAM LIQUID CONCENTRATES FROM CANADA

##### Determination of Sales at Not Less Than Fair Values

On June 29, 1972, there was published in the FEDERAL REGISTER a "Notice of Tentative Negative Determination" that commercial grade (3 percent strength) mechanical airfoam liquid concentrates from Canada are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19

U.S.C. 160(a)) (referred to in this notice as "the Act").

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded an opportunity to make written submissions and to present oral views in connection with the tentative determination.

No written submissions or requests to present oral views having been received, I hereby determine that, for the reasons stated in the tentative determination, commercial grade (3 percent strength) mechanical airfoam liquid concentrates from Canada are not being, nor likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Act.

(19 U.S.C. 160(c), § 153.33(c), Customs Regulations (19 CFR 153.33(c)))

[SEAL] EUGENE T. ROSSIDES,  
*Assistant Secretary  
of the Treasury.*

AUGUST 14, 1972.

[FR Doc.72-14001 Filed 8-17-72; 8:47 am]

#### STAINLESS STEEL AUTOMOBILE SPLASH GUARDS FROM CANADA

##### Notice of Tentative Negative Determination

Information was received on December 21, 1971, that stainless steel automobile splash guards from Canada are being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of March 2, 1972, on page 4368.

I hereby make a tentative determination that stainless steel automobile splash guards from Canada are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

*Statement of reasons on which this tentative determination is based.* The quantities of stainless steel automobile splash guards exported from Canada to the United States are so insignificant as to be de minimis.

In accordance with § 153.33(b), Customs Regulations (19 CFR 153.33(b)), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to

the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received by his office not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to §§ 153.14 and 153.33 of the Customs Regulations (19 CFR 153.14, 153.33).

[SEAL] EUGENE T. ROSSIDES,  
*Assistant Secretary of the Treasury.*

AUGUST 14, 1972.

[FR Doc.72-14031 Filed 8-17-72; 8:49 am]

## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

#### DISASTER AT BLACKSVILLE NO. 1 MINE, BLACKSVILLE, W. VA.

##### Notice of Public Hearing

Notice of public hearing regarding cause of loss of life at the Blacksville No. 1 Mine, Consolidation Coal Co., Blacksville, W. Va. on July 22, 1972.

Notice is hereby given that the Secretary of the Interior has authorized and directed the Office of Hearings and Appeals to conduct a public hearing, in accordance with the provisions of section 103 of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. sec. 801 et seq., for the purpose of obtaining, utilizing, and disseminating information relating to the cause of the accident involving loss of life on or about July 22, 1972.

The hearing will commence at 9:30 a.m. on October 10, 1972, at the Mount Chateau Lodge Conference Center, Morgantown, W. Va. (Mount Chateau is located 8 miles northeast of Morgantown, W. Va. on State Route 73.)

All parties having direct information relating to compliance with applicable health and safety standards, or the cause of the July 22, 1972, accident at said mine, who desire to give testimony, are requested to contact the Director, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, telephone: 703-557-1500 on or before 5 p.m., October 3, 1972.

Additional witnesses may be subpoenaed to testify pursuant to section 103(d) of the Act if necessary to complete the investigation. Witnesses are advised that they may be required to



attend a prehearing conference in Morgantown, W. Va., on or before October 9, 1972.

Copies of the U.S. Bureau of Mines preliminary report of accident will be available on September 1, 1972, at the Bureau of Mines office in Washington, D.C., and Morgantown, W. Va. Requests for copies should be addressed to Assistant Director, Coal Mine Health and Safety, U.S. Bureau of Mines, Department of the Interior, Washington, D.C. 22040 or Office of District Manager, U.S. Bureau of Mines, Post Office Box 880, Collins Ferry Road, Morgantown, W. Va. 26504. Copies are also available from the Office of Hearings and Appeals.

Dated: August 15, 1972.

GILBERT O. LOCKWOOD,  
Acting Director,  
Office of Hearings and Appeals.

[FR Doc.72-14035 Filed 8-17-72; 8:50 am]

[INT-DES 72-84]

# **MULTIPURPOSE PROJECT, DIVERSION OF WATER FROM UINTA MOUNTAINS TO BONNEVILLE BASIN, UTAH**

## **Notice of Availability of Draft Environmental Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement on a proposed multipurpose project for the diversion of water from the south slope of the Uinta Mountains to water-deficient areas of the Bonneville Basin in central Utah. Water would be developed for irrigation, municipal, and industrial use, and power production; and would provide recreation, fish and wildlife, flood control, and water quality control benefits. Your comments are invited within forty-five (45) days of this notice.

Copies are available for inspection at the following locations:

Office of Communications, Room 7220, Department of the Interior, Washington, D.C. 20240, Telephone 202-343-9247.

Office of Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240, Telephone 202-343-4991.

Division of Engineering Support, Technical Services Branch, E&R Center, Denver Federal Center, Denver, Colo. 80225, Telephone 303-234-3007.

Office of the Regional Director, Bureau of Reclamation, Room 7223, Federal Building, 125 South State Street, Salt Lake City, UT 84111, 801-524-5417.

Central Utah Projects Office, Bureau of Reclamation, 160 North Second W, Provo, UT 84601, 801-374-5011.

Single copies of the draft statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. In addition, copies may be pur-

chased from the National Technical Information Service, Department of Commerce, Springfield, Va. 22151. Please refer to the statement number above.

Dated: August 14, 1972.

W. W. LYONS,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc.72-13088 Filed 8-17-72; 8:46 am]

## **DEPARTMENT OF AGRICULTURE**

### **Foreign Agricultural Service IMPORT QUOTAS FOR CHEESE**

#### **Submission of Information To Establish Eligibility for Licenses**

##### **Correction**

In F.R. Doc. 72-12361 appearing on page 15945 of the issue for Tuesday, August 8, 1972, item (a) in the left hand column of the tabulated material should read "950.10B" instead of "950.10A".

#### **Office of the Secretary**

##### **NEW YORK**

#### **Designation of Areas for Emergency Loans**

For the purpose of making Emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) and section 232 of the Disaster Relief Act of 1970 (Public Law 91-606), it has been determined that in the following counties in the State of New York natural disasters have caused a general need for agricultural credit:

##### **COUNTIES**

Chenango.  
Cortland.  
Erie.  
Franklin.  
Genesee.  
Jefferson.

Lewis.  
Niagara.  
Orleans.  
Sullivan.  
Ulster.

Emergency loans will not be made in the above-named counties under this designation pursuant to applications received after June 30, 1973, except subsequent loans to qualified borrowers who received initial loans under this designation.

The urgency of the need for emergency loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 11th day of August 1972.

T. K. COWDEN,  
Acting Secretary.

[FR Doc.72-14033 Filed 8-17-72; 8:49 am]

## **Packers and Stockyards Administration**

### **FARMERS LIVESTOCK EXCHANGE ET AL.**

#### **Proposed Posting of Stockyards**

The Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

AL-153, Farmers Livestock Exchange, Leighton, Ala.

AR-147, Saline & Quachita Valley Commission Company, Warren, Ark.

GA-174, Sam Simmons Livestock Commission Company, Cartersville, Ga.

TN-170, Dickson Livestock Center, Inc., Dickson, Tenn.

TX-297, Fort Worth Horse and Mule Commission Company, Fort Worth, Tex.

TX-298, Longview Livestock Commission Company, Longview, Tex.

TX-299, Tyler Livestock Marketing Company, Tyler, Tex.

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule, may do so by filing them with the Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, Washington, D.C. 20250, within 15 days after publication in the FEDERAL REGISTER.

All written submissions made pursuant to this notice shall be made available for public inspection at such times and places in a manner convenient to the public business (7 U.S.C. 1.27(b)).

Done at Washington, D.C., this 14th day of August 1972.

EDWARD L. THOMPSON,  
Acting Chief, Registrations,  
Bonds, and Reports Branch,  
Livestock Marketing Division.

[FR Doc.72-13990 Filed 8-17-72; 8:46 am]

[P. & S. Docket No. 4673]

### **HOOPER AUCTION CO., INC.**

#### **Notice of Complaint, Orders, Suspension, and Hearing**

In re: Hooper Auction Co., Inc., Montgomery, Ala.—respondent.



Notice of complaint, order of suspension, and hearing regarding respondent's schedule of rates and charges.

Notice is hereby given that on July 13, 1972, the respondent filed a proposed amendment to its current schedule of rates and charges, under title III of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), to become effective July 25, 1972. The proposed amendment tariff reads as follows:

#### SECTION I—SELLING COMMISSION

##### A. Commercial cattle sold per hundredweight:

	Per head
1 pound through 299 pounds.....	\$2.80
300 pounds through 599 pounds.....	3.95
600 pounds through 799 pounds.....	4.15
800 pounds and over.....	4.75
Cattle and calves when sold by head:	
\$0.01 through \$25.00.....	2.00
\$25.01 through \$75.00.....	3.50
\$75.01 through \$100.00.....	4.10
\$100.00 and over.....	4.50

##### Bulls:

800 pounds and over.....	5.50
Cow with calf.....	6.00

##### Commercial Cattle Resales and No Sales:

1 pound through 299 pounds.....	1.00
300 pounds and up.....	1.50

##### B. Purebred Cattle:

When sold as such with or without calf.....	8.25
Purebred Cattle Resales and No Sales.....	4.00

#### SECTION II—BUYING ON COMMISSION

Stocker Cattle...per hundredweight...	\$0.25
Butcher Cattle...do.....	.15

#### SECTION III—FEED

Hay.....per bale.....	\$1.50
Corn.....per hundredweight.....	4.50

#### SECTION IV

A charge of \$0.50 per head (not to exceed \$25.00 per load) on all livestock unloaded at the market for feed, water, and rest as in transit shipment.

#### SECTION V—VETERINARY SERVICES

The schedule of charges on all necessary veterinary services performed by an accredited veterinarian will be posted uniform per head rates, pursuant to company agreement with the veterinarians performing such services and does not contain any charges retained by the market.

Notice is given hereby also that on July 24, 1972, the Packers and Stockyards Administration, U.S. Department of Agriculture, filed a "Complaint, Order of Suspension, and Notice of Hearing" with respect to the respondent's rates and charges. The contents of such document are as follows:

This proceeding is instituted pursuant to the provisions of title III of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), hereinafter referred to as the Act.

I. The respondent is now and at all times mentioned herein was registered with the Secretary of Agriculture as a market agency to buy and sell livestock on commission at the Hooper Auction Co., Inc., stockyard, which is now, and at all times mentioned herein was, a posted stockyard subject to the provisions of the Act.

II. In accordance with the requirements of the Act, the respondent has heretofore filed and presently has in effect a schedule of rates and charges for its services at the aforementioned stockyard.

III. On July 13, 1972, the respondent filed a tariff effective July 25, 1972, containing certain increases in the current rates and charges.

IV. Upon an analysis of the information available to the Packers and Stockyards Administration, U.S. Department of Agriculture, there is reason to believe that certain of such increases are unjust, unreasonable, or discriminatory.

V. It is concluded, therefore, that a proceeding under title III of the Act should be instituted for the purpose of determining the reasonableness and lawfulness of the rates and charges set forth in the respondent's schedule of rates and charges as modified by the tariff filed on July 13, 1972, and that pending a hearing and decision in this proceeding, the operation of the modifications of the current schedule of rates and charges should be suspended and the use of such modified rates and charges deferred.

VI. It is further concluded that a hearing should be had for the purpose of determining the lawfulness of all rates and charges of the respondent and of any rule, regulation, or practice affecting said rates and charges.

It is therefore ordered, That the operation and use by the respondent of the modifications of the current schedule of rates and charges filed on July 13, 1972, to become effective on July 25, 1972, are hereby suspended and deferred until the expiration of 30 days beyond the time when such tariff would otherwise go into effect.

It is further ordered, That notice to the respondent shall be, and is hereby, given that a hearing concerning the matters set forth herein will be held before an Examiner of the Department at a time and place to be specified at a later date, of which the respondent will receive adequate notice. At such hearing, the respondent and all other interested persons will have a right to appear and present such evidence with respect to the matters and things set forth herein as may be relevant and material.

It is further ordered, That any and all interested persons who may wish to appear and present evidence relative to the issues in this proceeding shall give notice thereof by filing a statement to that effect with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., within 20 days from the date of the publication hereof in the FEDERAL REGISTER.

It is further ordered, That a copy hereof be served upon the respondent.

Done at Washington, D.C., this 14th day of August.

MARVIN L. McLAIN,  
Administrator, Packers and  
Stockyards Administration.

[FR Doc.72-13991 Filed 8-17-72;8:46 am]

## Rural Telephone Bank TELEPHONE BANK BOARD

### Election of Board Members; Final Notice

Final notice is hereby given that, pursuant to section 405(d) of the Rural Electrification Act of 1936, as amended (the Act), a meeting to elect six industry members of the Telephone Bank Board for 2-year terms will be held in the Jefferson Auditorium, South Building, Department of Agriculture, at 9 a.m. on September 14, 1972.

This meeting and election will be conducted as set forth in the First Notice of Election of Board Members (F.R. Doc. 72-7968) appearing at page 10590 of the issue of the FEDERAL REGISTER for May 25, 1972, as amended and supplemented by the following:

1. Paragraph 3(c) of said notice is amended to read:

(c) A voting representative may vote by proxy in an election of directors by designating a voting representative of another borrower or borrower-controlled organization as his proxy on the proxy designation form and furnishing this form to the voting representative designated to exercise his proxy. The proxy holder should present this proxy designation form to the Assistant Secretary of the Rural Telephone Bank upon registration. No voting representative may vote the proxies of more than 10 voting representatives. A voting representative who has given a proxy may attend the meeting and such attendance shall revoke the proxy previously given and shall have the same effect as if the proxy had not been executed.

2. Paragraph 3 of said notice is supplemented by adding thereto the following:

(d) Voting representatives may register on September 13, the day before the meeting, between 10 a.m. and 4 p.m. in Conference Room 4306, South Building, Department of Agriculture. On September 14, registration will start at 8:30 a.m. at the entrance of the Jefferson Auditorium, South Building, Department of Agriculture.

(e) An individual may register and vote in person as a voting representative at the election meeting for only one qualified organization (borrower or borrower-controlled organization). If an individual has been properly certified as a voting representative by more than one qualified organization, he may use the voting representative certification from each additional organization as a proxy designation or as a basis for granting a proxy to another voting representative. In no event may any individual cast more than 11 ballots in any one balloting, one as a voting representative and not more than 10 as proxy. Voting representatives are urged to be prompt in attendance to avoid missing the opportunity of voting in any balloting.

3. Paragraph 4(d) of said notice is amended to read:

(d) Nomination forms received after 9 a.m., August 10, 1972, and by 9 a.m., September 12, 1972, shall be opened and tabulated by tellers nominated by the Governor and approved by the Telephone Bank Board. The names of all qualified individuals receiving a total of 10 nominations by 9 a.m., September 12, 1972, including nominations received before 9 a.m., August 10, 1972,



shall be placed on the official ballot as candidates. There shall be no nominations from the floor.

As indicated in the first notice, each borrower or organization entitled to vote shall complete and submit a voting representative certification certifying a director, manager, or employee, of such borrower or organization, as its voting representative.

A voting representative may complete a proxy designation form if he cannot attend the election meeting in person, or in the circumstances referred to in paragraph 3(e) of the first notice (added by paragraph 2 above). A copy of this final notice, with a copy of a proxy designation form and a duplicate voting representative certification form, is being mailed to all REA telephone borrowers and borrower controlled organizations as set forth in the first notice.

To prevent delays in registering for the election meeting, only the nomination form should be mailed in the envelope provided for "Nominations." The voting representative certification should be mailed in a separate envelope. It is recommended that a duplicate voting representative certification be completed and presented at the registration desk to facilitate the registration process.

The following individuals have qualified under the procedure set forth in the first notice to have their names appear on the official ballot:

1. Candidates for three commercial-type positions:

- a. John A. Brady, Sr.
- b. \*Jean S. Brandil.
- c. \*LeRoy T. Carlson.
- d. R. E. Gauntt.
- e. Arndon O. Haynes.
- f. \*Harold G. Payne.
- g. H. R. Wilbourn, Jr.
- h. Charles Wohlstetter.

2. Candidates for three cooperative-type positions:

- a. \*Glenn W. Bergland.
- b. Roy C. Boecher.
- c. \*B. Maynard Christenson.
- d. R. Maurice Holland.
- e. \*David J. McKay.

\*Incumbents.

Dated: August 11, 1972.

E. C. WEITZELL,  
Acting Governor,  
Rural Telephone Bank.

[FR Doc.72-13992 Filed 8-17-72; 8:46 am]

## GENERAL SERVICES ADMINISTRATION

[Wildlife Order 96; N-Maine-571]

### SEAL ISLAND, KNOX COUNTY, MAINE

#### Transfer of Property

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By letter from the General Services Administration, Boston, Mass., Regional Office, dated July 24, 1972, the

property comprising 65 acres of unimproved land, identified as Seal Island, Knox County, Maine, has been transferred to the Department of the Interior.

2. The above identified property was transferred to the Department of the Interior for wildlife conservation purposes in accordance with the provisions of section 1 of the said Public Law 537 (16 U.S.C. 667b).

Dated: August 11, 1972.

RICHARD W. AUSTIN,  
Assistant Commissioner,  
Office of Real Property.

[FR Doc.72-14003 Filed 8-17-72; 8:47 am]

[Wildlife Order 97; U-Mass-685]

### PORTION—CAPE ANN LIGHT STATION, THACHER'S ISLAND, ROCKPORT, MASS.

#### Transfer of Property

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By letter from the General Services Administration, Boston, Mass., Regional Office, dated July 25, 1972, the property comprising 22 acres of land and one deactivated lighthouse, identified as Portion—Cape Ann Light Station, Thacher's Island, Rockport, Mass., has been transferred to the Department of the Interior.

2. The above identified property was transferred to the Department of the Interior for wildlife conservation purposes in accordance with the provisions of section 1 of the said Public Law 537 (16 U.S.C. 667b).

Dated: August 11, 1972.

RICHARD W. AUSTIN,  
Assistant Commissioner,  
Office of Real Property.

[FR Doc.72-14004 Filed 8-17-72; 8:47 am]

[Wildlife Order 98]

### BUREAU OF RECLAMATION LAND, BUCKEYE, ARIZ.

#### Transfer of Property

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By deed from the United States of America dated May 12, 1972, the property known as 15 Acres of Bureau of Reclamation Land, in Buckeye, Ariz., more particularly described in the deed, has been transferred from the United States to the State of Arizona.

2. The above described property was transferred for wildlife purposes in accordance with the provisions of section 1 of said Public Law 537 (16 U.S.C. 667b).

Dated: August 11, 1972.

RICHARD W. AUSTIN,  
Assistant Commissioner,  
Office of Real Property.

[FR Doc.72-14030 Filed 8-17-72; 8:49 am]

## FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder  
License No. 1211]

### LORRAINE CARGO SERVICE, INC.

#### Order of Revocation

On August 1, 1972, the Federal Maritime Commission received notification that Lorraine Cargo Service, Inc., 179 Giralda Avenue, Coral Gables, FL 33134, wishes to voluntarily surrender its Independent Ocean Freight Forwarder License No. 1211 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated May 1, 1972);

It is ordered, That the Independent Ocean Freight Forwarder License No. 1211 be returned to the Commission for cancellation.

It is further ordered, That the Independent Ocean Freight Forwarder License of Lorraine Cargo Service, Inc., be and is hereby revoked effective August 1, 1972, without prejudice to reapply for a license at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Lorraine Cargo Service, Inc.

AARON W. REESE,  
Managing Director.

[FR Doc.72-14026 Filed 8-17-72; 8:49 am]

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### OREGON DEVELOPMENTAL PLAN

#### Occupational Safety and Health Standards and Their Enforcement; Notice of Submission of Plan and Availability for Public Comment

Notice is hereby given that the notice on the above plan appearing in the FEDERAL REGISTER, Thursday, July 20, 1972, at pages 14445 and 14446, Volume 37, Number 140, is amended by inserting the following between the first and second paragraphs of the section entitled "Public Participation."

"Any interested person may request an informal hearing concerning the proposed plan, or any part thereof, whenever particularized written objections thereto are filed within the 30 days specified above. If the Assistant Secretary finds that substantial objections are filed, he shall hold a formal or informal hearing on the subjects and issues involved."

Signed at Washington, D.C., this 14th day of August 1972.

G. C. GUENTHER,  
Assistant Secretary of Labor.

[FR Doc.72-13996 Filed 8-17-72; 8:49 am]



# DEPARTMENT OF COMMERCE

## National Technical Information Service

### GOVERNMENT-OWNED INVENTIONS

#### Notice of Availability for Licensing

The inventions listed below resulted from research in aeronautical and space activities performed under programs of the National Aeronautics and Space Administration. The inventions are available for licensing in accordance with the NASA Patent Licensing Regulations (14 CFR 1245.2).

Patent application No.	Title
PAT-APPL- 3 151	The Liquid Waste Feed System.
PAT-APPL- 3 417	High Speed Rolling Element Bearing.
PAT-APPL- 5 114	Electrically Controlled Polyiminated Ethylene.
PAT-APPL- 6 810	Bonding of Bonded Polymer to Metals.
PAT-APPL- 6 816	Cover Plate for Solar Cell Panels.
PAT-APPL- 9 251	Thermionic Tantulum Emitters Doped with Oxygen.
PAT-APPL- 10 527	Spherical Measurement Device.
PAT-APPL- 11 227	Optical System for Space Simulator.
PAT-APPL- 11 661	A Magnifying Scratch Gage Force Transducer.
PAT-APPL- 12 661	Protective Device to Avoid Complete Saturation of a Transformer with a Compound Magnet Core.
PAT-APPL- 13 446	Electro-Optical Scanning Apparatus.
PAT-APPL- 15 020	Absolute Focus Lock for Microscopes.
PAT-APPL- 16 868	Isolated Amplifier for Measuring Millivolt Electrical Signals with Reference to a High Common Mode Potential.
PAT-APPL- 17 102	Digital Sum Sensor.
PAT-APPL- 18 983	Material Testing System.
PAT-APPL- 20 673	Lifting Body.
PAT-APPL- 21 263	Reinforced Polyquinoxaline Gasket and Method of Preparing the Same.
PAT-APPL- 21 364	Space Suit Having Improved Waist and Torso Movement.
PAT-APPL- 21 644	Disk Pack Cleaning Table.
PAT-APPL- 21 782	Analog to Digital Converter.
PAT-APPL- 23 182	Flexible Material Having a Controlled Resiliency and a Process for Providing Such Material.
PAT-APPL- 24 149	Method and Apparatus for Measuring Solar Activity and Atmospheric Radiation Effects.
PAT-APPL- 24 155	Deployable Support.
PAT-APPL- 26 573	Method of Forming Superalloys.
PAT-APPL- 26 917	Kinesthetic Control Simulator.
PAT-APPL- 31 702	A Laser Remote Control System.
PAT-APPL- 32 645	Star Image Motion Compensator.
PAT-APPL- 33 368	Strain Gage.
PAT-APPL- 33 412	Improved Cover for Solar Cell.
PAT-APPL- 33 413	Insulator Having a Stark Effect in Gases.
PAT-APPL- 34 533	Modified Polysilyoxanurate Polymer Foam.
PAT-APPL- 35 501	Head-Up Attitude Display.
PAT-APPL- 35 531	Multi-Input Antenna.
PAT-APPL- 35 532	Chemical Laser.
PAT-APPL- 35 533	Head-Up Attitude Display.
PAT-APPL- 35 534	Ion Transistor Cathode.
PAT-APPL- 38 202	Transmuting and Reflecting.
PAT-APPL- 39 343	Heat Transfer Device.
PAT-APPL- 40 345	Thin Film Microwave Iris.
PAT-APPL- 41 404	Delayed Simultaneous Release Mechanism.
PAT-APPL- 41 431	Controlled Gating and Unceasing Mechanism.
PAT-APPL- 43 327	Rotary Actuator.
PAT-APPL- 43 883	Semiconductor Surface Protection Material.
PAT-APPL- 45 549	Utilization of Oxygen Difluoride for Synthesis of Fluoropolymers.
PAT-APPL- 47 440	Traffic Control System and Method.
PAT-APPL- 47 441	AC Power Amplifier.

Each invention is covered by a patent application currently pending in the U.S. Patent Office. Copies of the patent applications can be purchased from the National Technical Information Service, Springfield, Va., at \$3 each for paper copy and \$0.95 each for microfiche. Orders for copies of the patent applications must cite the patent application number and the title.

Inquiries and requests for licensing information should be directed to the address cited on the first page of each copy of the patent application.

WILLIAM T. KNOX,  
Director, National Technical  
Information Service.

## NOTICES

16687

Patent application No.	Title
PAT-APPL- 50 055	Liquid Crystalline Memory Devices.
PAT-APPL- 50 298	Differential Pressure Control.
PAT-APPL- 50 330	Method for the Repair and Maintenance of Dental Enamel.
PAT-APPL- 51 246	Shock Absorbing Device.
PAT-APPL- 51 317	Multiple Plate Multiple Pinhole Collimator.
PAT-APPL- 53 155	Photographic Camera System.
PAT-APPL- 54 271	Aircraft Control System.
PAT-APPL- 54 540	An Improved Spiral Groove Seal.
PAT-APPL- 55 333	Phase Control Circuits Using Frequency Multiplication for Phased Array Antennas.
PAT-APPL- 55 535	Display System.
PAT-APPL- 55 536	Apparatus for Ionization Analysis.
PAT-APPL- 55 806	Process for Separation of Dissolved Hydrogen from Water by Use of Palladium and Process for Coating Palladium with Palladium Black.
PAT-APPL- 57 252	Light Sensor.
PAT-APPL- 59 892	Barium Release System.
PAT-APPL- 59 893	Linear Actuator.
PAT-APPL- 59 894	Device and Method for Determining X-Ray Reflection Efficiency of Optical Surfaces.
PAT-APPL- 59 956	Ultrastable Calibrated Light Source.
PAT-APPL- 59 988	Adjustable Support.
PAT-APPL- 60 197	Refractory Dielectric Semiconductors.
PAT-APPL- 60 876	Microcircuit Negative Cutter.
PAT-APPL- 60 881	Low Cycle Fatigue Testing Machine.
PAT-APPL- 60 882	Automatic Instrument for Chemical Processing to Detect Microorganisms in Biological Samples by Measuring Light Reactions.
PAT-APPL- 60 883	Electronic Video Editor.
PAT-APPL- 60 930	Bacterial Adenosine Triphosphate as a Measure of Urinary Tract Infection.
PAT-APPL- 61 895	System for Improving Signal-to-Noise Ratio of a Communication Signal.
PAT-APPL- 63 144	Improved Maser for Frequencies in the 7-20 GHz Range.
PAT-APPL- 63 195	Audio Frequency Marker System.
PAT-APPL- 63 384	On-Line Under-Release System.
PAT-APPL- 63 532	Binary Coded Sequential Acquisition Ranging System.
PAT-APPL- 63 610	Polymeric Vehicles as Carriers for Sulfonic Acid Salt of Nitro-substituted Aromatic Amines.
PAT-APPL- 64 352	Accumulator.
PAT-APPL- 64 393	Multivire High Temperature Thermocouple.
PAT-APPL- 64 709	Metallic Intrusion Detector System.
PAT-APPL- 66 004	Quick Disconnect Coupling.
PAT-APPL- 66 206	Ferry System.
PAT-APPL- 67 730	Variable Direction Force Coupler.
PAT-APPL- 67 815	Ion Thruster Magnetic Field Control.
PAT-APPL- 68 023	Modification of the Physical Properties of Freeze-Dried Rice.
PAT-APPL- 68 024	Nickel Base Alloy.
PAT-APPL- 69 488	Anti-Fog Composition.
PAT-APPL- 70 032	Lift Balancing Device.
PAT-APPL- 70 967	Method and Apparatus for Synchronizing a Single Channel Digital Communications System.
PAT-APPL- 71 045	Polyimide Resin-Fiberglass Cloth Laminates for Printed Circuit Boards.
PAT-APPL- 73 283	Remote Control Manipulator for Zero Gravity Environment.
PAT-APPL- 73 310	Omnidirectional Microwave Antenna.
PAT-APPL- 73 422	Foldable Construction Block and Method of Construction.
PAT-APPL- 73 922	Junction Range Finder.
PAT-APPL- 74 789	Droplet Monitoring Probe.
PAT-APPL- 74 861	Stabilized Propellant.
PAT-APPL- 74 862	HNF Propellant.
PAT-APPL- 75 431	Solar Energy Powered Heliotrope.
PAT-APPL- 75 899	Solid State Remote Sensor.
PAT-APPL- 77 220	Light Direction Sensor.
PAT-APPL- 77 785	Push-Pull Transistor Amplifier.
PAT-APPL- 77 786	Fixture for Supporting Articles During Vibration Tests.
PAT-APPL- 78 703	Apparatus for Recovering Matter Adhered to a Host Surface.
PAT-APPL- 78 704	Method of Making Dry Electrodes.
PAT-APPL- 78 705	Reaction Tester.
PAT-APPL- 79 023	Star Tracking Reticles and Process for the Production Thereof.
PAT-APPL- 79 268	Self-Tuning Bandpass Filter.
PAT-APPL- 81 095	Acoustical Sampling Device.
PAT-APPL- 81 096	Cybernetic Optical Shutter.
PAT-APPL- 82 270	Aircraft Cockpit Layout Apparatus.
PAT-APPL- 82 280	Full-Scale Multiple Transformer Circuit Configuration.
PAT-APPL- 82 509	Stabilization of Pigments.
PAT-APPL- 82 648	Two Phase Flow System with Discrete Impinging Two-Phase Jets.
PAT-APPL- 82 649	Solid State Switch.



Patent application No.	Title
PAT-APPL-83 816	Silicon Solar Cell Array.
PAT-APPL-84 002	Rate Data Encoder.
PAT-APPL-84 012	Nonflammable Coating Compositions.
PAT-APPL-84 280	Hermetically Sealed Semiconductor Package.
PAT-APPL-84 281	Air-Conditioned Suit.
PAT-APPL-84 290	Emergency Lunar Communications System.
PAT-APPL-86 417	Improved Biomedical Electrode.
PAT-APPL-87 223	Oxygen Production Method and Apparatus.
PAT-APPL-87 228	Analysis of Hydrogen-Deuterium Mixtures.
PAT-APPL-87 233	Self-Cycling Fluid Heater.
PAT-APPL-87 651	Load Insensitive Electrical Device.
PAT-APPL-87 697	Thin Film Light Detector.
PAT-APPL-88 435	High Pulse Rate High Resolution Optical Radar System.
PAT-APPL-89 210	Interferometer Polarimeter.
PAT-APPL-89 211	Character Recognition System.
PAT-APPL-91 642	Pressure Sensitive Transducer.
PAT-APPL-93 229	High-Q Bandpass Resonators Utilizing Bandstop Resonator Pairs.
PAT-APPL-94 847	Improved Aesthetometer.
PAT-APPL-94 874	Millimeter Wave Antenna System.
PAT-APPL-94 879	An Impact Monitoring Apparatus.
PAT-APPL-94 884	Pseudonoise Sequence Generators with Three Tap Linear Feedback Shift Registers.
PAT-APPL-95 183	Method for Distillation of Liquids.
PAT-APPL-97 829	Lamp Modulator.
PAT-APPL-98 617	High Speed Direct Binary to Binary-Coded Decimal Converter and Scalar.
PAT-APPL-98 772	Universal Environment Package (UN-E-PAC).
PAT-APPL-98 773	Apparatus for Photographing Meters.
PAT-APPL-98 774	Logical Function Generator.
PAT-APPL-98 798	Adjustable Force Probe.
PAT-APPL-99 174	Parametric Amplifiers With Idle Circuit Feedback.
PAT-APPL-99 175	Expandable Space Frames.
PAT-APPL-99 198	Cable Restraint.
PAT-APPL-99 201	Hydroxy Terminated Perfluoro Ethers.
PAT-APPL-99 224	Observation Window for a Gas Confining Chamber.
PAT-APPL-99 803	Magnetic Bearing.
PAT-APPL-100 637	Borescope With Variable Angle Scope.
PAT-APPL-100 639	Polymerizable Disiloxanes Having In-Chain Perfluoroalkyl Groups.
PAT-APPL-100 774	Digital Data Processor Wherein Operations Are Conditionally Performed in Response to the State of Indicators Within the Processor.
PAT-APPL-100 996	Temperature Control System With a Pulse Width Modulated Bridge.
PAT-APPL-101 214	Data Aided Carrier Tracking Loops.
PAT-APPL-101 354	Cosmic Dust Impact Location Detector.
PAT-APPL-102 412	Coaxial High Density, Hypervelocity Plasma Generator and Accelerator.
PAT-APPL-103 077	Geysering Inhibitor for Vertical Cryogenic Transfer Pipe.
PAT-APPL-103 078	Flowmeter.
PAT-APPL-103 090	Two Speed Drive System.
PAT-APPL-103 091	Butt Welder for Fine Gauge Tungsten/Rhenium Thermocouple Wire.
PAT-APPL-103 230	Space Shuttle Vehicle and System.
PAT-APPL-103 551	Evacuation Valve.
PAT-APPL-104 047	Rotary Actuator.
PAT-APPL-104 346	Method and Apparatus for Measuring Electromagnetic Radiation.
PAT-APPL-104 884	Electric Motive Machine Including Magnetic Bearing.
PAT-APPL-104 885	Thermocouple Tape.
PAT-APPL-104 886	Alloy Film Deposition.
PAT-APPL-106 424	Celestial Orbit Delivery and Recovery System with Reusable Unmanned Upper Stage.
PAT-APPL-106 465	Thermal Destruction Block.
PAT-APPL-107 298	Nutrient Distribution.
PAT-APPL-107 776	Active Tuned Circuit.
PAT-APPL-107 829	Rocket Thrust Throttling System.
PAT-APPL-107 830	Optical Imaging System.
PAT-APPL-107 850	Vortex Breach High Pressure Gas Generator.
PAT-APPL-108 824	Rubber Composition for Use with Hydrazine.
PAT-APPL-111 123	Airframe Sensor.
PAT-APPL-111 995	Composition and Method for Electroforming Aluminum Substrates.
PAT-APPL-112 365	Electrocatalyst for Oxygen Reduction.
PAT-APPL-112 368	Singly Curved Reflector for Use in High Gain Antennas.
PAT-APPL-112 988	Infrared Detectors.
PAT-APPL-112 989	Improved Helium Refrigerator and Method for Decontaminating the Refrigerator.
PAT-APPL-114 846	Method and Apparatus for Determining the Contents of Contained Gas Samples.
PAT-APPL-114 847	Thermal Compensating Structural Member.
PAT-APPL-114 849	Pressurized Lighting System.
PAT-APPL-114 873	Process for Making RF Shielded Cable Connector Assemblies and the Products Formed Thereby.
PAT-APPL-115 082	Intumescent Paint Containing Nitrite Rubber.
PAT-APPL-115 083	Intruder Detection System.
PAT-APPL-115 134	Diffuse Reflective Coating.
PAT-APPL-115 944	Solar Cell Matrix.
PAT-APPL-116 777	Phototransistor.
PAT-APPL-116 778	Integrated Circuit Including Field Effect Transistor and Cermet Resistor.
PAT-APPL-116 786	Flexible Computer Accessed Telemetry.
PAT-APPL-116 790	RF Source Resistance Meters.
PAT-APPL-117 575	Versatile Arithmetic Unit for High Speed Sequential Decoder.
PAT-APPL-118 269	Disconnect Unit.
PAT-APPL-118 270	Thermal Motor.
PAT-APPL-121 328	Method and Apparatus for Eliminating Coherent Noise in a Coherent Energy Imaging System without Destroying Spatial Coherence.
PAT-APPL-123 280	Magnetic Arc Stabilization in Compact Arc Lamps.
PAT-APPL-124 909	An Indicating System for Aircraft.
PAT-APPL-125 284	Multichannel Telemetry System.
PAT-APPL-125 286	On-Film Optical Recording of Camera Lens Settings.
PAT-APPL-125 979	Half Effect Transducer.
PAT-APPL-126 814	Improved High-Voltage Isolator for Liquid Metal Feed Lines.
PAT-APPL-127 480	Processes for Making Sheets with Parallel Pores of Uniform Size.
PAT-APPL-127 481	Graphite-Reinforced Aluminum Composite and Method of Preparing the Same.
PAT-APPL-127 618	System for Stabilizing Torque Between a Balloon and Gondola.
PAT-APPL-127 915	Suppression of Flutter.
PAT-APPL-128 419	Micrometeroid Analyzer.
PAT-APPL-129 071	Inverter.
PAT-APPL-129 072	Electrolytic Gas Operated Actuator.
PAT-APPL-129 073	Extrusion Can.
PAT-APPL-129 074	Method of Hydrostatically Extruding Refractory Materials.
PAT-APPL-129 074	Method and System for Ejecting Faring Sections from a Rocket Vehicle.
PAT-APPL-130 353	Fastener Stretcher.
PAT-APPL-132 849	Combustion Detector.
PAT-APPL-133 567	Nondestructive Gas Analyzing Method and Apparatus.
PAT-APPL-134 571	Dual Purpose Momentum Wheels for Spacecraft.
PAT-APPL-134 573	Family of Frequency to Amplitude Converters.
PAT-APPL-134 658	Welding Blades to Rotors.
PAT-APPL-134 683	Electrical Connector.
PAT-APPL-136 007	Current Regulating Voltage Divider.
PAT-APPL-136 008	Deposition of Alloy Films.
PAT-APPL-136 088	Nondestructive Spot Test Methods for Titanium and Titanium Alloys.
PAT-APPL-138 086	Process and Apparatus for Making Diamonds.
PAT-APPL-138 253	Flexible Fire Retardant Foam.
PAT-APPL-137 391	Diatomite Infrared Gasdynamic Laser.
PAT-APPL-137 912	Thermally Conductive Polymers.
PAT-APPL-137 913	Improved Dialyzer.
PAT-APPL-138 227	Light Regulator.
PAT-APPL-138 229	Deposition Apparatus.
PAT-APPL-138 230	Light Intensity Strain for Chemical Processing to Detect Microorganisms in Biological Samples by Measuring Light Reactions.
PAT-APPL-138 694	Bacterial Adenosine Triphosphate as a Measure of Urinary Tract Infections.
PAT-APPL-139 250	Infected Orbit Battery Cycler.
PAT-APPL-139 528	Synthetic Ritchey-Chretien Telescope.
PAT-APPL-139 814	Signal Conditioning Circuit Apparatus.
PAT-APPL-140 439	Intuit Content Composition.
PAT-APPL-140 446	Prepared Therewith, Method for Making Same.
PAT-APPL-142 682	Multispectral Imaging System.
PAT-APPL-142 719	Parallel-Plate Viscometer With Double-Diaphragm Suspension.
PAT-APPL-143 078	Digital Scope Threshold Compressor.
PAT-APPL-143 478	High Power Arc Electrodes.
PAT-APPL-143 500	High Frequency Stress Analyzer for Solder Joints.
PAT-APPL-144 139	Vehicle for Use in Planetary Exploration.
PAT-APPL-144 199	High Contrast Cathode Ray Tube.
PAT-APPL-145 028	Novel Polymers of Perfluorobutadiene and Method of Manufacture.
PAT-APPL-145 029	Novel Polymers and Method of Preparing Same.
PAT-APPL-145 927	Compact Spectroradiometer.
PAT-APPL-146 217	Ergometer.
PAT-APPL-146 400	Infrared Horizon Locator.
PAT-APPL-146 935	A Protected Isotope Heat Source.
PAT-APPL-146 939	



Patent application No.	Title	Patent application No.	Title
PAT-APPL-147 009	Method of Making Apparatus for Sensing Temperature.	PAT-APPL-187 262	Improved Injector for use in High Voltage Isolator for Liquid Feed Lines.
PAT-APPL-147 013	Vibration Mode Synthesizer.	PAT-APPL-187 385	Compact Hydrogenerator.
PAT-APPL-147 020	Gas Turbine Engine Fuel Control.	PAT-APPL-188 386	Fast Scan Control for Deflection Type Mass Spectrometers.
PAT-APPL-147 040	Combustion Engine Fuel Control.	PAT-APPL-188 390	Acoustical Transducer Calibrating System and Apparatus.
PAT-APPL-147 046	Solid Propellant Rocket Motor.	PAT-APPL-188 397	Digital Analog Conversion Apparatus and Method.
PAT-APPL-147 057	Gas Operated Actuator.	PAT-APPL-188 438	Control Ducting Apparatus.
PAT-APPL-147 077	Redundant Hydraulic Control System for Actuators.	PAT-APPL-189 316	Nickel Aluminide Coated Low Alloy Stainless Steel.
PAT-APPL-147 083	Zero Gravity Shadow Shield Aligner.	PAT-APPL-190 370	Production of Hollow Components for Rolling Element Bearings by Diffusion Welding.
PAT-APPL-151 411	Two Carrier Communication System With Single Transmitter.	PAT-APPL-191 301	Catalyst Cartridge for Carbon Dioxide Reduction Unit.
PAT-APPL-151 412	Coaxial Inverted Geometry Transistor Having Buried Emitter.	PAT-APPL-192 101	The M-ARY Linear Feedback Shift Register with Binary Logic.
PAT-APPL-151 413	Improved Irradiance Measuring Device.	PAT-APPL-192 141	Collapsible Structure for an Antenna Reflector.
PAT-APPL-152 828	Airflow Control System for Supersonic Inlets.	PAT-APPL-192 970	Swirl Can Primary Combustion.
PAT-APPL-153 842	Thermal Flux Transfer System.	PAT-APPL-193 671	Two Degree Inverted Flexure.
PAT-APPL-153 843	Automated Attendance Accounting System.	PAT-APPL-193 672	Modification of One Man Life Raft.
PAT-APPL-154 094	Linear Attitude Comparison.	PAT-APPL-193 947	Improved Compact Precision Rotary Vane Attenuator.
PAT-APPL-154 930	Attaching Cover Glasses to Solar Cells.	PAT-APPL-196 399	Code Regenerative Clean Up Loop Transponder for a Mu-Type Ranging System.
PAT-APPL-154 931	Interferometric Rotation Sensor.	PAT-APPL-196 898	Ultrasonic Scanning System for In Place Inspection of Brazed Tube Joints.
PAT-APPL-154 934	Multiple Fan Integrated Propulsion Wing System.	PAT-APPL-196 931	Multifunction Audio Digitizer.
PAT-APPL-154 935	Altitude Simulation Chamber for Rocket Engine Testing.	PAT-APPL-197 089	Evacuated Displacement Compression Molding.
PAT-APPL-155 565	Numerical Computer Peripheral Interactive Device with Manual Controls.	PAT-APPL-197 870	Exposure Interlock for Oculoscope Cameras.
PAT-APPL-156 724	Display Research Collision Warning System.	PAT-APPL-198 285	Electrostatic Collector for Charged Particles.
PAT-APPL-156 725	Restraint System for Ergometer.	PAT-APPL-198 355	Automatic Control of Liquid Cooling Garment by Cutaneous and External Auditory Meatus Temperatures.
PAT-APPL-156 778	Apparatus for Producing Metal Powders.	PAT-APPL-198 362	Drying Apparatus for Photographic Sheet Material.
PAT-APPL-156 887	Visual Examination Apparatus.	PAT-APPL-198 379	High Speed Hybrid Bearing Comprising a Fluid Bearing and a Rolling Bearing Connected in Series.
PAT-APPL-159 966	Docking Structure for Spacecraft.	PAT-APPL-198 380	Reusable Space Transportation System.
PAT-APPL-160 371	Multiparameter Vision Tester Apparatus.	PAT-APPL-198 472	Polyimide Foam for Thermal Insulation and Fire Protection.
PAT-APPL-160 859	Electronic Strain Level Counter.	PAT-APPL-198 743	Apparatus and Method of Molding.
PAT-APPL-160 860	Synthesis of Superconducting Compounds by Explosive Compaction of Powders.	PAT-APPL-198 928	Lyophilized Spore Dispenser.
PAT-APPL-161 028	Self Recording Portable Soil Penetrometer.	PAT-APPL-199 907	Digital Control of Random Excitation Environmental Testing.
PAT-APPL-162 100	Full-Wave Modulator-Demodulator-Amplifier Apparatus.	PAT-APPL-199 967	Low Phase Noise Digital Frequency Divider.
PAT-APPL-162 101	Tachometer.	PAT-APPL-199 968	Radical-Free Flow Control Device.
PAT-APPL-162 380	Azimuth Bearing System and Method.	PAT-APPL-200 046	Whole Body Measurement System.
PAT-APPL-163 151	Physical Correction Filter for Improving the Optical Quality of an Image.	PAT-APPL-200 882	Multiple Reflection Conical Microwave Antenna.
PAT-APPL-163 182	Nondestructive Spot Test Method for Magnesium and Magnesium Alloys.	PAT-APPL-201 700	Stacked Solar Cell Arrays.
PAT-APPL-166 541	A Flow Velocity and Direction Instrument.	PAT-APPL-201 782	Demodulator for Carrier Transducers.
PAT-APPL-167 719	Sensitive Cavity Reflector.	PAT-APPL-201 804	Zero Gravity Liquid Mixer.
PAT-APPL-168 680	Apparatus for Vibrational Testing of Articles.	PAT-APPL-202 750	Low Mass Filling Elements for Bearings.
PAT-APPL-169 962	Signal Frequency Alarm System for Schools and the Like.	PAT-APPL-202 769	Orbital Entry Tracking Accessory for Globes.
PAT-APPL-170 440	Counting Rate Control Device.	PAT-APPL-202 806	Ergometer.
PAT-APPL-170 544	Gas Flow Control Device.	PAT-APPL-203 271	An Ion Exchange Nuclear Reactor.
PAT-APPL-170 545	Continuous Plasma Light Source.	PAT-APPL-203 405	Automatic Real-Time Pair Feeding System for Animals.
PAT-APPL-170 680	Dual Measurement Ablation Sensor.	PAT-APPL-205 047	Peen Plating.
PAT-APPL-170 681	Apparatus and Method for Statistical Time Series Analysis of Electrical Signals.	PAT-APPL-205 675	Measurement System.
PAT-APPL-172 450	Method of Detecting Oxygen in Gas.	PAT-APPL-206 266	Radiation Hardening of MOS Devices by Boron.
PAT-APPL-172 807	Receiver with an Improved Phase Lock Loop in a Multichannel Telemetry System with Suppressed Carrier.	PAT-APPL-206 279	Dual Fuselage Aircraft Having Yawable Wing and Horizontal Stabilizer.
PAT-APPL-173 052	Time Synchronized VLF Phase Tracking Receiver System.	PAT-APPL-206 663	Method and Means for Charging a Storage Battery.
PAT-APPL-173 185	Phototransistor Imaging System.	PAT-APPL-206 698	Dual Stage Check Valve.
PAT-APPL-173 190	Respiratory Analysis System.	PAT-APPL-207 211	Automatic Carrier Acquisition System.
PAT-APPL-175 367	Apparatus and Method for Measuring the Seebeck Coefficient and Resistivity of Materials.	PAT-APPL-209 145	Temperature Measurement System.
PAT-APPL-175 852	Magneto Plasma Dynamic Arc Thruster.	PAT-APPL-209 535	Ion Thruster with a Combination Keeper Electrode and Electron Baffle.
PAT-APPL-175 981	Holographic Thin Film Analyzer.	PAT-APPL-209 618	Diode Quad Transducer and Discriminator Circuit.
PAT-APPL-175 983	Space Vehicle with Artificial Gravity and Earthlike Environment.	PAT-APPL-211 411	Test Stand System for Vacuum Chambers.
PAT-APPL-177 753	Data Compression System.	PAT-APPL-212 010	Photographic Film Restoration System.
PAT-APPL-180 473	Single Grid Accelerator System.	PAT-APPL-212 077	A Temperature Compensated Light Source Using a Light Emitting Diode.
PAT-APPL-180 683	Signal to Noise Ratio Determination Circuit.	PAT-APPL-212 165	Maxometers.
PAT-APPL-180 962	Gas Chromatograph Injection System.	PAT-APPL-212 920	Radiant Source Tracker Independent of Nonconstant Irradiance.
PAT-APPL-180 963	Zero Gravity Liquid Transfer Screen.	PAT-APPL-212 921	Frequency Division Multiplex Technique.
PAT-APPL-181 023	Floating Baffle to Improve Efficiency of Liquid Transfer from Tanks.	PAT-APPL-212 939	Metal Shearing Energy Absorber.
PAT-APPL-181 024	Collapsible High Gain Antenna.	PAT-APPL-213 004	Multi Axes Vibration Fixtures.
PAT-APPL-182 033	Ablation Article and Method.	PAT-APPL-213 084	Determining Distance to Lighting Strokes from a Single Station.
PAT-APPL-182 389	Satellite Composite Antenna Feed Subsystem.	PAT-APPL-214 086	Apparatus for Remote Handling of Materials.
PAT-APPL-182 977	Vee Notching Device.	PAT-APPL-214 689	Electromagnetic Flow Rate Meter.
PAT-APPL-182 978	Atomic Hydrogen Maser with Bulb Temperature Control to Remove Wall Shift in Maser Output Frequency.	PAT-APPL-214 689	Pressure-Tight Seal for Super Alloy.
PAT-APPL-183 240	Fluorinated Esters of Polycarboxylic Acids.	PAT-APPL-215 213	Voltage Controlled Oscillator Circuit.
PAT-APPL-184 090	Meteoroid Detector.	PAT-APPL-215 218	Lamination Method and Apparatus.
PAT-APPL-184 990	Preparation of Polyimides from Mixtures of Monomeric Diamines and Esters of Polycarboxylic Acids.	PAT-APPL-219 436	Lathe Tool Bit and Holder for Machining Fiberglass Materials.



Patent application No.	Title
PAT-APPL-866 282	Analog-to-Digital Converter Analyzing System.
PAT-APPL-866 288	Optical Scanning Apparatus.
PAT-APPL-866 311	System for Communicating Biomedical Information by Means of Unmodified Conventional Voice Communication Systems.
PAT-APPL-860 590	Current-Limiting Voltage Regulator.
PAT-APPL-860 750	Digital Function Generator.
PAT-APPL-860 781	Ionene Membrane Separator.
PAT-APPL-860 787	Improved Method for Curing Single Component Silicone Rubber/RTV and Similar Materials.
PAT-APPL-863 788	Liquid Nitrogen/LN <sub>2</sub> /Level-Control System
PAT-APPL-863 914	A Circularly Polarized Antenna.
PAT-APPL-864 039	Screen Particle Separator.
PAT-APPL-865 106	RF Controlled Solid State Switch.
PAT-APPL-867 841	Variable Geometry Wind Tunnels.
PAT-APPL-867 851	Cryogenic Feedthrough.
PAT-APPL-868 529	Feedback Shift Register with States Decomposed into Cycles of Equal Length.
PAT-APPL-872 602	Pulsed Excitation Voltage Circuit for Transducers.
PAT-APPL-872 604	Data Handling System Based on Source Significance, Storage Availability and Data Received from the Source.
PAT-APPL-878 730	High Speed Movie Data Acquisition System.
PAT-APPL-880 246	Ion Thruster.
PAT-APPL-880 249	Isolation Coupling Arrangement for a Torque Measuring System.
PAT-APPL-881 041	A Pressure Operated Electrical Switch.
PAT-APPL-882 122	Wide Range Dynamic Pressure.
PAT-APPL-883 523	Continuously Variable Voltage-Controlled Phase Shifter.
PAT-APPL-885 521	Method and a System for Controlling Vapor Content of a Gas.
PAT-APPL-885 574	Communications Link for Computers.
PAT-APPL-889 421	Alpha Source Shift Position Encoder.
PAT-APPL-889 422	Tungsten Contacts on Silicon Substrates.
PAT-APPL-889 423	Fast Response Low Power Drain Switching Circuits.
PAT-APPL-889 552	Method of Treating Metallic Surfaces.
PAT-APPL-889 558	Resistance Soldering Apparatus.
PAT-APPL-889 584	Digital Control and Information System.

[FR Doc.72-14020 Filed 8-17-72; 8:50 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration BACTERIAL VACCINES AND BACTERIAL ANTIGENS

#### Safety and Efficacy Review; Request for Data and Information

The Food and Drug Administration is undertaking a review of all biological products to determine that they are safe, effective, and not misbranded under pre-described, recommended, or suggested conditions of use. This review will utilize advisory panels comprised of independent experts who will provide their conclusions and recommendations to the Commissioner of Food and Drugs.

A notice of proposed rule making outlining procedures and explaining the purpose of this review is published in this issue of the FEDERAL REGISTER. To facilitate this review and a determination as to whether a biological product is safe and effective and not misbranded, and to provide all interested persons an opportunity to present for the consideration of the reviewing panel the best data and information available to support the stated claims for biological products, submission of data, published and unpublished, and other information pertinent to these products will be solicited. Submissions shall be made in the format set out in paragraph (b) (3) of the proposed new § 273.245 of Title 21.

The Commissioner of Food and Drugs has concluded that, although public comment on the proposed new procedures may result in some modification

Patent application No.	Title
PAT-APPL-219 500	Polymerizable Disilanes Having In-Chain Perfluoroalkyl Groups.
PAT-APPL-219 722	Improved Satellite Aided Vehicle Avoidance System.
PAT-APPL-219 806	Supersonic Fan Blading.
PAT-APPL-220 274	Open Tube Guideway for High Speed Air Cushioned Vehicles.
PAT-APPL-220 785	Coated Tungsten Alloy.
PAT-APPL-221 091	Lightweight, Viable Solidity Knitted Parachute Fabric.
PAT-APPL-221 332	Electromagnetic Oscillator Porture System.
PAT-APPL-221 670	Dependable Piezoelectric Cell Structure for a Micrometeoroid Detector.
PAT-APPL-221 685	Lock Attachment to High Temperature Devices.
PAT-APPL-221 883	Method of Fabricating an Article with Cavities.
PAT-APPL-221 880	Transparent Switchboard.
PAT-APPL-226 480	Three Mirror Glancing Incidence System for X-Ray Telescope.
PAT-APPL-228 477	Optical Data Processing Using Paraboloidal Mirror Segments.
PAT-APPL-228 500	An Improved Prosthetic Device.
PAT-APPL-228 150	Device for Determining Relative Angular Position Between a Spacecraft and a Radiation Emitting Celestial Body.
PAT-APPL-229 141	Electro-Mechanical Sine/Cosine Generator.
PAT-APPL-229 541	An Adaptive Voting Computer System.
PAT-APPL-229 411	Compression Test Assembly to Prevent Buckling of Small Diameter Specimens.
PAT-APPL-229 916	Method and Apparatus for Obtaining Oxygen from Lunar or Similar Soil.
PAT-APPL-2 2 021	Terminal Guidance System.
PAT-APPL-233 619	Supersonic Combustion Rocket.
PAT-APPL-233 741	Method of Forming Superallloys.
PAT-APPL-2 5 266	Composite Superconductors.
PAT-APPL-2 5 269	Driving Lamps by Induction.
PAT-APPL-236 281	Gyator Employing Field Effect Transistors.
PAT-APPL-236 281	Bean Lead Integrated Circuit Package, and Method.
PAT-APPL-238 047	Journal Bearings.
PAT-APPL-238 264	Inductanceless Filter Amplifier.
PAT-APPL-624 611	Method and Apparatus for Predicting the Occurrence of Major Solar Events.
PAT-APPL-727 207	An Apparatus for Restoring Optically Degraded Laser Optics.
PAT-APPL-764 236	Hand Cutter and Sealer for Fusible Fabrics.
PAT-APPL-768 671	Tube Fabricating Process.
PAT-APPL-769 692	Analytical Device for Gases.
PAT-APPL-794 531	Load Insensitive Electrical Device.
PAT-APPL-810 579	Fluidic Proportional Thruster System.
PAT-APPL-812 998	Inorganic Thermal Control Coatings.
PAT-APPL-813 338	Trifunctional Alcohol.
PAT-APPL-817 669	New Sterilizable Propellant Oxidizer in Dipropellant Composition.
PAT-APPL-822 310	Method and Apparatus for Wavelength Tuning of Liquid Lasers.
PAT-APPL-825 253	Constant Current Source.
PAT-APPL-827 580	A Method for the Deposition of Beta-Silicon Carbide by Isoeptaxy.
PAT-APPL-827 697	Thin-Film Gauge.
PAT-APPL-828 920	Fabrication of Single-Crystal Film Semiconductor Devices.
PAT-APPL-832 603	Magnetic Position Detection Method and Apparatus.
PAT-APPL-835 058	An Asynchronous Binary Array Divider.
PAT-APPL-838 278	Polymerization Method.
PAT-APPL-845 584	A Method for Selective Gold Diffusion of Monolithic Silicon Devices and/or Circuits.
PAT-APPL-845 972	A Method for Preparing Stable Nonpolarizable Silicon Dioxide Layers on Silicon.
PAT-APPL-845 975	A Holographic Image Enhancement Technique.
PAT-APPL-845 976	Full Flow With Shut Off and Selective Drainage Control Valve.
PAT-APPL-847 696	New Polymers of Perfluorobutadiene and Method of Manufacture.
PAT-APPL-848 325	Method of Polymerizing Perfluorobutadiene.
PAT-APPL-848 351	Conical Reflector Antenna.
PAT-APPL-848 776	Process for Making Epitaxial Germanium Films.
PAT-APPL-848 803	Pulse Coupling Circuit.
PAT-APPL-849 106	Hermetically Sealed Elbow Actuator.
PAT-APPL-852 843	Method and Apparatus for the Detection of Picosecond Light Pulses by Two-Photon Planar Processes.
PAT-APPL-853 724	System for Improving Signal-To-Noise Ratio of a Communication Signal.
PAT-APPL-853 763	Method and Apparatus for Stable Silicon Dioxide Layers on Silicon Grown in Silicon Nitride Ambient.
PAT-APPL-856 253	Ultra-Flexible Biomedical Electrodes and Wires.
PAT-APPL-856 257	



of the procedures and format, the importance of this review requires that it begin immediately. Accordingly, notice is hereby given that all data and information regarding the safety and effectiveness of bacterial vaccines and bacterial antigens whose labels are required by 21 CFR 273.601(r) to state "No U.S. standard of potency," which is the first category of licensed products to be reviewed, are requested to be submitted. To be considered, eight copies of the data and information must be submitted in the prescribed format within 60 days from the date of this publication to:

Safety and Efficacy Review (BI-5), Bureau of Biologics, Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852.

Pursuant to the prior notice published in the FEDERAL REGISTER for March 15, 1972 (37 F.R. 5404), licenses of two manufacturers for these products have already been revoked (37 F.R. 13360). The product licenses for products for which no submissions are made pursuant to this notice will similarly be revoked. The prior notice of March 15, 1972, has now been superseded by the notice of proposed rule making governing the safety, efficacy, and label review published in this issue of the FEDERAL REGISTER (21 CFR Part 273). Data and information pertinent to this category of biological products is also requested from any other interested person, including the companies whose licenses have already been revoked.

Dated: August 14, 1972.

CHARLES C. EDWARDS,  
Commissioner of Food and Drugs.

[FR Doc.72-13997 Filed 8-17-72; 8:47 am]

[Docket No. FDC-D491; NDA 4-690, etc.]

G. D. SEARLE AND CO. ET AL.

#### New Drug Applications; Notice of Withdrawal of Approval

The holders of the new drug applications listed herein have not submitted annual reports of experience with the drugs as required and have advised the Food and Drug Administration that the new drugs involved were never marketed or marketing has been discontinued and have requested withdrawal of approval of the new drug applications, thereby waiving opportunity for a hearing.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053 as amended; 21 U.S.C. 355(e), and under authority delegated to the Commissioner (21 CFR 2.120)), approval of the following new drug applications, and supplements thereto, is hereby withdrawn on the grounds that the applicants have failed to make reports under section 505(j) of the Act (21 U.S.C. 355(j)) and § 130.13 or § 130.35 (e) and (f) of the new drug regulations (21 CFR 130.13 and 130.35).

NDA No.	Drug name	Applicant's name and address
4-690	Pavartine Tablets (diethylaminoethyl fluorene 9 carboxylate hydrochloride).	G. D. Searle and Co., Post Office Box 5110, Chicago, IL 60680.
5-415	Pavartine with phenobarbital tablets (diethylaminoethyl fluorene 9 carboxylate hydrochloride, phenobarbital).	Do.
5-419	Protein Hydrolysate Injection (protein, free amino acids, polypeptides).	Travenol Laboratories, 6301 Lincoln Ave., Morton Grove, IL 60053.
5-466	Analgesic Balm Ointment (menthol, methyl salicylate).	The Upjohn Co., 1717 Portage Rd., Kalamazoo, MI 49001.
6-428	Parestrol EC Tablets (dienestrol).	The Central Pharmaceutical Co., 116-128 East Third St., Seymour, IN 47274.
7-060	Vitral Injection (Vitamin B-12).	Cooper Laboratories, Inc., 2900 North 17th St., Philadelphia, PA 19132.
8-049	Diolandrone Tablets (methylandrostenediol).	Carrick Laboratories, 65 Horse Hill Rd., Cedar Knolls, NJ 07027.
16-542	Pen-Nitrate Tablets (pentaerythritol tetranitrate).	Cooper Laboratories, Inc., 2900 North 17th St., Philadelphia, PA 19132.

This order shall become effective on its date of publication in the FEDERAL REGISTER (8-18-72).

Dated: August 8, 1972.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.72-13003 Filed 8-17-72; 8:45 am]

## DEPARTMENT OF TRANSPORTATION

[CGD 72-79]

### Coast Guard

#### CERTAIN STATE AND LOCAL BOAT SAFETY LAWS OF TEXAS

##### Notice of Exemption

The purpose of this rule is to exempt certain Texas laws from the Federal preemption clause of the Federal Boat Safety Act of 1971. The effective date of the Act (46 U.S.C. 1451, et seq.; Public Law 92-75; 85 Stat. 213) was August 10, 1971. On August 11, 1971, the Secretary of Transportation, by his authority in section 9 of the Act, 46 U.S.C. 1458, exempted laws then in effect of the States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia and subdivisions thereof from section 10 of the Act, 46 U.S.C. 1459, which provides that the Act preempts State law in certain matters covered by the Act. 36 F.R. 15764 (August 18, 1971).

That exemption applied only to laws in effect on August 10, 1971. On August 10, 1971, the Texas Legislature had enacted the "Water Safety Act" (title

19, Article 1722a, Texas Penal Code, as amended by Acts 1971, 62d Legislature, p. 2929, Chapter 971) with requirements for carrying and using approved lifesaving devices, ventilation equipment, lighting equipment, sounding equipment, mufflers, backfire flame arrestors, and fire extinguishers with an effective date of September 1, 1971.

The State of Texas has requested that these provisions of its law be exempt from section 10 of the Federal Boat Safety Act of 1971. Boating safety will not be adversely affected by continuing in effect those laws of the State of Texas until new boating safety regulations are issued under the Federal Boat Safety Act of 1971.

Accordingly, under the authority vested in me by section 9 of the Federal Boat Safety Act of 1971, 46 U.S.C. 1458 and 49 CFR 1.46(o), delegating to the Commandant, U.S. Coast Guard authority vested in the Secretary by the Federal Boat Safety Act of 1971, I hereby exempt the State of Texas and political subdivisions thereof from the provision of section 10 of the Federal Boat Safety Act of 1971 to the extent that they may continue in effect and enforce the following laws: title 19, Article 1722a, Texas Penal Code amended by Acts 1971, 62nd Legislature, p. 2929, Chapter 971, effective September 1, 1971, containing requirements for carrying and using approved lifesaving devices, ventilation equipment, lighting equipment, sounding equipment, mufflers, backfire flame arrestors, and fire extinguishers.

This exemption becomes effective on publication (8-18-72), and continues in effect until superseded, rescinded or otherwise terminated.

Issued in Washington, D.C., August 11, 1972.

T. R. SARGENT,  
Vice Admiral, U.S. Coast Guard,  
Acting Commandant.

[FR Doc.72-13994 Filed 8-17-72; 8:46 am]

[CGD 72-79]

#### CERTAIN STATE AND LOCAL BOAT SAFETY LAWS OF MINNESOTA

##### Notice of Exemption

The purpose of this rule is to exempt certain Minnesota laws from the Federal preemption clause of the Federal Boat Safety Act of 1971. The effective date of the Act (46 U.S.C. 1451, et seq.; Public Law 92-75; 85 Stat. 213) was August 10, 1971. On August 11, 1971, the Secretary of Transportation, by his authority in section 9 of the Act, 46 U.S.C. 1458, exempted laws then in effect of the States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia and subdivisions thereof from section 10 of the Act, 46 U.S.C. 1459, which provides that the Act preempts State law in certain matters covered by the Act. 36 F.R. 15764 (August 18, 1971).

That exemption applies only to laws in effect on August 10, 1971. On August 10, 1971, the Minnesota Legislature



had already amended Minnesota Statutes 1969 Chapter 361 Waters and Watercraft Safety laws with requirements for carrying approved lifesaving devices or certain flotation devices, lighting equipment, ventilation equipment, sounding equipment, mufflers, backfire flame arrestors, and fire extinguishers; but the effective date was January 1, 1972. The effective date of regulations issued under authority of the statute was April 4, 1972.

The State of Minnesota has requested that these provisions of its law be exempt from section 10 of the Federal Boat Safety Act of 1971. Boating safety will not be adversely affected by continuing in effect those laws of the State of Minnesota until new boating safety regulations are issued under the Federal Boat Safety Act of 1971.

Accordingly, under the authority vested in me by section 9 of the Federal Boat Safety Act of 1971, 46 U.S.C. 1458, and 49 CFR 1.46(o), delegating to the Commandant, U.S. Coast Guard, authority vested in the Secretary by the Federal Boat Safety Act of 1971, I hereby exempt the State of Minnesota and political subdivisions thereof from the provisions of section 10 of the Federal Boat Safety Act of 1971 to the extent that they may continue in effect and enforce the following laws: Minnesota Statutes 1969 Chapter 361 (as amended by Laws of 1971, Chapter 23, 636 and 861, and Extra Sessions Laws of 1971, Chapter 17), effective January 1, 1972, and Minnesota Boat and Water Safety Rules and Regulations 1972-73, effective April 4, 1972, containing requirements for carrying approved lifesaving devices or certain flotation devices, lighting equipment, ventilation equipment, sounding equipment, mufflers, backfire flame arrestors, and fire extinguishers.

This exemption becomes effective on publication (8-18-72), and continues in effect until superseded, rescinded, or otherwise terminated.

Issued in Washington, D.C., on August 11, 1972.

T. R. SARGENT,  
Vice Admiral U.S. Coast Guard,  
Acting Commandant.

[FR Doc.72-13995 Filed 8-17-72;8:46 am]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-220]

### NIAGARA MOHAWK POWER CORP.

#### Notice of Availability of Applicant's Environmental Report

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 report entitled "Environmental Report—Operating License Stage," dated June 1972, for the Nine Mile Point Nuclear Station Unit 1, submitted by the Niagara Mohawk Power Corp. (NMP), is being placed in the Commission's Public Document Room at 1717 H Street NW, Washington, DC 20545,

and in the Oswego City Library, 120 East Second Street, Oswego, NY 13126. The report also is being sent to the New York State Office of Planning Services, 488 Broadway, Albany, NY 12207, and the Central New York Regional Planning and Development Board, 321 East Water Street, Syracuse, NY 13202.

The report discusses environmental considerations related to the Nine Mile Point Unit 1 that is located in the town of Scriba, Oswego County, N.Y. The report was filed with the Commission as part of NMP's application for conversion of Provisional Operating License No. DPR-17 to a full-term operating license. The provisional license was issued to NMP by the Commission on August 22, 1969, and currently authorizes operation of the facility at full power (1,850 MWt). A copy of the application (notarized June 27, 1972) is available for public inspection at the Commission's Public Document Room and at the Oswego City Library.

After the report has been analyzed by the Commission's Director of Regulation or his designee, a draft environmental statement related to the proposed action will be prepared by the Commission. 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 statement. The summary notice will request comments from Federal agencies, State and local officials, and interested persons on the proposed action and on the draft statement. The summary notice also will contain a statement to the effect that the comments of Federal agencies, and State and local officials will be available for public inspection when received.

Dated at Bethesda, Md., this 14th day of August 1972.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,  
Assistant Director for Operating  
Reactors, Directorate of Li-  
censing.

[FR Doc.72-13084 Filed 8-17-72;8:45 am]

[Docket No. 50-301]

### WISCONSIN ELECTRIC POWER CO. AND WISCONSIN-MICHIGAN POWER CO.

#### Notice of Oral Argument

In the matter of Wisconsin Electric Power Co. and Wisconsin-Michigan Power Co. (Point Beach, Unit No. 2).

Notice is hereby given that oral argument in the above-captioned proceeding, in accordance with the Atomic Safety and Licensing Appeal Board's memorandum and order dated August 14, 1972, will be held on September 7, 1972, at 10 a.m., in Room 100, 8120 Woodmont Avenue, Bethesda, MD 20014.

Dated: August 14, 1972.

ATOMIC SAFETY AND LICENSING  
APPEAL BOARD,  
WILLIAM L. WOODARD,  
Executive Secretary.

[FR Doc.72-13083 Filed 8-17-72;8:45 am]

## CIVIL AERONAUTICS BOARD

[Docket No. 24138; Order 72-8-60]

### SEDALIA, MARSHALL, BOONVILLE STAGE LINE, INC.

#### Order To Show Cause

Issued under delegated authority August 11, 1972.

A final service mail rate of 53.4 cents per great circle aircraft mile for the transportation of mail by aircraft between Rolla, Mo., and Harrison, Ark., via Columbia and Kansas City, Mo., and Little Rock and Batesville, Ark., established by Order 71-3-167, dated March 26, 1971, is currently in effect for Sedalia, Marshall, Boonville Stage Line, Inc. (Sedalia), an air taxi operating pursuant to 14 CFR, Part 298.

By petition filed January 17, 1972, Sedalia requested the Board to reopen its current service mail rate and fix a new final service mail rate of 55.46 cents per great circle aircraft mile over the route described above. In support of the requested increase in its mail rate, Sedalia alleged it had experienced increased costs of oil, maintenance, engine overhaul, crew wages, FICA taxes, Federal registration tax, and overhead. These increases are shown and explained by Appendixes A (POD Form 2751-C) and B (explanation of increases) attached to the petition.

By motion dated January 24, 1972, the Postmaster General requested a 30-day extension of time in which to file a reply to Sedalia's petition, stating that evaluation of rate adjustments requested by air taxi operators was a function of the regional personnel of the U.S. Postal Service. Therefore, in view of the time required properly to evaluate such requests, a determination of the position of the U.S. Postal Service could not be made in the normal time allowed for answers by the procedural rules of the Board. On February 2, 1972, the Postmaster General's motion for extension of time for answer was granted, extending the date for answer to February 22, 1972.<sup>1</sup>

Answer to Sedalia's petition was filed March 23, 1972, by the Postmaster General opposing the increase in the service mail rate, contending Sedalia had not furnished evidence justifying the increase.

On May 9, 1972, the Postmaster General petitioned the Board for leave to file an amended answer, which was granted, claiming that although the passage of time had not resulted in a complete submission of documentation by Sedalia, it had enabled the Postal Service to take a specific position on the carrier's petition. The amended answer of the Postmaster General rejected cost increases, claimed by the carrier, for maintenance, engine overhaul, and crew wages in excess of 3.4

<sup>1</sup> The Postmaster General, on Feb. 15, 1972, by motion requested an additional 30-day extension of time to file his answer stating difficulties were encountered in the evaluation of the petition by regional personnel of the Postal Service. Extension was granted Feb. 22, 1972, extending the due date for answer to Mar. 23, 1972.



percent, the Bureau of Labor Statistics "Consumer Price Index" change for the period involved, which is the maximum allowable by the Postal Service for the above functions. In addition, overhead had been adjusted to eliminate cost increases claimed by the carrier other than Federal aircraft registration tax. On June 1, 1972, Sedalia filed an unauthorized document stating that certain documents supporting the requested increase had been misplaced and had since been sent to the Postal Service. In response, on July 6, 1972, the Postal Service filed a petition increasing its proposed rate, reflecting the recognition of overhead costs not previously documented.<sup>2</sup> On July 21, 1972, Sedalia filed an answer agreeing with the Postal Service.

After giving effect to the above adjustments which reduce Sedalia's proposed service mail rate from 55.46 cents to 54.93 cents, per great circle aircraft mile, the Postmaster General stated that no objection would be made by the Postal Service to the issuance of an order by the Board establishing a service mail rate of 54.93 cents per great circle aircraft mile for the transportation of mail by aircraft between Rolla, Mo. and Harrison, Ark., via Columbia and Kansas City, Mo., and Little Rock and Batesville, Ark.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the petition and other matters officially noticed, it is proposed to issue an order<sup>3</sup> to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid on and after January 17, 1972, to Sedalia, Marshall, Boonville Stage Line, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 54.93 cents per great circle aircraft mile between Rolla, Mo., and Harrison, Ark., via Columbia and Kansas City, Mo., and Little Rock and Batesville, Ark., based on five round trips per week with Beechcraft twin-engine aircraft.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR, Part 302; 14 CFR, Part 298, and 14 CFR 385.16(f).

<sup>2</sup> All the adjustments made herein by the Postal Service are in compliance with Regional Instruction 530-4, "Air Taxi Transportation Rate Adjustments, Part 298 Operators."

<sup>3</sup> As this Order to Show Cause is not a final action, it is not regarded as subject to the review provisions of 14 CFR, Part 385. These provisions will apply to final action taken by the staff under authority delegated in § 385.16(g).

#### It is ordered, That:

1. Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, Braniff Airways, Inc., Delta Air Lines, Inc., Frontier Airlines, Inc., Ozark Air Lines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Sedalia, Marshall, Boonville Stage Line, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR, Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served on Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, Braniff Airways, Inc., Delta Air Lines, Inc., Frontier Airlines, Inc., and Ozark Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,  
Secretary.

[FR Doc.72-14028 Filed 8-17-72; 8:49 am]

[Docket No. 23486; Order 72-8-38]

#### INTERNATIONAL AIR TRANSPORT ASSOCIATION

##### Order Regarding Fare Matters

Issued under delegated authority August 8, 1972.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the traffic conferences of the International Air Transport Association (IATA). The agreement, which has been assigned the

above-designated CAB agreement number, was adopted as a result of the fifth meeting of the Passenger Traffic Procedures Committee held April 26-28, 1972, in Washington.

The agreement would amend the definition of "immediate family member" so as to include sons- and daughters-in-law to the extent the definition has effect in existing resolutions which allow, under prescribed circumstances such as the death of an immediate family member while a passenger is en route, (1) a waiver of minimum-stay requirements attached to the use of special or promotional fares or (2) the rerouting of a passenger traveling with a group.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the following resolutions, which are incorporated in Agreement CAB 23231 as indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB 23231	IATA Resolutions
R-13-----	105 (PTPC) 277a. 205 (PTPC) 277a. 305 (PTPC) 277a.
R-14-----	105 (PTPC) 277b. 205 (PTPC) 277b. 305 (PTPC) 277b. JT12 (5/PTPC) 277b. JT23 (5/PTPC) 277b. JT31 (5/PTPC) 277b. JT123 (5/PTPC) 277b.

Accordingly, it is ordered, That:

Agreement CAB 23231, R-13 and R-14, be and hereby is approved.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,  
Secretary.

[FR Doc.72-14023 Filed 8-17-72; 8:50 am]

#### ENVIRONMENTAL PROTECTION AGENCY

[I. F. & R. Dockets Nos. 63, etc.]

#### CONSOLIDATED DDT HEARINGS

##### Opinion and Order of the Administrator

##### Correction

In F.R. Doc. 72-10340 appearing at page 13369 of the issue for Friday, July 7, 1972, in the middle column on page 13374 the last word of the eighth line should read "ethyl" instead of "methyl".



## NATIONAL AMBIENT AIR QUALITY STANDARDS

### Proposed State Implementation Plans; Notice of Public Hearings

On July 27, 1972 (37 F.R. 15094), the Administrator published proposed regulations to correct certain deficiencies in State plans for implementation of the national ambient air quality standards. In the notice of proposed rule making, the Administrator signified his intention of holding public hearings on all such proposed regulations and indicated that such public hearings would be held no earlier than 30 days following publication of the notice of proposed rule making. The purpose of this notice is to specify the dates, times, and places, at which these public hearings are to be held. This information is set forth below, arranged to coincide with the areas covered by the Environmental Protection Agency's Regional Offices.

#### REGION III

##### PENNSYLVANIA

August 28 at 10 a.m., Pittsburgh Hilton, Gateway Center, Pittsburgh. Hearing officer: Daniel J. Snyder III.

September 5 at 10 a.m., Marriott Motor Hotel, City Line and Monument Road, Philadelphia. Hearing officer: Daniel J. Snyder III.

##### VIRGINIA

September 1 at 10 a.m., Sheraton Motor Inn, Belvidere and Franklin Streets, Richmond. Hearing officer: James Seeley.

#### REGION V

##### ILLINOIS

August 31 at 9:30 a.m., Sheraton Chicago, East Room, 505 North Michigan Avenue, Chicago. Hearing officer: James O. McDonald.

##### INDIANA

August 29 at 9:30 a.m., Downtowner Motor Inn, 421 North Pennsylvania Street, Indianapolis. Hearing officer: Dorothy Attemeyer.

##### WISCONSIN

August 28 at 1 p.m., Park Motor Inn, 22 South Carroll Street, Madison. Hearing officer: Jay S. Goldenberg.

#### REGION VI

##### NEW MEXICO

September 6 and 7 at 9 a.m., Public Employees Retirement Association Building, 411 East Manhattan Street, Santa Fe. Hearing officer: Cooper Wayman.

#### REGION VII

##### NEBRASKA

August 29 at 10:30 a.m., Nebraska Center Auditorium, 33d and Holdrege, Lincoln. Hearing officer: John Morse.

#### REGION VIII

##### MONTANA

August 30 at 9 a.m., Capitol Building, House Chambers, Helena. Hearing officer: Leonard W. D. Campbell.

##### UTAH

September 14 at 9 a.m., State Office Building, Highway Auditorium, Salt Lake City. Hearing officer: Leonard W. D. Campbell.

#### REGION IX

##### ARIZONA

September 6 at 9 a.m., Westward-Ho Motel, Thunderbird Room, 1618 North Central Avenue, Phoenix. Hearing officer: Cassandra Dunn.

September 8 at 9 a.m., Tucson Community Center Theater, 250 South Church Avenue, Tucson. Hearing officer: Cassandra Dunn.

##### NEVADA

August 31 at 9 a.m., Pioneer Inn, 221 South Virginia Avenue, Reno. Hearing officer: Cassandra Dunn.

#### REGION X

##### IDAHO

September 14 at 10 a.m., Fish and Game Building, Meeting Room, 600 South Walnut Street, Boise. Hearing officer: Donald W. Moos.

Persons wishing to participate in these public hearings should signify their intentions by notifying the appropriate Regional Administrator and supplying five copies of their statements 5 days in advance of the hearing date. Notifications and copies of such statements should be directed to the attention of the appropriate hearing officer, as identified above.

Copies of the proposed regulations which will be considered at these public hearings are available from the Agency's regional offices at the following addresses:

Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pa. 19106.

Region V, 1 North Wacker Drive, Chicago, IL 60606.

Region VI, 1600 Patterson Street, Suite 1100, Dallas, TX 75201.

Region VII, 1735 Baltimore Street, Room 279, Kansas City, MO 64108.

Region VIII, Lincoln Tower Building, 1860 Lincoln Street, Denver, CO 80203.

Region IX, 100 California Street, San Francisco, CA 94111.

Region X, 1200 Sixth Avenue, Seattle, WA 98108.

Dated: August 15, 1972.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc.72-13085 Filed 8-17-72; 8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

### CABLE TV GOVERNMENT ADVISORY GROUP SUBCOMMITTEE

#### Notice of August Meeting

AUGUST 8, 1972.

The Study Phase Subcommittee of the Cable Television Federal-State/Local Advisory Committee will hold an open meeting August 25, 1972, 10 a.m., in Room 847S at the FCC, 1919 M Street NW., Washington, DC.

The purpose of the meeting is to make specific assignments of subcommittee members, and establish a schedule of future meetings. One meeting is contemplated before October 31.

The subcommittee was organized to study and evaluate areas of interest to the advisory committee including methods of establishing subscriber rates, access costs, leased channel rates, franchise fees, and regional interconnection of cable systems.

Professor Donald A. Dunn, School of Engineering at Stanford University, is chairman of the subcommittee.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[FR Doc.72-13077 Filed 8-17-72; 8:45 am]

### CABLE TV GOVERNMENT ADVISORY GROUP; INITIAL ORGANIZATIONAL PHASE SUBCOMMITTEE

#### Notice of August Meeting

AUGUST 9, 1972.

The Initial Organizational Phase Subcommittee of the Cable Television Federal-State/Local Advisory Committee will hold an open meeting August 29, 1972, at 10 a.m. in Room 847S at the FCC, 1919 M Street NW., Washington, DC.

The format for the meeting includes assigning members to specific tasks, and establishing a schedule of future meetings.

The subcommittee was formed to evaluate areas of interest to the advisory committee including criteria for franchise applicant selection and methods of enforcing minimum procedural requirements in the local franchising process.

Raymond Shafer, Chief Executive Officer of TelePrompter Corp., is Chairman of the subcommittee.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[FR Doc.72-13078 Filed 8-17-72; 8:45 am]

### ITT TARIFF REVISION

#### Exception Concerning Relevant Comments and Pleadings

AUGUST 11, 1972.

On August 8, 1972, ITT World Communications, Inc. (ITT), filed revisions to Joint Tariff FCC No. 7 to become effective October 2, 1972. The revisions provide that ITT will bear the charges incidental to: (1) The filing of international messages from hinterland users who choose to send their messages to ITT via the various domestic communications services; and (2) the delivery of incoming international messages, utilizing prior arrangements established through the Central Bureau of Registered Addresses, via the various domestic communications services. Additionally, the charges incidental to the delivery of incoming telegraph messages to hinterland addressees, containing paid service indications, will be borne by ITT. Heretofore,



the charges incidental to the filing or receipt of international telegraph messages by the various domestic communications services were the responsibility of the sender on outbound international messages and of the addressee on inbound international messages.

In its letter of transmittal, ITT indicated its hope that by filing its tariff revision on more than statutory notice, all relevant comments and pleadings could be submitted at the earliest possible time to enable the Commission to evaluate the proposed tariff filing, and related filings, and act before the effective date so that postponement of that date will not be necessary. The ITT request appeared meritorious and, to facilitate this matter, the Chief, Common Carrier Bureau, acting under delegated authority pursuant to § 0.303(f) of the Commission's rules, granted an exception in this matter to § 1.773(b) of the rules in that all petitions to suspend, or relevant comments by interested parties, be filed and properly served no later than September 1, 1972.

The above-prescribed procedure will "best conduce to the proper dispatch of the Commission's business and the ends of justice." 47 U.S.C. 154(j). Pursuant to section 3(a) of the Administrative Procedure Act, this public notice will be published in the FEDERAL REGISTER.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[FR Doc.72-13079 Filed 8-17-72;8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. CP73-36]

### AMERICAN LNG CO.

#### Notice of Application

AUGUST 11, 1972.

Take notice that on August 7, 1972, American LNG Co., (Applicant), 901 West 22d Street, Oak Brook, IL 60521, filed in Docket No. CP73-36 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 liquefied natural gas (LNG) in interstate commerce, the transportation of LNG by truck trailer in interstate commerce and the operation of the facilities necessary therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that several companies, including gas distribution utilities, have indicated that they would like to call upon Applicant as a source for LNG when their normal natural gas supplies are curtailed, as an emergency source of LNG when normal sources fail to provide an adequate peak shaving reserve and as an emergency source in other circumstances. Applicant further states that it has received requests for truckload quantities of LNG for interim or emergency gas supply in conjunction with the use of Applicant's portable

vaporization facilities, for research purposes, and for the purpose of purging, cool down, and check out of new LNG facilities. Consequently, Applicant requests authorization to sell LNG for resale in a volume of no more than 12,000,000 gallons per year (equal to approximately 1,000,000 Mcf in gaseous form) and no more than 1,200,000 gallons per year to any one buyer (equal to approximately 100,000 Mcf in gaseous form) for a period of 2 years, to transport LNG in interstate commerce and to operate facilities therefor.

Applicant further requests waiver of the Commission's normal filing, accounting and reporting requirements and in lieu thereof Applicant suggests an annual reporting requirement.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 5, 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.72-14014 Filed 8-17-72;8:48 am]

[Dockets Nos. RP72-47 and RP72-104]

### CONSOLIDATED GAS SUPPLY CORP.

#### Order Accepting for Filing Tariff Sheets, Permitting Tariff Sheets To Supersede Other Tariff Sheets, Rejecting Tendered Tariff Sheets, and Suspending Tariff Sheets

AUGUST 11, 1972.

On June 21, 1972, Consolidated Gas Supply Corp. (Consolidated), pursuant

to section 4 of the Natural Gas Act, filed revised and substitute revised tariff sheets to its FPC Gas Tariff, First Revised Volume No. 1 and requests that those sheets become effective on August 21, 1972, 60 days from the date of filing.<sup>1</sup>

The sheets tendered by Consolidated on June 21, 1972, attempt, inter alia, to supersede sheets which were filed on October 5, 1971, and were suspended by Commission order in Docket No. RP72-47 until December 5, 1971.<sup>2</sup> Consolidated has not sought to place the October 5 sheets into effect in accordance with the Natural Gas Act. Since some newly tendered sheets will replace certain of those sheets that were previously suspended by the Commission, we will accept for filing those superseding sheets and, as we did with the previously filed sheets, suspend them for 1 day.

On January 31, 1972, Consolidated tendered for filing certain tariff sheets that were suspended by the Commission in Docket No. RP72-104 until August 17, 1972. Certain of the tariff sheets tendered by Consolidated on June 21, 1972, seek to supersede certain of those sheets suspended in Docket No. RP72-104.<sup>3</sup> However, Consolidated in its submittal of June 21, 1972, did not move to obtain Commission approval to permit the substitution of its tendered June 21 sheets for those suspended in Docket No. RP72-104. Accordingly, there is no good cause shown that would allow us to permit the substitution as required by § 154.66(b) of the regulations under the Natural Gas Act. We will therefore reject those sheets.

The remainder of Consolidated's tender of June 21 are sheets that are not in replacement of suspended sheets and thus we will accept those sheets for filing.

Inasmuch as the sheets that we are herein accepting for filing have not been shown to be lawful, they may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful under the Natural Gas Act. Accordingly, we will suspend those tariff sheets.

The Commission finds:

(1) Good cause exists to accept for filing the following tariff sheets submitted by Consolidated on June 21, 1972, to

<sup>1</sup>The sheets tendered are designated as follows: First Revised Sheet No. 10, First Revised Sheet No. 11, First Revised Sheet No. 12, Substitute First Revised Sheet No. 13, First Revised Sheet No. 14, First Revised Sheet No. 16, First Revised Sheet No. 17, First Revised Sheet No. 18, First Revised Sheet No. 19, First Revised Sheet No. 20, First Revised Sheet No. 21, Substitute First Revised Sheet No. 51, Original Sheet No. 51-A, Original Sheet No. 51-B, Original Sheet No. 51-C, Original Sheet No. 51-D, Substitute First Revised Sheet No. 52, Original Sheet No. 53-A, Original Sheet No. 53-B, and Original Sheet No. 53-C.

<sup>2</sup>Those tendered sheets are: Substitute First Revised Sheet No. 51; Substitute First Revised Sheet No. 52; Original Sheet No. 53-A, Original Sheet No. 53-B; and Original Sheet No. 53-C.

<sup>3</sup>Those June 21, 1972, sheets are: Substitute First Revised Sheet No. 13; Substitute First Revised Sheet No. 51; Substitute First Revised Sheet No. 52; and Original Sheet No. 53-A.



its FPC Gas Tariff, First Revised Volume No. 1: First Revised Sheet No. 10; First Revised Sheet No. 11; First Revised Sheet No. 12; First Revised Sheet No. 14; First Revised Sheet No. 16; First Revised Sheet No. 17; First Revised Sheet No. 18; First Revised Sheet No. 19; First Revised Sheet No. 20; First Revised Sheet No. 21; Original Sheet No. 51-A; Original Sheet No. 51-B; Original Sheet No. 51-C; Original Sheet No. 51-D; Original Sheet No. 53-B; and Original Sheet No. 53-C; and to permit Original Sheets Nos. 53-B and 53-C to supersede the similarly designated sheets which were suspended in Docket No. RP72-47.

(2) Good cause exists to reject the following tariff sheets submitted by Consolidated on June 21, 1972, to its FPC Gas Tariff, First Revised Volume No. 1: Substitute First Revised Sheet No. 13; Substitute First Revised Sheet No. 51; Substitute First Revised Sheet No. 52; and Original Sheet No. 53-A.

(3) It is necessary and appropriate for the purposes of the Natural Gas Act, particularly sections 4, 5, and 15 thereof, that the operation of the following sheets tendered by Consolidated on June 21, 1972, be suspended and the use thereof be deferred as hereinafter provided: First Revised Sheet No. 10; First Revised Sheet No. 11; First Revised Sheet No. 12; First Revised Sheet No. 14; First Revised Sheet No. 16; First Revised Sheet No. 17; First Revised Sheet No. 18; First Revised Sheet No. 19; First Revised Sheet No. 20; First Revised Sheet No. 21; Original Sheet No. 51-A; Original Sheet No. 51-B; Original Sheet No. 51-C; Original Sheet No. 51-D; Original Sheet No. 53-B; and Original Sheet No. 53-C.

(4) In the event Commission determination of this proceeding is not concluded prior to the termination of the suspension period herein ordered, the placing of the tariff changes applied for in this proceeding into effect after the suspension period in the manner prescribed by the Natural Gas Act, all subject to refund with interest, while pending Commission determination as to their justness and reasonableness, is consistent with the purposes of the Economic Stabilization Act of 1970, as amended.

The Commission orders:

(A) The revised and original tariff sheets to Consolidated Gas Supply Corp.'s FPC Gas Tariff, First Revised Volume No. 1 tendered for filing on June 21, 1972, and identified in finding paragraph (1) above, are hereby accepted for filing and Original Sheet Nos. 53-B and 53-C are hereby permitted to supersede the similarly designated tariff sheets which were tendered for filing on October 5, 1971, and suspended in Docket No. RP72-47.

(B) The substitute revised and original tariff sheets to Consolidated Gas Supply Corp.'s FPC Gas Tariff, First Revised Volume No. 1, tendered for filing on June 21, 1972, and identified in finding paragraph (2) above, are hereby rejected for filing without prejudice.

(C) The revised and original tariff sheets to Consolidated Gas Supply Corp.'s

FPC Gas Tariff, First Revised Volume No. 1 which were tendered for filing on June 21, 1972, and are identified in finding paragraph (3) above, are hereby suspended and the use thereof deferred until August 22, 1972, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

By the Commission.

[SEAL]

MARY B. KIDD,  
Acting Secretary.

[FR Doc. 72-14015 Filed 8-17-72; 8:48 am]

[Docket No. CP69-23]

## EL PASO NATURAL GAS CO.

### Notice of Petition To Amend

AUGUST 11, 1972.

Take notice that on August 4, 1972, El Paso Natural Gas Co. (Petitioner), Box 1492, El Paso, TX 79978, filed in Docket No. CP69-23 a petition pursuant to section 7(c) of the Natural Gas Act requesting the Commission to authorize a reduction in the maximum daily quantity for one of its customers, Big Lake, Tex., by amending the order issued August 21, 1969, in Docket No. CP69-23 (45 FPC 562), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner requests that the Commission amend its order by authorizing Petitioner to reduce the maximum daily quantity of natural gas for Big Lake, Tex., from 3,035 Mcf daily to 1,500 Mcf daily and by eliminating the annual delivery obligation to Big Lake of 101,150 Mcf. Petitioner states that the purpose of the reduction of the maximum daily quantity is to reflect Big Lake's requirements as determined by actual usage. The present annual delivery obligation is stated to be inappropriate in light of the fact that Big Lake provides services only to residential and commercial customers.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before September 5, 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc. 72-14016 Filed 8-17-72; 8:48 am]

[Docket No. CP73-32]

## EL PASO NATURAL GAS CO.

### Notice of Application

AUGUST 11, 1972.

Take notice that on August 2, 1972, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, TX 79978, filed in Docket No. CP73-32 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 Southern Division System field pipeline facilities necessary for the acquisition and transportation of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

In order to contract for and attach new supplies of gas in the southern Hugoton-Anadarko Basin area, Applicant seeks authorization to construct and operate the following facilities:

(1) Approximately 37 miles of 20-inch O.D. pipeline with appurtenances from Gray County, Tex., to Wheeler County, Tex.;

(2) Approximately 10 miles of 16-inch O.D. pipeline with appurtenances from Wheeler County, Tex., to Hemphill County, Tex.;

(3) Check meter facilities in Wheeler County, Tex., and Gray County, Tex.;

(4) River crossings in Wheeler County, Tex.;

(5) Compressor cylinder modifications on an existing 2,000 horsepower compressor unit and station piping modifications at Applicant's existing Panoma Compressor Station in Gray County, Tex.;

(6) Piping modifications at Applicant's Dumas Compressor Station in Moore County, Tex.;

(7) A 40,000 Mcf per day capacity treating and dehydration plant with appurtenances in Wheeler County, Tex.;

(8) Gathering system facilities in Wheeler County, Tex., and Hemphill County, Tex.;

(9) Communications facilities as required for the operation and maintenance of the proposed facilities.

Applicant states that the recent exploratory drilling operations conducted by Kerr-McGee Corp. (Kerr-McGee) and Applicant in the South Zybach and Hobart Ranch areas, respectively, have produced test data which indicate that significant supplies of natural gas will be forthcoming from each of the subject areas. Applicant estimates that, by 1974, the peak year average day availability, assuming full development of both supply areas, will be 32,500 Mcf from the South Zybach area and 27,000 Mcf from the Hobart Ranch area. Further, Applicant estimates that such supply areas will possess total recoverable gas reserves aggregating 232,600 Mcf. In recognition of these and future additional supplies of gas from the southern Hugoton-Anadarko Basin area, Applicant states that the field transmission facilities have been



designed to provide capacity sufficient to accommodate significantly larger supplies than those which are presently attributable to the South Zybach and Hobart Ranch areas. Applicant states that, pursuant to the provisions of a Gas Purchase Agreement dated July 19, 1972, it will purchase said recoverable gas from Kerr-McGee for a term of 20 years at an initial contract rate of 35 cents per Mcf and that said gas will be used to augment its Southern Division System supply to fulfill customer needs.

Applicant states that the estimated cost of all the facilities proposed to be constructed is \$7,913,350, which cost will be financed initially by use of working funds, supplemented, as necessary, by short-term borrowings.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 5, 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.72-14017 Filed 8-17-72;8:48 am]

[Docket No. CP73-33]

# FLORIDA GAS TRANSMISSION CO. AND TEXAS GAS TRANSMISSION CORP.

## Notice of Application

AUGUST 11, 1972.

Take notice that on August 3, 1972, Florida Gas Transmission Co. (Florida),

Box 44, Winter Park, FL 32789, and Texas Gas Transmission Corp. (Texas), Box 1160, Owensboro, KY 42301, filed in Docket No. CP73-33 a joint application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants request that the Commission authorize the continuation of an existing emergency exchange between them. Texas would provide Florida with an average of 15,000, but no more than 50,000, Mcf of gas per day which Florida would return at an average of 5,000 Mcf per day with no upward limit on its return volume. A charge of 26 cents per Mcf at 15.025 p.s.i.a. would be paid at both the time of the delivery by Texas and the return of the gas by Florida to keep the parties whole between delivery and return. The agreement calls for Texas to deliver natural gas to Florida between July 10, 1972, and March 1, 1973, through measuring facilities located at an interconnection between applicants' facilities in Acadia Parish, La., at which point the emergency exchange is currently being made, and for Florida to redeliver equal quantities to Texas at the same delivery point commencing on April 1, 1973.

Applicants request authorization for tap and measuring facilities either in place or to be constructed to effect the proposed exchange. Florida's facilities are estimated to cost \$12,000 and Texas' facilities are estimated to cost \$3,165.

Applicants state that the proposed exchange will be accomplished during periods when they anticipate the greatest need for gas to meet deficiencies in deliverability on their respective systems. Applicants commenced the emergency exchange of natural gas on July 10, 1972, within the contemplation of § 157.22 of the regulations under the Natural Gas Act (18 CFR 157.22).

Any person desiring to be heard or to make any protest with reference to said application should on or before September 5, 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.72-14018 Filed 8-17-72;8:48 am]

[Docket No. E-7740]

## INDIANA & MICHIGAN ELECTRIC CO.

### Order Accepting for Filing and Suspending Revised Tariff Sheets, Denying Motions to Reject Filing, Providing for Hearing, Establishing Procedures, Permitting Interventions, Denying Waiver, and Fixing Effective Date

AUGUST 11, 1972.

Indiana & Michigan Electric Co. (I & M) on June 13, 1972, tendered for filing the following tariff changes,<sup>1</sup> each of which was proposed to become effective on July 14, 1972:

- (1) First revised sheets No. 7 to 11-3 to the company's FPC Electric Tariff MRS, under which 12 municipal customers are being served;
- (2) Supplements to four rate schedules under which four municipal customers are being served;
- (3) Supplements to eight rate schedules under which seven rural electric cooperative customers are being served;
- (4) New FPC Electric Tariff WS, Original Volume No. 1, of the company.

The proposed changes would increase I & M's revenues from jurisdictional sales and service by approximately \$6,180,000 annually based on the 12-month period ending December 31, 1971, as adjusted. I & M stated that the rate increase is necessitated primarily by the fact that at March 31, 1972, I & M's earnings were insufficient to permit the company to issue any additional long-term debt to finance its construction program.

Notice of I & M's proposed changes was issued on June 23, 1972, and was published on June 30, 1972 (37 F.R. 12998). The notice required protests and petitions to intervene to be filed by July 5, 1972. By notice issued July 3, 1972, the date was extended until July 15, 1972, upon the request of Indiana Municipal Electric Association.

A protest against I & M's proposed changes was filed on June 28, 1972, by Coalition for the Environment, Inc., Fort Wayne, Ind. A letter on behalf of the city

<sup>1</sup> See designations in the appendix to this order.



of Bluffton, Ind., in opposition to the proposed rate increase was also received. A letter in protest was received from the Honorable Birch Bayh, U.S. Senate, on August 7, 1972. Protests and petitions to intervene were filed by the city of Fort Wayne, Ind., and by the city of Anderson, Ind.,<sup>2</sup> on July 3, 1972, and by a group of municipally owned electric distributor customers<sup>3</sup> of I & M together with the Indiana and Michigan Municipal Distributors Association<sup>4</sup> on July 10, 1972.

Richmond Power and Light of the City of Richmond, Ind. (RP & L)<sup>5</sup> filed on July 3, 1972, a document entitled Protest, Motion to Reject, or, in the Alternative, Request for Hearing and Maximum Suspension Period. RP & L moves to reject I & M's filing on the grounds that it is discriminatory and is contrary to antitrust and other policies and that it violates contracts filed with and approved by the Public Service Commission of Indiana. RP & L also states that the proposed WS Tariff makes no provision for interchange of energy and that:

\* \* \* the Commission pursuant to section 202(b) of the Federal Power Act should order an interchange agreement between RP & L and I & M similar to that between Gainesville Utility Department and Florida Power Corp. (Protest, pp. 2-3).

RP & L further states that I & M is not permitted by contract to request an effective date prior to final approval of the proposed rate increase by the Public Service Commission of Indiana. In its alternative request, RP & L asks that I & M's proposed tariff changes be suspended for 5 months and that if a final order is not issued by the end of the 5-month period, I & M be ordered to charge for electric service at no more than the rates prescribed by the company's IP Tariff, as approved by the Public Service Commission of Indiana. RP & L adds that section 205(e) of the Federal Power Act requires suspension for 5 months unless a final order is issued sooner.

<sup>2</sup> On Aug. 2, 1972, the city of Anderson filed a document entitled "Supplemental Petition To Intervene, Formal Protest and Request for Rejection of Rate Schedules Submitted for Filing" alleging (1) that the proposed tariff changes are discriminatory, (2) that they are not permitted by the city's contract with I & M and should be rejected, and (3) that they should be suspended for 5 months and a hearing held.

<sup>3</sup> Auburn, Ind.; Avilla, Ind.; Bluffton, Ind.; Columbia City, Ind.; Frankton, Ind.; Garrett, Ind.; Gas City, Ind.; Mishawaka, Ind.; New Carlisle, Ind.; Niles, Mich.; South Haven, Mich.; Sturgis, Mich.; Warren, Mich.

<sup>4</sup> This is an ad hoc association of the group of 13 municipal customers and the cities of Richmond, Ind.; Fort Wayne, Ind.; and Anderson, Ind. (Cities). This association also filed on Aug. 7, 1972, a motion for suspension of proposed rate increase, alleging that regulations of the Price Commission require the maximum 5 months' suspension of I & M's proposed rate increase.

<sup>5</sup> RP & L also filed on Aug. 4, 1972, a telegram reiterating its position, and on Aug. 7, 1972, a "Supplement to Motion to Reject Rate Schedule Filing."

A group of rural electric cooperative customers<sup>6</sup> (Cooperatives) of I & M filed on July 17, 1972, a Protest and Petition to Intervene and for Rejection of Rate Schedules Submitted for Filing. The Cooperatives ask that I & M's filing be rejected on the grounds that it is not permitted by I & M's contracts with them and that the amount of the increase to the Cooperatives exceeds any permissible amount under the economic stabilization program. The Cooperatives rely on United Gas Pipeline Co. v. Mobil Gas Service Corp., 350 US 332 (1956) and FPC v. Sierra Pacific Power Co., 350 US 348 (1956) and on the following contract provisions to sustain their first ground:

#### ARTICLE 3B

Customer agrees to take and pay for the electric capacity and energy delivered to Customer by Company hereunder in accordance with the provisions of Company's Tariff REMC as filed with the Public Service Commission of Indiana, a copy of which tariff is attached hereto as Exhibit A and is hereby made a part of this agreement.

#### ARTICLE 12

Firm agreement as to rates and charges: Should any change in the rate provided for in Article 3 hereof be ordered by the Public Service Commission of Indiana, payment for services by Customer to Company as provided for in Article 3 hereof shall thereafter be made upon the basis of such new rate as changed and approved by the Public Service Commission of Indiana: *Provided, however,* That in the event of such change in rate, either of the parties hereto shall have the right within a period of 90 days, beginning on the date when such change is ordered by the Public Service Commission of Indiana, to terminate this agreement by giving to the other party at least 60 days prior notice in writing of its intention so to do.

Company agrees that, in the event the rates, terms or conditions of this agreement are questioned or litigated by others than the parties hereto, including but not limited to Public Officials, Company will jointly and in cooperation with Customer defend the same before any regulatory body or court.

#### ARTICLE 13

After the expiration of said initial term, this agreement will be renewed automatically for successive renewal periods of two (2) years thereafter, unless written notice of termination is given by either party to the other at least 36 months prior to the expiration of the initial term or any renewal period.

The Cooperatives protest the proposed rate increase on the grounds that it would produce an unreasonable rate of return to I & M and would have unfavorable consequences for the Cooperatives, including possible anticompetitive effects.

On July 18, 1972, I & M filed answers to the pleadings of the Cities. I & M does not oppose permitting them to intervene. I & M does oppose their requests for

<sup>6</sup> Indiana Statewide Rural Electric Cooperative, Inc.; Fruit Belt Electric Cooperative; Jay County Rural Electric Membership Corp.; Noble County Rural Electric Membership Corp.; Paulding-Putnam Electric Cooperative, Inc.; United Rural Electric Membership Corp.; Wayne County Rural Electric Membership Corp.; and Whitley County Rural Electric Membership Corp.

5-months' suspension of the proposed tariff changes. I & M denies that any of the matters alleged in RP & L's pleading establish any basis for granting RP & L's request to reject the proposed rate schedules.

On August 2, 1972, I & M filed an answer to the Cooperatives' protest and petition. I & M opposes the Cooperatives' petition for rejection of the proposed rate schedules on the ground that Article 12 of the contracts<sup>7</sup> shows that the parties expressly contemplated and provided for changes in rates. I & M states that the Cooperatives fail to allege any facts or contentions sufficient to warrant suspension of the proposed rates for the maximum period of 5 months. I & M does not oppose permitting the Cooperatives to intervene in this proceeding.

On July 18, 1972, I & M filed an application for an order fixing July 14, 1972, as the effective date of its proposed rate schedules. The application requests relief, in effect, from a July 3, 1972, letter of the Secretary of the Commission acknowledging I & M's filing and advising the company that:

The earliest effective date for the increase consistent with [§ 35.13(b)(4)(i)] of the regulations would be August 13, 1972.

Section 35.13(b)(4)(i) of the Commission's regulations under the Federal Power Act requires applicants for rate increases to submit certain data 60 days in advance of the proposed effective date. I & M's tender was made 31 days prior to the proposed effective date of July 14, 1972. The application states that this 60-day filing requirement is unreasonable and unnecessary under the circumstances and that, in any event, it should be waived pursuant to § 35.11 of the regulations. The Commission staff responded on July 28, 1972, and suggested that the 60-day filing requirement may be improper because (1) both the Federal Power Act and the Natural Gas Act require only 30-days' notice of rate changes and (2) it operates in effect as an extension of the statutory provisions for 5-months' suspension and 30-days' notice of rate changes (see section 205 (e) and 205(d) of the Federal Power Act, respectively). A response in opposition to I & M's application was filed by the city of Anderson, Ind., on August 1, 1972, and by RP & L on August 7, 1972.

On August 2, 1972, the Indiana and Michigan Municipal Distributors Association filed a response to application for fixing of effective date of increase. This pleading prays that August 14, 1972, be regarded as the proposed effective date of I & M's tariff changes and that they be suspended for 5 months. The Association

<sup>7</sup> I & M's answer also quotes the following from section 6 of the "Other Terms and Conditions" portion of tariff REMC attached to the contracts:

G. Service shall be furnished and taken under the Company's general rules and regulations on file with the Commission, except to the extent, if any, that the same are expressly modified by the terms and conditions hereinabove provided.



also asks that a phased proceeding be instituted, with the first phase directed to I & M's adjustments to fuel and power costs and the second phase directed to all other issues. This request will be denied because the issues involved in this proceeding are not clearly separable and because phasing this proceeding would impede the most expeditious disposition of it.

The Cooperatives, RP & L, and the city of Anderson, Ind., have requested that the rate schedules filed by I & M applicable to them be rejected on the ground that the rate changes proposed by I & M are not permitted by their contracts. This Commission does have authority to reject tariff changes which are not permitted by contract, *United Gas Pipe Line Co. v. Mobile Gas Service Corp.*, 350 US 332 (1956); *FPC v. Sierra Pacific Power Co.*, 350 US 348 (1956). The contract provisions cited by the Cooperatives and I & M indicate that, at the time the agreements were made, the Public Service Commission of Indiana was regarded as the regulatory body with jurisdiction and that rate changes were contemplated by the order or with the approval of that Commission. This Commission's jurisdiction over I & M's wholesale rates has since been asserted and confirmed, *Indiana & Michigan Electric Company*, 33 FPC 739 (1965), affirmed, 365 F2d 180 (CA 7, 1966), cert. denied, 385 US 972 (1966). For the reasons discussed in *Public Service Company of Indiana, Inc.*, Docket No. E-7645 (orders issued February 25, 1972, and May 25, 1972), petition for review filed, *Indiana Statewide Rural Cooperative, Inc. v. FPC*, CADC No. 72-1696, involving similar facts, we find that I & M's contracts with the Cooperatives are not fixed-rate contracts and that I & M's changes applicable to the Cooperatives should not be rejected as contractually barred, *United Gas Pipe Line Co. v. Memphis Light, Gas and Water Division*, 358 US 103 (1958).

RP & L's request that I & M's tariff changes applicable to it be rejected will also be denied. The approval of the Public Service Commission of Indiana is not a prerequisite to the tendered tariff changes by I & M because that Commission does not have jurisdiction. None of RP & L's other allegations are cause for rejection.

The city of Anderson requests rejection of I & M's Rate Schedule WS on the ground that Anderson's 1957 contract with I & M provides for Anderson to be served under Tariff IP as long as Tariff IP is in effect and that Anderson has not agreed to take service under any other schedule. I & M's Tariff IP is applicable to I & M's industrial customers and is therefore on file with the Public Service Commission of Indiana. Tariff IP is also applicable to Anderson, RP & L, and other customers taking service subject to this Commission's jurisdiction and is therefore on file as a contract with this Commission. Neither Anderson nor RP & L alleges that a fixed-rate contract exists. We find that I & M is not precluded from filing the changes in rates,

terms, and conditions of service as embodied in Rate Schedule WS.

In justifying a proposed effective date 31 days after filing, I & M alleges that increased revenues are necessary to improve its interest coverage and to permit the issuance of long-term debt. We find that good cause has not been shown for waiver of the 60-day filing requirement of the regulations. The proposed rate and charges, furthermore, have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful. It has also been alleged that I & M's proposed tariff changes are contrary to the economic stabilization program and antitrust policies and that interchange of energy should be provided for. It is necessary and appropriate in the public interest and in carrying out the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the rates, charges, classifications, services, and other provisions contained in I & M's proposed FPC Electric Tariff, and the use thereof deferred as hereinafter provided. I & M's proposed tariff changes will be suspended for 5 months beginning August 13, 1972, and will become effective subject to refund on January 13, 1973.

The Commission orders:

(A) Pursuant to the authority of the Federal Power Act, the Commission's rules of practice and procedure, and the regulations under the Federal Power Act, a public hearing shall be held concerning the lawfulness of the rates, charges, classifications, services, and other provisions contained in *Indiana & Michigan Electric Co.'s* proposed FPC Electric Tariff and shall commence with a prehearing conference to be held on November 23, 1972.

(B) I & M's application and request for waiver are denied.

(C) Pending such hearing and decision thereon, I & M's proposed tariff sheets are accepted for filing and are

suspended and their use deferred until January 13, 1973.

(D) All motions and petitions to reject I & M's filing are denied.

(E) The request of *Indiana and Michigan Municipal Distributors Association* for phased proceedings is denied.

(F) The above-named petitioners are hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervenors shall be limited to matters affecting rights and interests specifically set forth in their respective petitions to intervene: *And provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they, or any of them, might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(G) The Chief Examiner or any other designated by him for that purpose (see *Delegation of Authority*, 18 CFR 3.5(d)) shall preside at the hearing in these proceedings and shall prescribe relevant procedural matters not herein provided.

(H) At the prehearing conference the direct evidence of I & M and the Commission staff shall be copied into the transcript, subject to appropriate motions, if any, by the parties to the proceeding, and procedures adopted for an orderly and expeditious hearing. On or before November 14, 1972, the Commission staff shall serve its prepared testimony and exhibits, if any. The prepared testimony and exhibits, if any, of intervenors shall be served on or before December 1, 1972. Rebuttal evidence, if any, of I & M shall be served on or before December 15, 1972. Cross-examination of the evidence filed shall commence at 10 a.m. on January 2, 1973, in a hearing room of the Federal Power Commission.

By the Commission.

[SEAL]

MARY B. KIDD,  
Acting Secretary.

#### APPENDIX

*Indiana & Michigan Electric Co.*

Rate Schedule Designations

Filing Date: June 13, 1972

Date of Instruments: June 13, 1972

#### Designations

#### Customers

First Revised Sheets Nos. 7 through 11, Original Sheets Nos. 8-1, 11-1, 11-2, 11-3 to FPC Electric Tariff Original Volume No. 1 (Supersedes Original Sheets Nos. 7 through 11).	Municipal customers served under tariff.
Supplement No. 8 to Rate Schedule FPC No. 27 (Supersedes Exhibit A and Supplements Nos. 5, 6, and 7).	City of Anderson.
Supplement No. 6 to Rate Schedule FPC No. 29 (Supersedes Exhibit A and Supplements Nos. 2, 3, and 4).	City of Auburn.
Supplement No. 3 to Rate Schedule FPC No. 44A (Supersedes Exhibit A and Supplement No. 1).	United REMC (Rural Electric Membership Corporation). United REMC.
Supplement No. 3 to Rate Schedule FPC No. 44B (Supersedes Exhibit A and Supplement No. 1).	
Supplement No. 2 to Rate Schedule FPC No. 46 (Supersedes Supplement No. 1).	Fruit Belt Electric Cooperative.
Supplement No. 2 to Rate Schedule FPC No. 48 (Supersedes Exhibit A and Supplement No. 1).	Jay County REMC.
Supplement No. 2 to Rate Schedule FPC No. 50 (Supersedes Exhibit A and Supplement No. 1).	Noble County REMC.
Supplement No. 2 to Rate Schedule FPC No. 52 (Supersedes Exhibit A and Supplement No. 1).	Paulding-Putnam Electric Cooperative.



## APPENDIX—Continued

Designations	Customers
Supplement No. 2 to Rate Schedule FPC No. 54 (Supersedes Exhibit A and Supplement No. 1).	Wayne County REMC.
Supplement No. 2 to Rate Schedule FPC No. 56 (Supersedes Exhibit A and Supplement No. 1).	Whitley County REMC.
Supplement No. 5 to Rate Schedule FPC No. 58 (Supersedes Exhibit A and Supplement Nos. 2, 3, and 4).	City of Richmond.
Supplement No. 5 to Rate Schedule FPC No. 61 (Supersedes Supplements Nos. 1, 2, 3, and 4).	City of Fort Wayne.
FPC Electric Tariff Original Volume No. II.	Available to all of above-indicated customers.

[FR Doc.72-14013 Filed 8-17-72;8:48 am]

## FEDERAL RESERVE SYSTEM

## BRONKEN AGENCY, INC.

## Acquisition of Bank

Bronken Agency, Inc., Barron, Wis., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 37.8 percent or more of the voting shares of Bank of Barron, Barron, Wis. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than September 5, 1972.

Board of Governors of the Federal Reserve System, August 14, 1972.

[SEAL]

TYNAN SMITH,  
Secretary of the Board.

[FR Doc.72-13086 Filed 8-17-72;8:46 am]

## UNITED VIRGINIA BANKSHARES INC.

## Proposed Acquisition of Crompton-Richmond Co., Inc., Factors

United Virginia Bankshares Inc., Richmond, Va., has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire, through a subsidiary not yet organized, certain of the assets, subject to certain of its liabilities, of Crompton-Richmond Co., Inc., Factors, New York, N.Y., with offices in Los Angeles, Calif., and Atlanta, Ga. Applicant also seeks permission to engage de novo, through such subsidiary, in commercial financing activities in New York, N.Y. Notice of the application was published on July 8, 1972, in The New York Times, a newspaper circulated in New York, N.Y.

Applicant states that it would engage in the activities of full notification and nonnotification factoring of accounts receivable and in extending secured and unsecured commercial financing without restriction as to the nature of security

taken including, but not limited to providing guarantees of letters of credit and issuing letters of guaranty of any kind. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Richmond.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than September 13, 1972.

Board of Governors of the Federal Reserve System, August 11, 1972.

[SEAL]

TYNAN SMITH,  
Secretary of the Board.

[FR Doc.72-13087 Filed 8-17-72;8:46 am]

## DEPARTMENT OF JUSTICE

## Office of the Attorney General

[Order 493-72]

## ST. HELENA PARISH, LA.

Voting Rights Act of 1965;  
Appointment of Examiners

Certification of the Attorney General pursuant to section 6 of the Voting Rights Act of 1965 (Public Law 89-110).

In accordance with section 6 of the Voting Rights Act of 1965, I hereby certify that in my judgment the appointment of examiners is necessary to enforce

the guarantees of the 15th amendment to the Constitution of the United States in St. Helena Parish, La. This parish is included within the scope of the determinations of the Attorney General and the Director of the Census made on August 6, 1965, under section 4(b) of the Voting Rights Act of 1965 and published in the FEDERAL REGISTER on August 7, 1965 (30 F.R. 9897).

RICHARD G. KLEINDIENST,  
Attorney General  
of the United States.

AUGUST 16, 1972.

[FR Doc.72-14166 Filed 8-17-72;1:45 pm]

SECURITIES AND EXCHANGE  
COMMISSION

[File No. 500-1]

## DUESENBERG CORP.

## Order Suspending Trading

AUGUST 14, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.10 par value, of Duesenberg Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 15, 1972, through August 24, 1972.

By the Commission.

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.72-14006 Filed 8-17-72;8:47 am]

[File No. 500-1]

## LEISURE CONCEPTS, INC.

## Order Suspending Trading

AUGUST 14, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.01 par value, of Leisure Concepts, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 15, 1972, through August 24, 1972.

By the Commission.

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.72-14007 Filed 8-17-72;8:47 am]



[812-3234]

J. T. HOUK

# Notice of and Order for Hearing on Application

AUGUST 14, 1972.

Notice is hereby given that Dr. J. T. Houk (Applicant), 923 15th Street NW., Washington, DC 20005, formerly president of Vantage Ten-Ninety Fund, Inc. (Vantage), has filed an application pursuant to section 9(c) of the Investment Company Act of 1940 (Act) for an order of exemption from the provisions of section 9(a) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

On December 10, 1971, Vantage and Applicant, by consent were permanently enjoined by the U.S. District Court for the District of Columbia from consummating a plan of reorganization whereby, upon approval of its shareholders, Vantage would have been converted into a holding company by acquiring from Leisure Time Industries, Inc., the stock of Campbell Music Co. of Washington, D.C. The injunction prohibits Vantage and Applicant from voting proxies obtained from Vantage shareholders by use of proxy soliciting materials sent to such shareholders in connection with a special meeting called for the purpose of obtaining approval of the reorganization described above. Also prohibited is the solicitation of proxies in interstate commerce in respect of any security issued by a registered investment company in contravention of the rules and regulations pursuant to section 20(a) of the Act. The court further enjoined any violations by Vantage and Applicant of Rule 10b-5 under the Securities Exchange Act of 1934 in connection with purchases, sales or redemptions of any securities including securities of Vantage. In addition, said parties were enjoined from consummating or recommending any plan of reorganization of Vantage which is not fair or equitable to all of its shareholders as required by section 25(c) of the Act.

Section 9(a) of the Act, insofar as it is pertinent here, makes it unlawful for any person, or any company with which such person is affiliated, to act in the capacity of employee, officer, director, member of an advisory board, investment adviser, or depositor of any registered investment company or principal underwriter for any registered open end company, registered unit investment trust or registered face amount certificate company, if such person is by reason of any misconduct enjoined by order of any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with any activity as an underwriter, broker, dealer, or investment adviser, or as an affiliated person, salesman, or employee, of an investment company, or from engaging in or continuing any conduct or practice in connection with such activity or in connection with the purchase or sale of any security.

Section 9(c) provides that upon application the Commission shall grant an exemption from the provisions of section 9(a) either unconditionally or on an appropriate temporary or other conditional basis, if it is established that the prohibitions of section 9(a), as applied to the applicant, are unduly or disproportionately severe or that the conduct of such person has been such as not to make it against the public interest or protection of investors to grant such application.

Applicant states that though he has no present plans to work in the investment company industry, the order of injunction entered against him prevents him from gainful employment elsewhere. Applicant also states that his actions in connection with the proposed merger of Vantage and Campbell Music Co. were justified under the circumstances and that the Commission acted harshly in bringing the injunctive proceedings against Vantage and himself.

It appears to the Commission that it is appropriate in the public interest and in the interest of investors that a hearing be held with respect to the said application.

It is ordered, Pursuant to section 40(a) of the Act, that a hearing on the aforesaid application under the applicable provisions of the Act and the rules of the Commission thereunder be held on the 13th day of September 1972, at 10 a.m. in the office of the Commission, 500 North Capitol Street NW., Washington, D.C. 20549. At such time the Hearing Room clerk will advise as to the room in which such hearing will be held. Any person, other than Applicant, desiring to be heard or otherwise wishing to participate in the proceeding is directed to file with the Secretary of the Commission, on or before the sixth day of September 1972, his application pursuant to Rule 9(c) of the Commission's rules of practice. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address noted above, and proof of service (by affidavit or in the case of an attorney at law by certificate) shall be filed contemporaneously with the request. Persons filing an application to participate or be heard will receive notice of any adjournment of the hearing as well as other actions of the Commission involving the subject matter of these proceedings.

It is further ordered, That any officer or officers of the Commission to be designated by it for that purpose shall preside at said hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42(b) of the Act, and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation has advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof the following matters are presented for consideration without prejudice to its specifying additional matters upon further examination:

(1) Whether, in view of Applicant's statement that he now has no present plans to work in the investment company industry but seeks relief from the injunction imposed upon him because of difficulties in gaining employment elsewhere, the application may properly be considered.

(2) If the Commission determines (1) In the affirmative, whether the prohibitions of section 9(a) as applied to Applicant are unduly or disproportionately severe or that his conduct has been such as to make it not against the public interest or protection of investors to grant his application.

It is further ordered, That jurisdiction is hereby reserved to make any further order that the Commission may deem appropriate concerning any of the issues herein at any time before the final determination of this proceeding.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this order by certified mail to Applicant; that notice to all other persons shall be given by publication of this order in the FEDERAL REGISTER; and that a general release of the Commission in respect of this order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.72-14008 Filed 8-17-72;8:48 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 56]

### ASSIGNMENT OF HEARINGS

AUGUST 15, 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 106603 Sub 123, Direct Transit Lines, Inc., now being assigned hearing September 14, 1972 (1 day), in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL.

No. 35380, National Electrical Manufacturers Association, et al. v. Aberdeen and Rockfish Railroad Co., et al., now assigned September 11, 1972, is postponed until October 2, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.



No. 35496, National New York Packing & Shipping Co., Inc. v. REA Express, Inc., now being assigned October 4, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 124904 Sub 1, Gibney Distributors, Inc., now being assigned hearing October 30, 1972, at New York, N.Y., in a hearing room to be later designated.

MC 133565 Sub 7, True Transport, Inc., now being assigned hearing October 30, 1972 (1 week), at New York, N.Y., in a hearing room to be later designated.

MC 113678 Sub 442, Curtis, Inc., MC 115841 Sub 412, Colonial Refrigerated Transportation, MC 117883 Sub 158, Subler Transfer, Inc., now being assigned hearing October 30, 1972 (2 weeks), at New York, N.Y., in hearing rooms to be later designated.

MC 115116 Sub 25 Suburban Transit Corp., now being assigned hearing November 6, 1972 (2 days), at New York, N.Y., in a hearing room to be later designated.

MC 117940 Sub 54, Nationwide Carriers, Inc., now being assigned hearing November 8, 1972 (3 days), at New York, N.Y., in a hearing room to be later designated.

I&S M-25955, Classification Ratings on Candy or Confectionery, now being assigned October 3, 1972, I&S 8753 Sub 1, Revised Bargeload Rates, Inland Waterways, now being assigned October 30, 1972, I&S 8761, TOFC Service, To and From Pacific Coast Ports, now being assigned November 13, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-14024 Filed 8-17-72;8:49 am]

[Notice 105]

## 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-73715. Republished.<sup>1</sup> By order of July 18, 1972, the Motor Car-

<sup>1</sup> The purpose of this republication is to show that the portion of the operating rights authorized for transfer was acquired by Claremont Motor Lines, Inc., pursuant to MC-F-11075.

rier Board approved the transfer to Earl Haines, Inc., Winchester, Va., a portion of the operating rights in certificate No. MC-55883 issued May 20, 1958, to Express, Inc., Stephenson, Va., and acquired by Claremont Motor Lines, Inc., Claremont, N.C., pursuant to No. MC-F-11075, approved July 22, 1971, consummated September 28, 1971, and assigned No. MC-123613 (Sub-No. 13), authorizing the transportation of carbonated beverages, apples, and peaches, fruit products, canned goods, glassware, and glass containers, and other specified commodities, to and from Front Royal and Winchester, Va., and other named Virginia points, and points in Ohio, West Virginia, New York, Pennsylvania, and North Carolina. Bill Davis, Suite 1208, Gas Light Tower, Atlanta, Ga. 30303, attorney for applicants.

No. MC-FC-73758. By order of July 31, 1972, the Motor Carrier Board approved the transfer to Gordon R. Taylor, doing business as Burry Truck Line, Lee's Summit, Mo., of the operating rights in certificate No. MC-70006 issued November 2, 1950, to Clarence A. Burry, doing business as Burry Truck Line, Lee's Summit, Mo., authorizing the transportation of general commodities, with the usual exception, between Lee's Summit, Mo., and Kansas City, Kans., serving the intermediate and off-route points of Kansas City, Knobtown, Raytown, and Little Blue, Mo., and household goods, between Lee's Summit, Mo., and points in Missouri within 15 miles thereof, on the one hand, and, on the other, points in Kansas within 150 miles of the Missouri-Kansas State line. Elvin S. Douglas, Jr., Professional Building, Box 280, Harrisonville, MO 64701, attorney for applicants.

No. MC-FC-73770. By order of August 1, 1972, the Motor Carrier Board approved the transfer of Livingston Storage and Transfer Co., Inc., Columbus, Ga., of the operating rights in certificate No. MC-133659 (Sub-No. 1) issued February 9, 1970, to Cliff L. Livingston, Sr., doing business as Livingston Storage & Transfer Co., Columbus, Ga., authorizing the transportation of used household goods between specified counties in Florida and Georgia, subject to certain restrictions. C. E. Walker, Suite 307, First National Bank Building, Columbus, Ga. 31902, attorney for applicants.

No. MC-FC-73815. Republication.<sup>2</sup> By order of July 11, 1972, the Motor Carrier Board approved the transfer to Newark Supply, a corporation, Union, N.J., of the operating rights in certificates Nos. MC-126693 and MC-126693 (Sub-No. 1) issued April 6, 1965, and August 22, 1966, respectively, to Irvington Trucking, Inc., Staten Island, N.Y., authorizing the transportation of general commodities,

<sup>2</sup> The purpose of this republication is to show that the authority transferred was, radially, between points in Union County, N.J., and New York, N.Y., instead of, radially, between points in Union County, N.J., and New York.

with exceptions, between points in Union County, N.J., on the one hand, and, on the other, New York, N.Y.; between points in Essex County, N.J., on the one hand, and, on the other, points in the New York, N.Y., commercial zone, as defined by the Commission; and incandescent lamps, from East Newark, N.J., to points in the New York, N.Y., commercial zone, as defined by the Commission. Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102, attorney for transferee and Robert B. Pepper, 174 Brower Avenue, Edison, NJ 08817, representative for transferor.

No. MC-FC-73824. By order entered July 20, 1972, the Motor Carrier Board approved the transfer to Burkewitz Transport, Inc., Coventry, Vt., of the operating rights set forth in certificate No. MC-127121, issued April 18, 1966, to Paul R. Burkewitz, doing business as Burkewitz Transport, Coventry, Vt., authorizing the transportation of wood fencing, from Glover and Barton, Vt., and the plantsite of Green Mountain Fence Co., Inc., located in Charleston Township, Vt., to points in seven specified States; and from Greensboro Bend, Vt., to points in Connecticut, New York, and New; and lumber, from Irasburg, Vt., to points in Massachusetts and New York; and from Derby, Vt., to Albany, N.Y., and points in New York within 25 miles of Albany, with specified restrictions. Frederick T. O'Sullivan, 622 Lowell Street, Peabody, MA 01960, attorney for applicants.

No. MC-FC-73849. By order entered August 2, 1972, the Motor Carrier Board approved the transfer to Alscan Trucking, Inc., Hightstown, N.J., of the operating rights set forth in certificate No. MC-81412 (Sub-No. 30), issued May 29, 1967, to Valley Transfer & Storage Co., Inc., Philadelphia, Pa., authorizing the transportation of foodstuffs (except commodities in bulk, in tank vehicles), between Allentown, Pa., and Wilkes-Barre, Scranton, and Altoona, Pa., restricted to the transportation of traffic received from or delivered to connecting common carriers by motor vehicles. Wilfred F. Lorry, 1315 2 Penn Center Plaza, Philadelphia, Pa. 19102, attorney for transferor, and George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306, practitioner for transferee.

No. MC-FC-73858. By order of August 1, 1972, the Motor Carrier Board approved the transfer to Mogollon Stage Lines, Inc., Payson, Ariz., of the operating rights in certificate No. MC-128617 issued September 11, 1967, to L. C. Edmonson and E. L. Inscho, a partnership doing business as Mogollon Stage Line, Payson, Ariz., authorizing the transportation of passengers, baggage, and express between Phoenix and Mesa, Ariz., and between Tempe and Winslow, Ariz. John D. Lewis, 2121 Mill Avenue, Suite 204 Tempe, AZ, attorney for applicants.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-14025 Filed 8-17-72;8:49 am]



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DEPARTMENT OF  
LABOR

UNITED STATES GOVERNMENT

WASHINGTON, D. C.

MINING AND MINERAL INDUSTRIES

COAL AND LIGNITE

COAL

REPORT OF THE COMMISSIONER OF LABOR

ON THE

COAL







# **federal register**

FRIDAY, AUGUST 18, 1972  
WASHINGTON, D.C.

Volume 37 ■ Number 161

PART II



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## **DEPARTMENT OF LABOR**

**Employment Standards  
Administration**



### **Minimum Wages for Federal and Federally Assisted Construction**

**Area Wage Determination Decisions,  
Modifications, and Supersedeas  
Decisions**



# DEPARTMENT OF LABOR

## Employment Standards Administration

### MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

#### Area Wage Determination Decisions, Modifications and Supersedes Decisions

**New determinations.** There are set forth below general area wage determination decisions nos. AP-112, AP-113, AP-309, and AP-312 of the Secretary of Labor. These decisions specify, 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 localities specified therein. These decisions are applicable to Federal and federally assisted construction in the described localities in the States of Kentucky, Oklahoma, and Texas.

The determinations in these decisions 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 these decisions 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 on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in ef-

fective 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.

These wage determinations are effective for a period of 120 days from the date of publication in the FEDERAL REGISTER and are to be used in accordance with the provisions of 29 CFR, Part 5. Accordingly, the applicable 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 such contract by contractors and subcontractors on the work.

**Modifications and supersedeas decisions to area wage determination decisions.** Modifications and/or supersedeas decisions to area wage determination decisions for specified localities in the States of Alabama, Arizona, Connecticut, District of Columbia, Idaho, Kentucky, Louisiana, Maryland, Montana, Pennsylvania, Puerto Rico, Rhode Island, Texas, Utah, Virginia, and West Virginia.

Area wage determination decisions published in the FEDERAL REGISTER on the following dates:

Decision No.	Date
AM-1,591; AM-1,592; AM-1,594; AM-1,595; AM-1,596; AM-1,603; AM-1,604; AM-1,605.	Aug. 6, 1971
AM-2,340 (AP-412) -----	Aug. 11, 1971
AM-445 (AP-117); AM-447 (AP-119); AM-483 (AP-108); AM-484 (AP-109); AM-485 (AP-110); AM-486 (AP-111); AM-1,848; AM-1,849; AM-1,857; AM-1,858.	Aug. 20, 1971
AM-2,522; AM-2,523 -----	Aug. 27, 1971
AM-11,386 (AP-310); AM-11,391 (AP-310).	Feb. 4, 1972
AM-9,691; AM-9,692 -----	April 14, 1972
AM-6,721 (AP-221); AM-6,722 (AP-222); AM-9,693; AM-11,414; AM-11,415.	April 21, 1972
AM-11,417 (AP-311) -----	April 28, 1972
AM-8,607 (AP-120) -----	May 5, 1972
AM-8,620 -----	June 9, 1972
AP-300 -----	July 7, 1972
AP-403 -----	July 21, 1972
AP-205; AP-207 (AP-223) -----	July 28, 1972
AP-209; AP-305; AP-409; AP-410; AP-411.	Aug. 4, 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 pre-

vailing 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.

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 rule-making procedures prescribed in 5 U.S.C. 553 is set forth in the document being modified.

Signed at Washington, D.C., this 11th day of August 1972.

HORACE E. MENASCO,  
Administrator,  
Wage and Hour Division.



STATE: Kentucky  
 DECISION NUMBER: AP-112  
 DESCRIPTION OF WORK: Heavy and Highway Construction.

COUNTY: Lawrence and Johnson - Area 5  
 DATE: See Date of Publication

	Basic Hourly Rates	Area 5 Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Highway Construction					
Carpenters	\$5.21	.15	.15		
Cement masons	5.94	.20			
Electricians	6.62	.16	1%+.16	.495	1%
Ironworkers:					
Structural & reinforcing	6.75	.225	.35		
Painters, brush	5.53	.15	.15		
Piledrivermen	5.46	.15	.15		

## HIGHWAY CONSTRUCTION

## Power Equipment Operators

## Class A Operators:

Auto patrol, butcher 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, motor scraper, 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 cuts, multiple op., core drill, tow or push boat, A-frame winch truck, concrete layer, gradeall, hoist, hyster, material pump, pumperete, roas carrier, side boom, tail boom, throttlevalve man, rotary drill (5" & over), power generator, macking machine, rock spreader attached to equip., scoopmobile, McCal Loader, tower cranes (French, German & other types), hydrocrane, tugger, backfiller, gurries, sub-grader, electric vibrator compactor.

## Class B Operators:

All air compressors (200 cu. ft. per Min. or greater cap.), bituminous mixer, concrete mixer (under 21 cu. ft.), welding machine, form grader roller (rock), tractor (50 H.P. & over), bull float, finish machine, outboard motor boat, flexpals, fireman, boom type tamping machine, truck crane roller, greaser on grease facilities servicing heavy equip., switchman or brakeman, mechanic helper, whirley oiler, self-propelled compactor, tractor & road widening trencher, joint sealing machine, rotary drill (under 5"0



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(2-2)

Kentucky C - PEO

## Power Equipment (Cont'd)

## Highway Construction

## Class C Operators

Bituminous Dist., Cement gun, conveyor, mud jack, paving joint machine, pump, roller (earth), tamping machine, tractor (under 50 H.P.), concrete saw, burlap & curing machine, hydro seeder, power form handling equip. deckhand oiler and hydraulic post driver, vibrator, oiler, air compressor (under 200 cu. ft. per min. cap)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR. Othe
\$4.33	.15	.20		

## Highway Construction

## Truck Drivers:

Drivers (3 tons & under), greaser, tire changer & mechanics' helper

Driver (over 3 tons), distributions, 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

Kentucky 1-JD

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR. Othe
\$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		

## FOOTNOTE:

a - Per week per employee when employed a minimum of 20 work days within any 90 day consecutive period.

AP-112 P.4

Ky. 3-Lab.

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
		H & W	PENSIONS	VACATION	APP. TR. Othe
Highway 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 tract drillers, asphalt pute & raker men	4.35	.15	.15		
Caisson workers	5.53	.15	.15		
Gunnite nozzle men, tunnel muckers (free air)	4.73	.15	.15		
Gunnite operators, tunnel laborers (free air)	4.58	.15	.15		
Hand blade operators, batch truck dumpers, rfp-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 side rail setters	4.48	.15	.15		
Tunnel miners, blasters (free air), drillers	5.08	.15	.15		



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(1 - 1)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Dis- c.
Heavy Construction					
Carpenters	\$3.40				
Cement Masons	3.25				
Electricians	4.35				
Ironworkers	3.75				
Structural & ornamental	3.75				
Reinforcing					
Laborers					
Unskilled	2.00				
Air tool op. (jack-hammer, vibrator)	2.25				
Painters, brush	3.00				
Truck Drivers					
3-tons & under	2.25				
Over 3-tons	3.50				
Power Equipment Operators					
Air Compressors	2.75				
Bulldozers	3.50				
Cranes, derricks, draglines	3.50				
Motor graders	3.50				
Blade graders	3.50				
Oilers	2.75				
Pumps	2.75				
Rollers	3.50				
Backhoe	3.75				
Scrapers	3.50				
Shovels	3.75				
Tractors	2.75				
Trenching machines	3.50				



## NEW DECISION

STATE: Kentucky  
 DECISION NO.: AP-113  
 DESCRIPTION OF WORK: Heavy and Highway Construction.

COUNTY: Area 6 \*See Below

DATE: See Date of Publication

\*Counties: Breathitt, Floyd, Knott,  
 Letcher, Magoffin, Martin, Perry and  
 Pike

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	Asp. Tr.	
\$4.71	.15	.15			
5.94	.20	1%4.27	.82	1/2 of 1%	
6.32	.15				
5.99	.25	.45			
4.89	.20				
4.96	.15	.15			

## Highway Construction:

Carpenters  
 Cement masons  
 Electricians  
 Ironworkers:  
 Structural & reinforcing  
 Painters, brush  
 Piledriver/meh

AP-113 P. 2

Kentucky 2-TD (1-1)

HIGHWAY CONSTRUCTION		FRINGE BENEFITS PAYMENTS		
BASIC HOURLY RATES	H & W	PENSIONS	VACATION	APP. TRUCKS
Truck Drivers:				
Driver (3 tons & under). fork lift truck (when used to transport building materials), winch truck & A-frame truck (when used in transporting materials), Greaser, tire changer & mechanic helper	.15	a 6.00		
Driver (over 3 tons), distributors dump truck (tandem axle), semi-trailer or pole trailer (when used to pull building material or equipment)	.15	a 6.00		
Driver, euclid and other heavy earth-moving equipment, low boy, & pavement breakers	.15	a 6.00		
Driver mixer trucks (all types)	.15	a 6.00		
Truck helper	.15	a 6.00		
Truck mechanic	.15	a 6.00		
FOOTNOTE:				
a - Per week, per employee when employed a minimum of 20 work days within any 90 day consecutive period.				

## FOOTNOTE:

a - Per week, per employee when employed a minimum of 20 work days within any 90 day consecutive period.



AP-113 P. 3

Ky. 2-Jab. (1-1)

AP-113 P. 4

Kentucky 2 - ISO - J (1 - 2)

Kentucky 2 - 150 - J (1 - 2)												
FRINGE BENEFITS PAYMENTS												
HIGHWAY 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, motor scraper, bulldozer mechanic, orange-peel bucket, pile driver, power blade, roller (bituminous), searifier, 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, gradall, hoist, lyster, material pump, pumcrete, ross carrier, side boom, tail boom, throttlevalve man, rotary drill (5" & over), power generator, mucking machine, rock spreader attached to equip., scoop-mobile, KeCal Loader, tower cranes (French, German & other Types), hydrocrane, tugger, backfiller, gurrics, sub-grader, electric vibrator compactor.												
Class B Operators:												
All air compressors (200 cu. ft. per Min. or greater cap.), bituminous mixer, concrete mixer (under 21 cu. ft.), welding machine, form grader roller (rock), tractor (50 H.P. & over), bull float, finish machine, outboard motor boat, flexpalne, fireman, boom type tamping machine, truck crane oiler, greaser on Grease facilities servicing heavy equip., switchman or brakeman, mechanic helper, whirley oiler, self-propelled compactor, tractor & road widening trencher, joint sealing machine, rotary drill (under 5"0												
Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
Other												
Laborers:												
Aging & curing of concrete, grade checkers, guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers & placers, rip-rap & grouters	\$3.85	.15	.15									
Asphalt lute & raker men	4.27	.15	.15									
Caisson workers	5.40	.15	.15									
Gummit nozzlelemen, tunnel laborers (free air)	4.40	.15	.15									
Gummit operators	4.41	.15	.15									
Hand blade operator & batch truck dumpers	3.95	.15	.15									
Operator & deck hand scow men	3.98	.15	.15									
Powdermen, blasters, side rail setters, air tract drillers	4.30	.15	.15									
Power-driven tools, wagon drills, jack hammers, chain saws, concrete saws, sewer pipe layers (all storm sewers), bottom men, dry cement handlers, concrete rubbers, mason tenders, concrete green cutting, sand blasting, concrete chippers, vibrator operators, power wheelbarrow or buggies	4.15	.15	.15									
Tunnel miners & blasters	4.83	.15	.15									
Tunnel muckers (free air)	4.50	.15	.15									
Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
Other												
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, motor scraper, bulldozer mechanic, orange-peel bucket, pile driver, power blade, roller (bituminous), searifier, 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, gradall, hoist, lyster, material pump, pumcrete, ross carrier, side boom, tail boom, throttlevalve man, rotary drill (5" & over), power generator, mucking machine, rock spreader attached to equip., scoop-mobile, KeCal Loader, tower cranes (French, German & other Types), hydrocrane, tugger, backfiller, gurrics, sub-grader, electric vibrator compactor.												
Class B Operators:												
All air compressors (200 cu. ft. per Min. or greater cap.), bituminous mixer, concrete mixer (under 21 cu. ft.), welding machine, form grader roller (rock), tractor (50 H.P. & over), bull float, finish machine, outboard motor boat, flexpalne, fireman, boom type tamping machine, truck crane oiler, greaser on Grease facilities servicing heavy equip., switchman or brakeman, mechanic helper, whirley oiler, self-propelled compactor, tractor & road widening trencher, joint sealing machine, rotary drill (under 5"0												
Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
Other												
Laborers:												
Aging & curing of concrete, grade checkers, guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers & placers, rip-rap & grouters	\$3.85	.15	.15									
Asphalt lute & raker men	4.27	.15	.15									
Caisson workers	5.40	.15	.15									
Gummit nozzlelemen, tunnel laborers (free air)	4.40	.15	.15									
Gummit operators	4.41	.15	.15									
Hand blade operator & batch truck dumpers	3.95	.15	.15									
Operator & deck hand scow men	3.98	.15	.15									
Powdermen, blasters, side rail setters, air tract drillers	4.30	.15	.15									
Power-driven tools, wagon drills, jack hammers, chain saws, concrete saws, sewer pipe layers (all storm sewers), bottom men, dry cement handlers, concrete rubbers, mason tenders, concrete green cutting, sand blasting, concrete chippers, vibrator operators, power wheelbarrow or buggies	4.15	.15	.15									
Tunnel miners & blasters	4.83	.15	.15									
Tunnel muckers (free air)	4.50	.15	.15									
Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
Other												
Laborers:												
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Gummit operators	4.41	.15	.15									
Hand blade operator & batch truck dumpers	3.95	.15	.15									
Operator & deck hand scow men	3.98	.15	.15									
Powdermen, blasters, side rail setters, air tract drillers	4.30	.15	.15									
Power-driven tools, wagon drills, jack hammers, chain saws, concrete saws, sewer pipe layers (all storm sewers), bottom men, dry cement handlers, concrete rubbers, mason tenders, concrete green cutting, sand blasting, concrete chippers, vibrator operators, power wheelbarrow or buggies	4.15	.15	.15									
Tunnel miners & blasters	4.83	.15	.15									
Tunnel muckers (free air)	4.50	.15	.15									
Basic Hourly Rates												
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PENSIONS												
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Gummit operators	4.41	.15	.15									
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Tunnel muckers (free air)	4.50	.15	.15									
Basic Hourly Rates												
H & W												
PENSIONS												
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Gummit operators	4.41	.15	.15									
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Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
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Powdermen, blasters, side rail setters, air tract drillers	4.30	.15	.15									
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Tunnel miners & blasters	4.83	.15	.15									
Tunnel muckers (free air)	4.50	.15	.15									
Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
Other												
Laborers:												
Aging & curing of concrete, grade checkers, guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers & placers, rip-rap & grouters	\$3.85	.15	.15									
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Operator & deck hand scow men	3.98	.15	.15									
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Power-driven tools, wagon drills, jack hammers, chain saws, concrete saws, sewer pipe layers (all storm sewers), bottom men, dry cement handlers, concrete rubbers, mason tenders, concrete green cutting, sand blasting, concrete chippers, vibrator operators, power wheelbarrow or buggies	4.15	.15	.15									
Tunnel miners & blasters	4.83	.15	.15									
Tunnel muckers (free air)	4.50	.15	.15									
Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
Other												
Laborers:												
Aging & curing of concrete, grade checkers, guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers & placers, rip-rap & grouters	\$3.85	.15	.15									
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Tunnel miners & blasters	4.83	.15	.15									
Tunnel muckers (free air)	4.50	.15	.15									
Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
Other												
Laborers:												
Aging & curing of concrete, grade checkers, guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers & placers, rip-rap & grouters	\$3.85	.15	.15									
Asphalt lute & raker men	4.27	.15	.15									
Caisson workers	5.40	.15	.15									
Gummit nozzlelemen, tunnel laborers (free air)	4.40	.15	.15									
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Operator & deck hand scow men	3.98	.15	.15									
Powdermen, blasters, side rail setters, air tract drillers	4.30	.15	.15									
Power-driven tools, wagon drills, jack hammers, chain saws, concrete saws, sewer pipe layers (all storm sewers), bottom men, dry cement handlers, concrete rubbers, mason tenders, concrete green cutting, sand blasting, concrete chippers, vibrator operators, power wheelbarrow or buggies	4.15	.15	.15									
Tunnel miners & blasters	4.83	.15	.15									
Tunnel muckers (free air)	4.50	.15	.15									
Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
Other												
Laborers:												
Aging & curing of concrete, grade checkers, guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers & placers, rip-rap & grouters	\$3.85	.15	.15									
Asphalt lute & raker men	4.27	.15	.15									
Caisson workers	5.40	.15	.15									
Gummit nozzlelemen, tunnel laborers (free air)	4.40	.15	.15									
Gummit operators	4.41	.15	.15									
Hand blade operator & batch truck dumpers	3.95	.15	.15									
Operator & deck hand scow men	3.98	.15	.15									
Powdermen, blasters, side rail setters, air tract drillers	4.30	.15	.15									
Power-driven tools, wagon drills, jack hammers, chain saws, concrete saws, sewer pipe layers (all storm sewers), bottom men, dry cement handlers, concrete rubbers, mason tenders, concrete green cutting, sand blasting, concrete chippers, vibrator operators, power wheelbarrow or buggies	4.15	.15	.15									
Tunnel miners & blasters	4.83	.15	.15									
Tunnel muckers (free air)	4.50	.15	.15									
Basic Hourly Rates												
H & W												
PENSIONS												
VACATION												
APP. TR.												
Other												
Laborers:												
Aging & curing of concrete, grade checkers, guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers & placers, rip-rap & grouters	\$3.85	.15	.15									
Asphalt lute & raker men	4.27	.15	.15									
Caisson workers	5.40	.15	.15									
Gummit nozzlelemen, tunnel laborers (free air)	4.40	.15	.15									
Gummit operators	4.41	.15	.15									
Hand blade operator & batch truck dumpers	3.95	.15	.15									
Operator & deck hand scow men	3.98	.15	.15									
Powdermen, blasters, side rail setters, air tract drillers	4.30</											



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Kentucky 2 - PEO (2 - 2)

Power Equipment (Cont'd) Highway Construction Class C Operators	FRINGE BENEFITS PAYMENTS				
	BASIC HOURLY RATES	H & W	PENSIONS	VACATION	APP. TR. Others
Bituminous Dist., Cement gun, conveyor, mud jack, paving joint machine, pump, roller (earth), tamping machine, tractor (under 50 H.P.), concrete saw, burlap & curing machine, hydro seeder, power form handling equip. deckhand oiler and hydraulic post driver, vibrator, oiler, air compressor (under 200 cu. ft. per min. cap)	\$4.33	.15	.20		

(1 - 1)

Heavy Construction Carpenters Cement Masons Electricians Ironworkers Structural & ornamental Reinforcing Laborers Unskilled Air tool op. (jack-hammer, vibrator) Painters, brush Truck Drivers 3-tons & under Over 3-tons Power Equipment Operators Air Compressors Bulldozers Cranes, derricks, draglines Motor graders Blade graders Oilers Pumps Rollers Backhoe Scrapers Shovels Tractors Trenching machines	FRINGE BENEFITS PAYMENTS			
	Basic Hourly Rates	H & W	Pensions	Vacation
	\$3.40 3.25 4.35 3.75 3.75 2.00 2.25 3.00 2.25 3.50 2.75 3.50 3.50 3.50 2.75 2.75 3.50 3.75 3.50 3.75 2.75 3.50			



## NEW DECISION

STATE: Oklahoma  
 COUNTY: Comanche  
 DECISION NO.: AP-309  
 DATE: Date of Publication  
 DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

CARPENTERS  
 ELECTRICIANS  
 LABORERS:  
 Laborers  
 PAINTERS, BRUSH  
 PLUMBERS & PIPEFITTERS  
 TILE SETTERS  
 TRUCK DRIVERS  
 POWER EQUIPMENT OPERATORS:  
 Front end loaders  
 Motor graders  
 Scrapers

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$4.31				
4.53				
2.00				
3.00				
4.00				
4.20				
2.00				
3.25				
3.50				
3.00				



## NEW DECISION

STATE: Texas

COUNTIES: Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher and Wheeler

DATE: Date of Publication

DECISION NO.: AP-312  
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

(1 - 4)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	\$7.25	.30	.25		.02
BOILERMAKERS	6.80	.30	.50		.02
BRICKLAYERS & STONEMASONS:					
Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hartley, Hemphill, Moore, Oldham, Potter, Randall, Roberts, Sherman, Swisher and Wheeler Counties	6.55				
Hansford, Hutchinson, Lipscomb and Ochiltree Counties	5.15				
CARPENTERS:					
Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hartley, Oldham, Potter, Randall, Sherman, Swisher and Wheeler Counties	6.35				
Hansford, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree and Roberts Counties	6.05				
MILLWRIGHTS:					
Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hartley, Oldham, Potter, Randall, Sherman, Swisher and Wheeler Counties	6.60				
Hansford, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree and Roberts Counties	6.30				
CEMENT MASONS:					
Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Hartley, Oldham, Potter, Randall, Swisher and Wheeler Counties	5.15				
Gray, Hansford, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts and Sherman Counties	4.40				

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CEMENT MASONS (CONT'D):					
Machine operators:					
Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Hartley, Oldham, Potter, Randall, Swisher and Wheeler Counties	\$5.40				
Gray, Hansford, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts and Sherman Counties	4.65				
ELECTRICIANS:					
Electricians	6.80		1%		1/2%
Cable splicers	7.48		1%		1/2%
ELEVATOR CONSTRUCTORS	4.06	.175	.20	27%+4b	
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.175	.20	27%+4b	
ELEVATOR CONSTRUCTORS' HELPERS (PROB)	50%JR				
GLAZIERS	4.60				
IRONWORKERS:					
Structural; Ornamental; Reinforcing	6.30	.25	.40		.05
LABORERS:					
Unskilled:					
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall and Swisher Counties	3.00				
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties	3.15				
Air tool operator (jackhammer, vibrator):					
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall, and Swisher Counties	3.15				
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties	3.30				
Mason tenders:					
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall, and Swisher Counties	3.15				
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties	3.30				



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Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$6.10	.25	.40		.05
7.60				
4.60				
4.60				
2.88				
3.13				
3.38				
2.88				
3.13				

## BUILDING CONSTRUCTION

SHEET METAL WORKERS  
SPRINKLER FITTERS  
TERRAZZO WORKERS  
TILE SETTERS  
TRUCK DRIVERS:  
1/2 ton to 3 tons  
3 to 5 tons  
5 tons and over  
Ready mix concrete to 3 yds.  
Ready mix concrete over 3 yds.  
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:  
a - lat 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

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Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$3.15				
3.30				
3.15				
3.30				
3.15				
3.30				
5.275				
5.50				
4.60				
4.90			.20	
5.025			.20	
5.55			.20	
5.15			.20	.01
5.925				
6.20		.30	.35	
6.45		.30	.35	
6.70		.30	.35	

## BUILDING CONSTRUCTION

LABORERS (CONT'D):  
Mortar mixers:  
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall, and Swisher Counties  
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties  
Pipelayers (non-metallic):  
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall and Swisher Counties  
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties  
Plasterers' tenders:  
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall, and Swisher Counties  
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties  
LATHERS  
MARBLE MASONS (EXTERIOR)  
MARBLE MASONS (INTERIOR)  
PAINTERS:  
Brush & roller; paperhanger; perfa-tapers  
Structural steel painters; swinging stage or chair below 50 ft.  
Spray painters & sandblasters  
Perfa-tape, machine operator  
PLASTERERS  
PLUMBERS & PIPEFITTERS:  
ZONE 1 - shall extend a distance of 25 road miles beyond the police station in Amarillo & Borger  
ZONE 2 - shall extend a distance of 25 road miles beyond the outer perimeter of Zone 1  
ZONE 3 - shall apply to all areas not within Zones 1 or 2



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Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
BUILDING CONSTRUCTION					
POWER EQUIPMENT OPERATORS:					
HEAVY EQUIPMENT:					
Utility operator					
Blade grader, self-propelled; clam shells; cableways; cranes, power operated, all types; derricks, power operated all types; drag-lines; elevating graders, self-propelled; hoist, two drum or more; locomotives; mixers; pile driving mixer, all sizes; pile drivers; scrapers; bulldozers; side boom; cherry pickers; shovels; heavy duty mechanics; all welders; all tractors, with power attachments (crawler type); ditching machine; all other equipment of similar nature coming within the heavy class, when power operated	\$6.15	.35			
LIGHT EQUIPMENT:					
Mixer, 14 cu. ft. or over; rollers, over ten tons; 2 pumps operated by 1 man; 1 air compressor and 1 air tugger; 2 or more boilers; farm type tractors (loader under 1 yd) with backhoe	5.85	.35			
Winch trucks	5.75	.35			
2 air compressors, 1 air compressor and 1 pump; front end scoopmobile loader	5.725	.35			
Blade grader, towed; elevated graders, towed; elevators, building; fork lifts; form graders; hoist, single drum or one line hoisting; mixer, less than 14 cu. ft.; rollers; screening plants; welding machines (gas or diesel) min, 2 max. 5; crushing plants; tractors, wheel type (except when hauling material); truck crane drivers and/or oilers	5.625	.35			
Pulsmeter; 1 pump; 1 air compressor; mechanic helper; welder helper; fireman	5.45	.35			
Greasers	5.275	.35			
Oilers	5.175	.35			
All other equipment of similar nature coming within the light class, when power operated					

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Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
INCIDENTAL PAVING & UTILITIES					
Asphalt Heaterman	\$3.00				
Asphalt Baker	3.50				
Batching Plant Scaleman	3.70				
Carpenter	3.25				
Carpenter Helper	2.50				
Concrete Finisher (Paving)	3.55				
Concrete Finisher Helper (Paving)	3.00				
Concrete Finisher (Structures)	3.80				
Concrete Rubber	3.25				
Form Builder (Structures)	3.65				
Form Builder Helper (Structures)	3.00				
Form Liner (Paving and Curb)	3.50				
Form Setter (Structures)	4.20				
Form Setter Helper (Structures)	3.15				
Laborer, Common	2.15				
Laborer, Utility Man	2.65				
Manhole Builder, Brick	2.50				
Mechanic	3.50				
Mechanic Helper	3.10				
Oilier	3.00				
Serviceman	2.90				
Pipelayer	2.70				
Pipelayer Helper	2.15				
Powderman	3.20				
Reinforcing Steel Setter (Structures)	3.25				
Reinforcing Steel Setter Helper	2.55				
Sign Erector	3.00				
Sign Erector Helper	2.50				
Spreader Box Man	3.00				
Swamper	2.25				
Power Equipment Operators:					
Asphalt Distributor	3.30				
Asphalt Paving Machine	4.20				
Broom or Sweeper Operator	2.55				
Bulldozer, 150 H.P. and Less	3.00				
Bulldozer, over 150 H.P.	3.50				
Concrete Paving Curing Machine	3.10				
Concrete Paving Form Grader	3.50				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.25				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	4.35				
Crusher or Screening Plant Operator	3.30				
Foundation Drill Operator (Truck Mounted)	3.90				
Front End Loader (2½ C.Y. and Less)	3.25				
Front End Loader (Over 2½ C.Y.)	3.65				



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## INCIDENTAL PAVING AND UTILITIES

Power Equipment Operators (Cont'd):  
 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.)  
 Tractor (Crawler Type) 150 H.P. and Less  
 Tractor (Crawler Type) over 150 H.P.  
 Tractor (Pneumatic) 80 H.P. and Less  
 Tractor (Pneumatic) over 80 H.P.  
 Traveling Mixer  
 Wagon Drill, Boring Machine or Post Hole Driller Operator  
 Truck Drivers:  
 Single Axle, Light  
 Single Axle, Heavy  
 Tandem Axle or Semitrailer  
 Lowboy-Float  
 Winch  
 Weighman (Truck Scales)  
 Welder

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr. Others
\$4.35				
3.75				
3.30				
3.00				
2.55				
3.00				
3.50				
2.90				
3.00				
2.40				
2.65				
3.20				
2.80				
2.50				
2.85				
2.25				
3.60				
3.50				
2.30				
4.35				







Basic Hourly Rates	Fringe Benefits Payments					Others
	H & W	Pensions	Vacation	App. Tr.		
DECISION #AM-1,591 - Mod. #7 (36 FR 14552 - August 6, 1971) Litchfield County, Connecticut						
Change: Building, Heavy and Highway Construction: Electricians: Bridgewater, New Milford Leadburners: Plumbers: Bridgewater, New Milford	.33 .30 .30	17%+.20 c	1/2 of 1% .01			
DECISION #AM-1,592 - Mod. #7 (36 FR 14556 - August 6, 1971) Middlesex County, Connecticut						
Change: Building, Heavy and Highway Construction: Carpenters, soft floor layers (Building only) Electricians: Remainder of County Leadburners	8.12 8.40 7.80	.35 .40 .30	.20 17%+.20 d	.5% .01		
DECISION #AM-1,594 - Mod. #6 (36 FR 14564 - August 6, 1971) New London County, Connecticut						
Change: Building, Heavy and Highway Construction: Asbestos Workers: Griswold, Ledyard, Lisbon, North Stonington, Preston, Stonington Voluntown Leadburners: Painters: Brush Bridge Sandblasters, steamcleaners	8.70 7.80 6.70 8.50 7.43	.39 .30 .25 .25 .25	.35 d .40 .40 .40	.005 .01 .20 .20 .20		

Basic Hourly Rates	Fringe Benefits Payments					Others
	H & W	Pensions	Vacation	App. Tr.		
DECISION #AM-1,595 - Mod. #6 (36 FR 14568 - August 6, 1971) Tolland County, Connecticut						
Change: Building, Heavy and Highway Construction: Leadburners: Painters: Remainder of County: Brush Bridge	\$7.80 .30		c	.01		
DECISION #AM-1,596 - Mod. #5 (36 FR 14571 - August 6, 1971) Windham County, Connecticut						
Change: Building, Heavy and Highway Construction: Asbestos Workers: Remainder of County Leadburners	8.70 7.80	10% .40 .30	c	.01 .01		
DECISION #AM-9,691 - Mod. #5 (37 FR 7452 - April 14, 1972) Fairfield County, Connecticut						
Change: Building, Heavy and Highway Construction: Carpenters, soft floor layers (Building only) Greenwich Leadburners	7.95 7.80	.35 .30	.30 .50 c	.01		
DECISION #AM-9,692 - Mod. #5 (37 FR 7455 - April 14, 1972) Hartford County, Connecticut						
Change: Building, Heavy and Highway Construction: Leadburners	7.80	.30	e	.01		



Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AW-9, 693 - Mod. #4 (37 FR 7928 - April 21, 1972) New Haven County, Connecticut  Change: Building, Heavy and Highway Construction: Bricklayers, cement masons-finishers, marble setters, plasterers, stonemasons, terrazzo workers, tile setters (Building only) Ansonia-Derby Leadburners	\$7.40 7.80	.35 .30	.25 c		.01
DECISION NO. AP-300 - Mod. #3 (37 FR 13455 - July 7, 1972) Rapides Parish, Louisiana  Change: Plumbers-Steamfitters Sheet metal workers	\$7.15 6.67	.30 .30	.25		.05 .05
DECISION #AP-403 - Mod. #1 (37 FR 14661 - July 21, 1972) Cabell County, West Virginia  Change: Sheet Metal Workers	\$8.69	.20	.25		.01
DECISION #AP-205 - Mod. #1 (37 FR 15264 - July 28, 1972) Ada, Adams, Blaine, Boise, Butte, Camas, Canyon, Cassia, Custer, Elmore, Gem, Gooding, Jerome, Lemhi, Lincoln, Minniedoka, Owyhee, Payette, Twin Falls, Valley and Washington Counties, Idaho  Add: Boise County					

Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-409 - Mod. #1 (37 FR 15821 - August 4, 1972) Montgomery and Prince Georges Counties, Maryland; City of Alexandria, Virginia; Arlington and Fairfax Counties, Virginia and Dulles International Airport.  Change: Asbestos workers Plasterers	\$8.65 7.515	.25 .45	.15 .25		.015 .06
DECISION #AP-411 - Mod. #1 (37 FR 15790 - August 4, 1972) Washington, D.C.  Change: Asbestos Workers Plasterers	\$8.65 7.515	.25 .45	.15 .25		.015 .06
DECISION #AP-410 - Mod. #1 (37 FR 15823 - August 4, 1972) Baltimore County, Maryland  Omit: Power Equipment Operators Schedule for Building and Heavy Construction as originally issued.  County: Baltimore County  Add: Power Equipment Operators Schedule for Building and Heavy Construction.  County: Baltimore City and County  Change: Painters: Brush Structural steel, spray (steel), steamcleaning Sandblasting Spackling, taping & wall coverings Spray (except steel) Sprinkler fitters: Baltimore City					

## NOTICES



DECISION #AM-2,322 - Mod. #7  
(36 FR 17109 - August 27, 1971)  
Eastern Counties, Montana  
Blaine-Carter-Custer-Daniels-  
Dawson-Fallon-Carfield-McCone-  
Petroleum-Phillips-Powder River-  
Prairie-Richland-Roosevelt-  
Sheridan-Valley-Mibaux

**Change:**  
**POWER EQUIPMENT OPERATORS:**

CRUSHERS CONVEYOR; Farm type tractor,  
up to & incl. 50 HP engine; Grade  
setter

CRUSHER OILER & HELPER; Field equip-  
ment serviceman helper; Hot plant  
oiler, 100 ton per hr. or over;  
Mechanic and/or welder helper on job;  
Oiler other than shovels & cranes;  
Shovel oiler, 3 cy and under; Wash-  
ing and screening plant oiler

CONCRETE BATCH PLANT OILER, UP TO &  
INCL. 2 MIXERS

AIR COMPRESSOR, SINGLE; Pumpman

FARM TYPE TRACTOR, OVER 50 HP  
ENGINE; Herman Nelson heater & simi-  
lar types

CRANE OILER; Oiler-driver, rubber-  
tired cranes

CONVEYOR LOADER, UP TO & INCL. 42"  
BELT

BORING MACHINE, JEEP, PICKUP OR FARM  
TRACTOR MOUNTED; Concrete mixer, 3  
bags & under; Fireman; Heavy duty  
drills, helper; Retort op.

BROOM, SELF-PROPELLED

AIR COMPRESSOR, 2 OR MORE; Belt fin-  
ishing machine; Conveyor loader, over  
42" belt; Roller, on other than hot  
mix oil, paving

RUBBER-TIRED FRONTEND LOADERS, 1 CY  
& UNDER

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$5.93	.45	.45		.02
5.96	.45	.45		.02
5.99	.45	.45		.02
6.00	.45	.45		.02
6.01	.45	.45		.02
6.04	.45	.45		.02
6.05	.45	.45		.02
6.06	.45	.45		.02
6.14	.45	.45		.02
6.17	.45	.45		.02
6.18	.45	.45		.02

**FRINGE BENEFITS PAYMENTS**

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR.
\$7.65	.45	.35	a	.05
7.09	.45	.35	a	.05
7.20	.45	.35	a	.05
6.86	.45	.35	a	.05
6.97	.45	.35	a	.05
6.34	.45	.35	a	.05
6.69	.45	.35	a	.05
6.52	.45	.35	a	.05
6.02	.45	.35	a	.05
5.81	.45	.35	a	.05
5.70	.45	.35	a	.05

DECISION #AF-410 (cont'd.)

**BUILDING AND HEAVY CONSTRUCTION  
POWER EQUIPMENT OPERATORS:**

Backfiller, backhoe, concrete mixing  
plants, scale type batching plants, boat  
cableway, derrick, derrick boat, boat  
captain, dragline, elevating grader,  
excavating scoop (25 yds., and over),  
hoist (2 active drums or more), pile  
driving machine, power crane, power  
shovel, standard gauge locomotive,  
trenching machine, tunnel mucking  
machine, Eimco type overhead loader,  
Whirley rig, welder, concrete paver,  
double concrete pump, front end load-  
er (1 - 3/4 yds., and over), multi-  
ple conveyor, Mighty midget with  
compressor, repair mechanic, twin  
engine scraper, Gradall  
Compressors (2 or more), conveyors  
(2 or more), space heaters, over 4  
welders (more than 6, another man),  
well point system  
Tractor with attachment (2 or more),  
autopatrol type grader  
Concrete mixer, concrete pump, one  
drum hoist, elevator operator, nar-  
row gauge locomotive, stone crusher,  
hi-lift, fork lift  
Front end tractor loader (under 1-3/4  
yds.), bulldozer  
Single compressor, grout pump, power  
roller, pumps, well drill, engine  
driven welders (up to 4), space  
heaters (up to 4), steam hammer, pile  
extractor, conveyor  
Excavating scoop (under 25 yds.),  
caterpillar type tractor  
Finishing machine, bull float, sub  
grader, longitudinal float, screed-  
ing machine, concrete spreader, as-  
phalt spreader  
Fireman, truck crane oiler, grease  
truck, fuel truck  
Wheel tractor  
Oiler, deck hand, mechanic's helper

**HOLIDAYS:** A-New Year's Day; B-Memori-  
al Day; C-Independence Day;  
D-Labor Day; E-Thanksgiving  
Day; F-Christmas Day.

**FOOTNOTE:**

a. Holidays: A through F.



MODIFICATIONS P. 10

DECISION #AM-2,522 cont'd

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation	App. Tr.		
6.47	.45	.45			.02	
6.55	.45	.45			.02	
6.57	.45	.45			.02	
6.59	.45	.45			.02	
6.60	.45	.45			.02	
6.63	.45	.45			.02	
6.65	.45	.45			.02	
6.67	.45	.45			.02	
6.69	.45	.45			.02	
6.70	.45	.45			.02	
6.72	.45	.45			.02	
6.77	.45	.45			.02	
6.78	.45	.45			.02	

Rubber-tired front-end loader, over 1 cy to & incl. 3 cy; Scraper DM 15, 20, 21 & similar type if power unit is not used; Self-propelled sheeps foot & similar type; Shovels, incl. all attachments, under 1 cy; Track-type front-end loader, up to & incl. 5 cy; Track-type tractor with or without attachments; Trenching machine; Turnhead conveyor or head tower on batch plant; Wagner roller & similar type; Water pull when used for compaction; Washing and screening plant

MIXERMOBILE

MECHANIC AND/OR WELDER ON JOB

RUBBER-TIRED FRONT-END LOADER, OVER 3 CY TO & INCL. 5 CY

AUTOMATIC FINEGRADER, CURBIES AND OTHER SIMILAR TYPES; Motor patrol; Paving mixing machine; Scraper, single engine; Slip form paver

CRANE, UP TO & INCL. 80' BOOM WITH JIB

ELECTRIC OVERHEAD CRANES; Shovels, incl. all attachments, 1 cy to & incl. 3 cy; Track-type tractor, on euclid loader

CONCRETE BATCH PLANT, 3 AND 4 MIXERS

RUBBER-TIRED FRONT-END LOADER, OVER 5 CY TO & INCL. 10 CY

SCRAPER, TWIN ENGINE; Track-type front-end loader, over 5 cy to & incl. 10 cy

CENTRAL MIXING PLANTS, CONCRETE DAMS & STATIONARY

QUAD CAT

CRANE, 81' TO 130' BOOM

MODIFICATIONS P. 9

DECISION #AM-2,522 cont'd

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation	App. Tr.		
6.19	.45	.45			.02	
6.23	.45	.45			.02	
6.24	.45	.45			.02	
6.26	.45	.45			.02	
6.28	.45	.45			.02	
6.30	.45	.45			.02	
6.31	.45	.45			.02	
6.37	.45	.45			.02	
6.39	.45	.45			.02	

CHAIN BUCKET LOADER; Chip gravel spreader, self-propelled; DM 10, 15, 20 tractor pulling roller

CONCRETE MIXER, 4 BAGS & OVER

FORM GRADER; Hoist, single drum

CEMENT SILO

FORKLIFT, ON CONSTRUCTION SITE

CONCRETE BATCH PLANT OILER, 3 MIXERS AND OVER

A-FRAME TRUCK, CRANE, WINCH TRUCK AND SIMILAR

HYDRA-LIFT AND SIMILAR TYPES; Oil, hoist house, dams; Whirley crane oiler

FIELD EQUIPMENT SERVICEMAN

AIR DOCTOR; Asphalt paving machine; Asphalt paving machine, screed; Bit grinder; Bitum, mixer paving, travel plant; Boring machine, large; Concrete batch plant, 1 and 2 mixers; Concrete finishing machine, paving; Concrete bucket dispatcher; Concrete curing machine; Concrete float and spreader; Concrete power saw, self-propelled; Concrete travel batcher; Crusher op.; Distributor; Elevating grader; Grapple; Heavy duty drills, all types; Hoist, 2 or more drums; Hot plant op.; Hot plant fireman; Industrial locomotive, all types; Mountain logger or similar type; Mocking machine; Pavement breaker, Emaco and similar; Power auger large truck or tractor, mounted and punch; Power mixer, single or double drum; Power saw, self-propelled, multiple cut; Pumpcrete or grout machine; Push tractor; Refrigerator plant; Roller, on blade or hot mix oil paving; Roller, 25 ton or over; Ross and similar type carriers on construction site; Rubber-tired dower;



Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
RUBBER-TIRED FRONTEND LOADER, OVER 10 CY TO & INCL. 15 CY	.45	.45		.02	
TRACK-TYPE FRONTEND LOADER, OVER 10 CY TO & INCL. 15 CY	.45	.45		.02	
CRANE, 131' TO 150' BOOM	.45	.45		.02	
SCRAPER, SINGLE OR TWIN ENGINE, PULLING BELLY DUMP TRAILER	.45	.45		.02	
CONCRETE BATCH PLANT, 5 MIXERS AND OVER	.45	.45		.02	
CRANE, 151' BOOM & OVER	.45	.45		.02	
RUBBER-TIRED FRONTEND LOADER, OVER 15 CY (Factory rating not to include sideboards)	.45	.45		.02	
TRACK-TYPE FRONTEND LOADER, OVER 15 CY	.45	.45		.02	
SHOVEL, INCL. ALL ATTACHMENTS, OVER 3 CY TO & INCL. 5 CY; Stiff leg derrick and guy derrick	.45	.45		.02	
SCRAPER, TANDEN ENGINE	.45	.45		.02	
HELICOPTER HOIST	.45	.45		.02	
CABLEWAY HIGHLINE	.45	.45		.02	
WHIRLEY CRANE	.45	.45		.02	
SHOVELS, INCL. ALL ATTACHMENTS, OVER 5 CY	.45	.45		.02	

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
COMBINATION Truck; Concrete Mixer & Transit Mixer: To & incl. 4 cu. yds. Over 4 cu. yds. to & incl. 6 cu. yds. Over 6 cu. yds. to & incl. 8 cu. yds. Over 8 cu. yds. to & incl. 10 cu. yds. Over 10 cu. yds. - additional \$.08 per hour each additional 2 cu. yds. increment	.45 .45 .45 .45 .45	.30 .30 .30 .30 .30			
DISTRIBUTOR DRIVER & HELPER	.45	.30			
DRY BATCH TRUCKS: 3 Batch or under Over 3 Batch to & incl. 5 Batch Over 5 Batch to & incl. 10 Batch Over 10 Batch to & incl. 15 Batch Over 15 Batch - additional \$.15 per hour each additional 5 Batch increment	.45 .45 .45 .45 .45	.30 .30 .30 .30 .30			
DUMPMAN, GRAVEL SPREADER BOX; Pickup Driver, Hauling Materials; Pilot Car Driver, Teamsters & Helpers; Warehousemen, Partsmen, Cardex men, Warehouse Expediter	.45	.30			
DUMP TRUCKS & SIMILAR EQUIPMENT WATER LEVEL CAPACITY, INCLUDING SIDEBOARDS: 7 cu. yds. or less Over 7 cu. yds. to & incl. 10 cu. yds. Over 10 cu. yds. to & incl. 15 cu. yds. Over 15 cu. yds. to & incl. 20 cu. yds. Over 20 cu. yds. to & incl. 25 cu. yds. Over 25 cu. yds. to & incl. 30 cu. yds. Over 30 cu. yds. to & incl. 35 cu. yds. Over 35 cu. yds. to & incl. 40 cu. yds. Over 40 cu. yds. to & incl. 45 cu. yds. Over 45 cu. yds. - additional \$.06 per hour each additional 5 cu. yds. increment	.45 .45 .45 .45 .45 .45 .45 .45 .45 .45 .45	.30 .30 .30 .30 .30 .30 .30 .30 .30 .30 .30			
DUMPSTERS	.45	.30			
DW 20, DW 21, or EUCLID TRACTORS, PULLING P.R. 21 or SIMILAR DUMP WAGONS: To & incl. 25 cu. yds. Over 25 cu. yds. to & incl. 30 cu. yds. Over 30 cu. yds. - additional \$.06 per hour each additional 5 cu. yd. increment	.45 .45 .45	.30 .30 .30			



MODIFICATIONS P. 14

DECISION #AM-2,523 - Mod. #7  
(36 FR 17113 - August 27, 1971)  
Western Counties, Montana  
Beaverhead-Big Horn-Broadwater-  
Carbon-Cascade-Chouteau-Deerlodge-  
Fergus-Flathead-Gallatin-Glacier-  
Golden Valley-Granite-Hill-Jefferson-  
Judith Basin-Lake-Lewis & Clark-  
Liberty-Lincoln-Madison-Meagher-  
Mineral-Missoula-Musselshell-Park-  
Pondera-Powell-Ravalli-Rosebud-  
Sanders-Silverbow-Stillwater-  
Sweetgrass-Teton-Toole-Treasure-  
Wheatland-Yellowstone

MODIFICATIONS P. 13  
MONT-1-TD-1-2-3-f (2 of 2)

DECISION # 2,522 cont'd

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
SERVICEMEN	\$6.29	.45	.30		
POWDER TRUCK DRIVER (bulk unloader type)	5.73	.45	.30		
FLAT TRUCKS:					
To & incl. 3 Tons	5.55	.45	.30		
Over 3 tons Factory rating	5.90	.45	.30		
FUEL TRUCK; SERVICE TIREMEN	6.02	.45	.30		
LOWBOYS, FOUR-WHEEL TRAILER, FLOAT SEMI-TRAILER	5.90	.45	.30		
LUMBER CARRIERS, LIFT TRUCKS; Power Broom	5.64	.45	.30		
WATER TANK DRIVERS, PETROLEUM PRODUCTS DRIVERS:					
2,500 gals & under	5.55	.45	.30		
Over 2,500 gals to & incl. 4,500 gals	5.84	.45	.30		
Over 4,500 gals to & incl. 6,000 gals	6.04	.45	.30		
Over 6,000 gals to & incl. 8,000 gals	6.10	.45	.30		
Over 8,000 gals to & incl. 10,000 gals	6.18	.45	.30		
Over 10,000 gals - additional \$.08 per hour each additional 2,000 gals increment					
WINCH, A-FRAME, SWEDISH CRANE, HYDRA- LIFT, GROUTCRETE, & COMBINATION MULCHING, SEEDING & FERTILIZING	5.80	.45	.30		
TRUCK MECHANIC	6.29	.45	.30		
ALL TUNNEL & UNDERGROUND WORK 10% ADDITIONAL					

## Change:

Power Equipment Operators:  
Flathead-Lake-Lincoln-Mineral-Missoula-  
Ravalli-Sanders-Glacier-National Park-  
Northern Half of Powell County  
CRUSHER CONVEYOR; para type tractor,  
up to & incl. 50 HP engine; Grade  
setter  
CRUSHER OILER & HELPER; Field equip-  
ment serviceman helper; Hot plant  
oiler, 100 ton per hr. or over;  
Mechanic and/or welder helper on job;  
Oiler other than shovels & cranes;  
Shovel oiler, 3 cy and under; Wash-  
ing and screening plant oiler  
CONCRETE BATCH PLANT OILER, UP TO &  
INCL. 2 MIXERS  
AIR COMPRESSOR, SINGLE; Pumpman  
FARM TYPE TRACTOR, OVER 50 HP  
ENGINE; Herman Nelson heater & simi-  
lar types  
CRANE OILER; Oiler-driver, rubber-  
tired cranes  
CONVEYOR LOADER, UP TO & INCL. 42"  
BELT  
BORING MACHINE, JEEP, PICKUP OR FARM  
TRACTOR MOUNTED; Concrete mixer, 3  
bags & under; Fireman; Heavy duty  
drills, helper; Retort op.  
BROOM, SELF-PROPELLED  
AIR COMPRESSOR, 2 OR MORE; Belt fin-  
ishing machine; Conveyor loader, over  
42" belt; Roller, on other than hot  
mix oil, paving  
RUBBER-TIRED FRONTEND LOADER, 1 CY  
& UNDER

Basic Hourly Rates	Fringe Benefits Payments		
	H & W	Pensions	Vacation
\$5.93	.45	.45	
5.96	.45	.45	
5.99	.45	.45	
6.00	.45	.45	
6.01	.45	.45	
6.04	.45	.45	
6.05	.45	.45	
6.06	.45	.45	
6.14	.45	.45	
6.17	.45	.45	
6.18	.45	.45	



DECISION #AM-2,523 cont'd

DECISION #AM-2,523 cont'd

## NOTICES

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Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
CHAIN BUCKET LOADER; Chip gravel spreader, self-propelled; DW 10, 15, 20 tractor pulling roller	6.19	.45	.45	.02	
CONCRETE MIXER, 4 BAGS & OVER	6.23	.45	.45	.02	
FORM GRADER; Hoist, single drum	6.24	.45	.45	.02	
CEMENT SILO	6.26	.45	.45	.02	
FORKLIFT, ON CONSTRUCTION SITE	6.28	.45	.45	.02	
CONCRETE BATCH PLANT OILER, 3 MIXERS AND OVER	6.30	.45	.45	.02	
A-FRAME TRUCK, CRANE, WINCH TRUCK AND SIMILAR	6.31	.45	.45	.02	
HYDRA-LIFT AND SIMILAR TYPES; Oiler, hoist house, dams; Whirley crane oiler	6.37	.45	.45	.02	
FIELD EQUIPMENT SERVICEMAN	6.39	.45	.45	.02	
AIR DOCTOR; Asphalt paving machine; Asphalt paving machine, screed; Bit grinder; Bitum, mixer paving, travel plant; Boring machine, large; Concrete batch plant, 1 and 2 mixers; Concrete finishing machine, paving; Concrete bucket dispatcher; Concrete curing machine; Concrete float and spreader; Concrete power saw, self-propelled; Concrete travel batcher; Crusher op.; Distributor; Elevating grader; Grader; Heavy duty drills, all types; Hoist, 2 or more drums; Hot plant op.; Hot plant fireman; Industrial locomotive, all types; Mountain logger or similar type; Mucking machine; Pavement breaker, Emco and similar; Power auger large truck or tractor, mounted and punch; Power mixer, single or double drum; Power saw, self-propelled, multiple cut; Pumpcrete or grout machine; Push tractor; Refrigerator plant; Roller, on blade or hot mix oil paving; Roller, 25 ton or over; Ross and similar type carriers on construction site; Rubber-tired dozer;	6.47	.45	.45	.02	
Rubber-tired frontend loader, over 1 cy to & incl. 3 cy; Scraper DW 15, 20, 21 & similar type if power unit is not used; Self-propelled sheeps foot & similar type; Shovels, incl. all attachments, under 1 cy; Track-type frontend loader, up to & incl. 5 cy; Track-type tractor with or without attachments; Trenching machine; Turnhead conveyor or head tower on batch plant; Wagner roller & similar type; Water pull when used for compaction; Washing and screening plant	6.55	.45	.45	.02	
MIXERMOBILE	6.57	.45	.45	.02	
MECHANIC AND/OR WELDER ON JOB	6.59	.45	.45	.02	
RUBBER-TIRED FRONTEND LOADER, OVER 3 CY TO & INCL. 5 CY	6.60	.45	.45	.02	
AUTOMATIC FINERGRADER, GURRIES AND OTHER SIMILAR TYPES; Motor patrol; Paving mixing machine; Scraper, single engine; Slip form paver	6.63	.45	.45	.02	
CRANE, UP TO & INCL. 80' BOOM WITH JIB	6.65	.45	.45	.02	
ELECTRIC OVERHEAD CRANES; Shovels, incl. all attachments, 1 cy to & incl. 3 cy; Track-type tractor, on euclid loader	6.67	.45	.45	.02	
CONCRETE BATCH PLANT, 3 AND 4 MIXERS	6.69	.45	.45	.02	
RUBBER-TIRED FRONTEND LOADER, OVER 5 CY TO & INCL. 10 CY	6.70	.45	.45	.02	
SCRAPER, TWIN ENGINE; Track-type frontend loader, over 5 cy to & incl. 10 cy	6.72	.45	.45	.02	
CENTRAL MIXING PLANTS, CONCRETE DAMS & STATIONARY	6.77	.45	.45	.02	
QUAD CAT	6.78	.45	.45	.02	
CRANE, 81' TO 130' BOOM					



Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.		H & W	Pensions	Vacation	App. Tr.
RUBBER-TIRED FRONTEND LOADER, OVER 10 CY TO & INCL. 15 CY	6.79	.45	.45	.02					
TRACK-TYPE FRONTEND LOADER, OVER 10 CY TO & INCL. 15 CY	6.80	.45	.45	.02					
CRANE, 131' TO 150' BOOM	6.83	.45	.45	.02					
SCRAPER, SINGLE OR TWIN ENGINE, PULLING BELLY DUMP TRAILER	6.85	.45	.45	.02					
CONCRETE BATCH PLANT, 5 MIXERS AND OVER	6.87	.45	.45	.02					
CRANE, 151' BOOM & OVER	6.88	.45	.45	.02					
RUBBER-TIRED FRONTEND LOADER, OVER 15 CY (Factory rating not to include sideboards)	6.89	.45	.45	.02					
TRACK-TYPE FRONTEND LOADER, OVER 15 CY	6.90	.45	.45	.02					
SHOVEL, INCL. ALL ATTACHMENTS, OVER 3 CY TO & INCL. 5 CY; Stiff leg derrick and guy derrick	6.92	.45	.45	.02					
SCRAPER, TANDEM ENGINE	6.96	.45	.45	.02					
HELICOPTER HOIST	6.97	.45	.45	.02					
CABLEWAY HIGHLINE	6.98	.45	.45	.02					
WHIRLEY CRANE	7.00	.45	.45	.02					
SHOVELS, INCL. ALL ATTACHMENTS, OVER 5 CY	7.05	.45	.45	.02					
TRUCK DRIVERS									
COMBINATION Truck; Concrete Mixer & Transit Mixer: To & incl. 4 cu. yds. Over 4 cu. yds. to & incl. 6 cu. yds. Over 6 cu. yds. to & incl. 8 cu. yds. Over 8 cu. yds. to & incl. 10 cu. yds. Over 10 cu. yds. - additional \$.08 per hour each additional 2 cu. yds. increment	\$5.80 5.88 5.96 6.04	.45 .45 .45 .45	.30 .30 .30 .30						
DISTRIBUTOR DRIVER & HELPER	5.73	.45	.30						
DRY BATCH TRUCKS: 3 Batch or under Over 3 Batch to & incl. 5 Batch Over 5 Batch to & incl. 10 Batch Over 10 Batch to & incl. 15 Batch Over 15 Batch - additional \$.15 per hour each additional 5 Batch incre- ment	5.55 5.68 5.84 6.00	.45 .45 .45 .45	.30 .30 .30 .30						
DUMPMAN, GRAVEL SPREADER BOX; Pickup Driver, Hauling Materials; Pilot Car Driver, Teamsters & Helpers; Ware- housemen, Partners, Cardex men, Ware- house Expediter	5.55	.45	.30						
DUMP TRUCKS & SIMILAR EQUIPMENT WATER LEVEL CAPACITY, INCLUDING SIDEBOARDS: 7 cu. yds. or less Over 7 cu. yds. to & incl. 10 cu. yds. Over 10 cu. yds. to & incl. 15 cu. yds. Over 15 cu. yds. to & incl. 20 cu. yds. Over 20 cu. yds. to & incl. 25 cu. yds. Over 25 cu. yds. to & incl. 30 cu. yds. Over 30 cu. yds. to & incl. 35 cu. yds. Over 35 cu. yds. to & incl. 40 cu. yds. Over 40 cu. yds. to & incl. 45 cu. yds. Over 45 cu. yds. - additional \$.06 per hour each additional 5 cu. yds. increment	5.55 5.68 5.84 5.98 6.04 6.10 6.16 6.22 6.28	.45 .45 .45 .45 .45 .45 .45 .45	.30 .30 .30 .30 .30 .30 .30 .30						
DUMPFSTERS	5.68	.45	.30						
DN 20, DN 21, or EUCLID TRACTORS, PULLING P.R. 21 or SIMILAR DUMP WAGONS: To & incl. 25 cu. yds. Over 25 cu. yds. to & incl. 30 cu. yds. Over 30 cu. yds. - additional \$.06 per hour each additional 5 cu. yd. increment	6.04 6.10	.45 .45	.30 .30						



	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
SERVICEMEN					
POWDER TRUCK DRIVER (bulk unloader type)	\$6.29	.45	.30		
FLAT TRUCKS:					
To & incl. 3 Tons	5.55	.45	.30		
Over 3 tons Factory rating	5.90	.45	.30		
FUEL TRUCK; SERVICE TIREMEN	6.02	.45	.30		
LOWBOYS, FOUR-WHEEL TRAILER, FLOAT SEMI-TRAILER	5.90	.45	.30		
LUMBER CARRIERS, LIFT TRUCKS; Power Broom	5.64	.45	.30		
WATER TANK DRIVERS, PETROLEUM PRODUCTS DRIVERS:					
2,500 gals & under	5.55	.45	.30		
Over 2,500 gals to & incl. 4,500 gals	5.84	.45	.30		
Over 4,500 gals to & incl. 6,000 gals	6.04	.45	.30		
Over 6,000 gals to & incl. 8,000 gals	6.10	.45	.30		
Over 8,000 gals to & incl. 10,000 gals	6.18	.45	.30		
Over 10,000 gals - additional \$.08 per hour each additional 2,000 gals increment					
WINCH, A-FRAME, SWEDISH CRANE, HYDRA-LIFT, GROUTCRETE, & COMBINATION MULCHING, SEEDING & FERTILIZING	5.80	.45	.30		
TRUCK MECHANIC	6.29	.45	.30		
ALL TUNNEL & UNDERGROUND WORK 10% ADDITIONAL					

Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Others
\$8.24	6%	16%			
9.155	.435	.695		.015	
9.155	.435	.695		.015	
7.10	.30	.30			
7.225	.30	.30			
7.35	.30	.30			
7.35	.30	.30			
7.60	.30	.30			
7.425	.30	.30			
8.25	.35	.50		.065	
9.155	.35	.50			
8.775	.35	.50			



## FEDERAL REGISTER, VOL. 37, NO. 161—FRIDAY, AUGUST 18, 1972

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					
DECISION #AM-1,838 - Mod. #5 (36 FR 16294 - August 20, 1971) Luzerne County, Pennsylvania							DECISION #AM-1,849 - Mod. #4 (36 FR 16257 - August 20, 1971) Berks County, Pennsylvania							DECISION #AM-1,603 - Mod. #9 (36 FR 14600 - August 6, 1971) Bristol, Kent & Providence Counties, Rhode Island								
Change: Building Construction Bricklayers & Stone Masons Hallenback, Nescopeek, Salem Townships Remainder of County Cement Masons Electricians: Hazleton Remainder of County Millwrights Plumbers & Steamfitters: Wilkes Barre Plasterers: Wilkes Barre Hazleton Soft Floor Layers						\$7.75 9.35 7.40 8.35 7.75 8.21 7.95 7.80 6.33 5.34	.30 .30 .25 .20 .20 .15 .20	1 1/4 1 1/4 .85 .25	.12 .005 .02 .05 .02			Change: Building Construction: Laborers: Laborers, Building: Laborers, carpenters tender, cement finisher tender, mason tender Jackhammers, paving breaker, chain saw, pipelayers, mechanical grinder, all other pneumatic tools, barco type jumping tampers Plasterer tenders Powdermen, blasters Laborers, Wrecking: Laborers, signalmen Adzman, burner, jackhammer Sprinkler fitters						\$8.50 6.50 6.75 7.25 6.30 6.50 6.75 9.07	.20 .40 .40 .25 .40 .40 .30	.40 .40 .25 .40 .40 .50	.05 .05 .05 .05 .05 .01	
Footnote: d. Paid Holidays: July 4th and Labor Day.							Change: Building Construction: Carpenters Cement Masons Bricklayers Electricians: Remainder of County Millwrights Plasterers Tile Setters						\$7.10 7.965 7.10 8.14 7.60 8.00 6.05	.30 .15 .155 .40 1% .15 .155 .30								
DECISION #AM-1,857 - Mod. #5 (36 FR 16291 - August 20, 1971) Lehigh County, Pennsylvania							Change: Building Construction: Electricians						\$8.575	.20								
Change: Building Construction: Electricians							Change: Building Construction: Laborers: Laborers, Building: Laborers, carpenters tender, cement finisher tender, mason tender Jackhammers, paving breaker, chain saw, pipelayers, mechanical grinder, all other pneumatic tools, barco type jumping tampers Plasterer tenders Powdermen, blasters Laborers, Wrecking: Laborers, signalmen Adzman, burner, jackhammer Sprinkler fitters						6.75 6.30 7.25 6.50 6.75 8.50 9.07	.40 .25 .40 .40 .40 .20 .30	.40 .25 .40 .40 .40 .40 .50	.05 .05 .05 .05 .05 .05 .01						



## NOTICES

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Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-1,605 - Mod. #10 (36 FR 14610 - August 6, 1971) Washington County, Rhode Island  Change: Building Construction: Laborers, Building: Laborers, carpenters' tenders, cement finisher tenders, mason tenders Jackhammer, paving breaker, chain saw, pipelayers, mechanical grinder, all other pneumatic tools, barco type jumping tampers Plasterers' tenders Powdermen, blasters Laborers, Wrecking: Laborers, signalmen Adzmen, burner, jackhammer plasterers, Exeter, Narragansett, N. Kingston Sprinkler fitters	.40	.40	.05		
\$6.50					
6.75	.40	.40	.05		
6.30	.25	.15	.05		
7.25	.40	.40	.05		
6.50	.40	.40	.05		
6.75	.40	.40	.05		
8.50	.20				
9.07	.30	.50	.01		
DECISION #AP-209 - Mod. #1 (37 FR 15834 - August 4, 1972) Statewide Utah  Change: Painters: Remaining part of State Brush; Roller Brush, swing stage; Brush, steel and bridge; Spray; Sandblaster; Steeple Jack; Wall covering hanger Spray, swing stage; Spray, steel; Bridge; Sandblaster, swing stage Plumbers; Pipefitters Zone 1-15 mi. radius from center of each city, namely Salt Lake City, Ogden and Provo	.16	.18		.02	
5.77					
6.02	.16	.18	.02		
6.27	.16	.18	.02		
6.78	.16	.20	.04		

Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-11,414 - Mod. #6 (37 FR 7930 - April 21, 1972) Jefferson & Orange Counties, Texas  Change: Pipefitters	.30	.52			.06
\$7.33					
DECISION #AM-11,415 - Mod. #7 (37 FR 7931 - April 21, 1972) Jefferson & Orange Counties, Texas  Change: Pipefitters	.30	.52			
7.33					
DECISION #AP-305 - Mod. #1 (37 FR 15831 - August 4, 1972) Harris County, Texas  Change: Building Construction: Asbestos workers Boilermakers Cement masons Electricians	.275	.30			.03
7.02	.30	.50			.02
6.80	.40	.37			.05
6.25	.25	1 1/4 + .15			.015
7.65					



AP-117 P. 2

Alabama-9-PEO-3-A

## SUPERSEDEAS DECISION

STATE: Alabama  
 COUNTY: \* See Below  
 DECISION NO.: AP-117  
 DATE: See Date of Publication  
 Supersedes Decision No. AM-445 - dated August 20, 1971, in 36 FR 16356.  
 DESCRIPTION OF WORK: Highway Construction.

## Alabama-3-Zone #2 M

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Counties: Calhoun, Etowah, St. Clair, Shelby, Talladega, Tuscaloosa & Walker					
Bricklayer	\$3.25				
Carpenters	3.60				
Carpenters' helpers	2.70				
Concrete finisher	3.45				
Concrete finisher' helper	2.70				
Concrete saw operator	2.30				
Ironworkers, structural	5.60				
Ironworkers' helper, structural	3.10				
Ironworkers, reinforcing	3.30				
Ironworkers' helper, reinforcing	2.70				
Laborers:					
Air tool operator	2.35				
Asphalt raker	2.45				
Concrete laborer	2.35				
Pipelayer	2.50				
Powderman and blaster	3.05				
Powderman and blaster helper	2.70				
Saw operator	2.30				
Side rail or form setter	2.75				
Unskilled	2.15				
Wagon drill operator	2.55				
Painters	4.73				
Painter helper	3.00				
Piledrivermen	4.25				
Piledrivermen helper	3.18				
Truck Drivers:					
Multi-rear axle or heavy duty, off road	2.85				
Single-rear axle	2.45				
Under 1½ tons actual capacity	2.30				
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

## POWER EQUIPMENT OPERATORS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air Compressors	\$2.85				
Aggregate spreader	3.00				
Asphalt distributors	3.47				
Asphalt mixers & pug mills & batch plants	3.30				
Asphalt paving machines	3.60				
Asphalt plant driers	3.30				
Asphalt spreaders	3.47				
Bulldozers	3.30				
Bull floats	3.15				
Concrete mixers (3 bags & under)	2.70				
Concrete mixers (over 3 bags)	3.30				
Concrete paving machines	3.30				
Concrete paving finishing machine	3.30				
Cranes, clamshells, backhoes, der- ricks, draglines or shovels	3.55				
Conveyors	2.70				
Crush & screening plants	3.30				
Drilling machines	3.30				
Drilling machine helpers	2.70				
Elevating graders, gradalls or trench- ing machines	3.45				
Firemen	2.70				
Form graders	2.70				
Hoists (2-drum or 2-cages or more)	3.30				
Hoists (1-drum)	3.15				
Mechanics	3.42				
Mechanic helpers	2.77				
Motor patrols	3.45				
Oilers & greasemen	2.92				
Paving subgraders	3.15				
Piledrivers	3.66				
Pumps	2.70				
Pumpcretes	3.15				
Rollers, self-propelled (on asphalt bases & pavements)	2.82				
Scale operators	3.30				
Scalmen	2.70				
Scrapers	2.70				
Seeding & mulching machines	3.30				
Tractors & loaders:	2.70				
Farm rubber tired	2.74				
80 H.P. or less-drawbar capacity	2.74				
Over 80 H.P.	3.30				
Winch truck & "A"-frame	3.15				
Stripping machines (paint)	2.70				
Welders:					
Structural steel	5.50				
Utility	3.75				



STATE: Alabama  
 DECISION NO.: AP-119  
 Supersedes Decision No. AM-447 dated August 20, 1971, in 36 FR 16358.  
 DESCRIPTION OF WORK: Highway Construction

COUNTIES: See Below

DATE: See Date of Publication

Alabama-3-Zone #4 M

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
COUNTIES: Autauga, Barbour, Bibb, Blount, Bullock, Butler, Chambers, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Conecuh, Coosa, Covington, Crenshaw, Cullman, Dale, Dallas, DeKalb, Elmore, Escambia, Fayette, Franklin, Geneva, Greene, Hale, Henry, Houston, Jackson, Lamar, Lawrence, Lee, Limestone, Lowndes, Macon, Marengo, Marion, Marshall, Monroe, Perry, Pickens, Pike, Randolph, Russell, Sumter, Tallapoosa, Washington, Wilcox & Winston.					
Bricklayers	\$2.80				
Carpenter	3.50				
Carpenter helper	2.70				
Concrete finisher	3.05				
Concrete finisher helper	2.40				
Concrete saw operator	2.30				
Ironworkers, structural	5.60				
Ironworkers, helper-structural	3.00				
Ironworkers, reinforcing	3.75				
Ironworkers, helper-reinforcing	2.55				
Laborers:					
Air tool operator	2.35				
Asphalt raker	2.38				
Concrete laborer	2.32				
Pipelayers	2.50				
Powderman & blaster	3.05				
Powder & blaster helper	2.40				
Saw operator	2.00				
Side rail or form setter	2.35				
Unskilled	2.05				
Wagon drill operator	2.50				
Painters	4.73				
Painters helpers	2.22				
Piledrivermen	4.02				
Piledrivermen helper	3.18				
Truck drivers:					
Multi-rear axle or heavy duty, off road, single	2.37				
Single-rear axle	2.15				
Under 1½ ton actual capacity	2.05				
Welders-receive rate prescribed for craft performing operation to which welding is incidental.					

## POWER EQUIPMENT OPERATORS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
Air compressors	\$2.85				
Aggregate spreader	3.00				
Asphalt distributors	3.47				
Asphalt mixers & pug mills & batch plants	3.30				
Asphalt paving machines	3.30				
Asphalt plant driers	3.30				
Asphalt spreaders	3.47				
Bulldozers	3.30				
Bull floats	3.15				
Concrete mixers (3 bags & under)	2.70				
Concrete mixers (over 3 bags)	3.30				
Concrete paving machines	3.30				
Concrete paving finishing machine	3.30				
Concrete paving spreaders	3.30				
Cranes, clamshells, backhoes, derrick, draglines or shovels	3.55				
Conveyors	2.70				
Crush & screening plants	3.30				
Drilling machines	3.30				
Drilling machine helpers	2.70				
Elevating graders, gradalls or trenching machines	3.45				
Firemen	2.70				
Form graders	2.70				
Hoists (2-drum or 2-cages or more)	3.30				
Hoists (1-drum)	3.15				
Mechanics	3.42				
Mechanic helpers	2.77				
Motor patrols	3.55				
Oilers & greasemen	2.92				
Paving subgraders	3.15				
Piledrivers	3.66				
Pumps	2.70				
Pumpcretes	3.15				
Rollers, self-propelled	2.82				
Rollers, self-propelled (on asphalt bases & pavements)	3.30				
Scale operators	2.70				
Scalmen	2.70				
Scrapers	3.30				
Seeding & mulching machines	2.70				
Tractors & loaders:					
Farm rubber tired	2.74				
80 H.P. or less-drawbar capacity	2.74				
Over 80 H. P.	3.30				
Winch truck & "A"-frame	3.15				
Stripping machines (paint)	2.70				
Welders:					
Structural steel	5.50				
Utility	3.75				



## SUPERSEDEAS DECISION

STATE: Alabama  
 DECISION NO.: AP-120  
 Supersedes Decision No. AM-8607 dated May 3, 1972, in 37 FR 9171.  
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), and highway construction.

COUNTY: Jefferson

DATE: See Date of Publication

in 37 FR 9171.

(excluding single family

homes and garden type apartments up to and including 4 stories),

and highway construction.

37-Alabama-1-H 1 of 2

## BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	\$6.41	.18	.15		.01
Boilermakers	6.85	.40	.60		
Bricklayers, pointers, oaulkers, stone-masons	6.65	.25	.25		.05
Carpenters:	6.00	.25	.15		.04
Millwrights	7.15	.25	.15		.04
Piledrivers	6.20	.25	.15		.04
Cement masons	6.21				
Electricians:	7.35	.25	1%		1%
Cable splicers	7.60	.25	1%		1%
Elevator constructors	6.04	.17	.185	2%+a&b	.005
Elevator constructors' helpers	4.23	.17	.185	2%+a&b	.005
Elevator constructors' helpers (prob.)	50%JR				
Glaziers	6.00	.20	.20		.01
Ironworkers:	7.15	.40	.22		.04
Structural, Ornamental & Reinforcing	6.55		.10		.01
Lathers					
Linemen:	4.65	.15	1%	.15	.5%
Groundmen under one year	2.25	.15	1%	.15	.5%
Groundmen one year and over	2.60	.15	1%	.15	.5%
Operator	3.85	.15	1%	.15	.5%
Marble setters	5.65				
Painters:					
Brush	6.35		.25		
Structural steel and spray	6.85		.25		
Paperhangers	6.50		.25		
Plasterers	6.35		.25		.07
Plumbers and pipefitters	7.60	.25	.25		
Roofers	4.55		.20		
Sheet metal workers	7.25	.20	.25		.02
Sprinkler fitters	7.30	.25	.40		.05
Tile setters, terrazzo workers	6.00				

Truck drivers:

Up to but not including 1½ tons  
 1½ to but not including 3 tons  
 3 tons to but not including 5 tons  
 5 tons and over including special equipment

Welders, riggers, riveters - receive rate prescribed for craft performing operation to which welders, riggers and riveters are 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. 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 has worked in business less than 5 years.

AP-120 P. 2

37-Alabama-1- H 2 of 2

## BUILDING CONSTRUCTION

37-Alabama-1- H

2 of 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
	4.40				
	4.60				
	4.85				
	5.00				



AP-120 P. 3		37- ALA-LAB-1-A		AP-120 P. 4		ALA 2-PTO-1-E	
BUILTING CONSTRUCTION		POWER EQUIPMENT OPERATORS: BUILTING CONSTRUCTION		Basic Hourly Rates		Fringe Benefits Payments	
Laborers:		Group A		H & W		Pensions	
Air or electric tool operators		Asphalt plant, boom tractor, bulldozer, cableways, core driller, compressors (2 or more), crane-derrick-dragline, dinky locomotive, dredges, fork lift, front end loader, gradall, heavy duty mechanic, hoist (1 drum or more), mixers push tractor, quarry master, scrapers, shovels, trenching machine (and all similar equipment), winch trucks		.20		.20	
Vibrators operators, chain saw ops., of mechanical equipment which re- places wheelbarrows or buggies, power movers, mortar mixers, pipe layers, concrete & clay		Group B		.20		.20	
Plasterers' tenders & hod carriers		Air compressor (over 125), asphalt spread- er, blade graders (pull type), boat operator, conveyor (2 or more up to 4), crawler tractor distributors (bitumin- ous surface), farm tractors, finishing machine, pumps over 4 inches, rollers, welding machine (4 or more)		.20		.20	
Asphalt rakers		Group C		.20		.20	
Mason tenders & Building Laborers		Air compressor (125 & under), apprentice engineer (oilers-firmen), conveyor (1) tended by oiler, mechanic helpers, pumps (under 4 in.), welding machines (3 or under)		.20		.20	
Burners on demolition, wagon drill operators		Group D		.20		.20	
Powderman		On Steel Erection:		.20		.20	
Caisson-driller		Crane, dragline, derrick, hoist operator, piledriver, winch truck, fork lift		.20		.20	
Mucker		Group E		.20		.20	
Tunnel miner		Tractors, welding machines, gasoline driven (4 or more), 1-welding machine no operator, Air compressors (1-125 or larger up to but not including 3)		.20		.20	
Pneumatic concrete gun operator and nozzleman		Group F		.20		.20	
Chuck tender		Gas or diesel welding machine (up to 4 tended by oiler), apprentice engineers (oilers-firmen)		.20		.20	
Tunnel laborer				.20		.20	



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Alabama - 3 - Zone #1 N

## HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
Bricklayers	\$3.65				
Carpenters	3.77				
Carpenters' helper	2.70				
Concrete finisher	3.45				
Concrete finisher helper	3.00				
Concrete saw operator	2.45				
Ironworker, structural	5.79				
Ironworker helper, structural	3.10				
Ironworker, reinforcing	4.20				
Ironworker helper, reinforcing	3.00				
Laborers:					
Air tool operator	2.45				
Asphalt raker	2.60				
Concrete laborer	2.45				
Unskilled	2.25				
Pipelayers	2.85				
Powderman and blaster	3.05				
Powderman and blaster helper	2.70				
Saw operator	2.45				
Side rail or form setter	2.88				
Wagon drill operator	2.55				
Painters	4.73				
Painter helpers	3.00				
Piledrivermen	4.02				
Piledrivermen helper	3.18				
Truck Drivers:					
Under 1½ ton capacity	2.30				
Single-rear axle	2.55				
Multi-rear axle or heavy duty, off road, single axle	2.85				
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

AP-120 P. 6

Alabama - 8 - PEO - 3 - A

## HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
POWER EQUIPMENT OPERATORS:					
Air compressors	\$2.85				
Aggregate spreader	3.00				
Asphalt distributors	3.60				
Asphalt mixer & pug mills & batch plants	3.30				
Asphalt paving machines	3.30				
Asphalt plant driers	3.30				
Asphalt spreaders	3.60				
Bulldozers	3.30				
Bull floats	3.15				
Concrete mixer (3 bags & under)	2.70				
Concrete mixers (over 3 bags)	3.30				
Concrete paving machines	3.30				
Concrete paving finishing machine	3.30				
Concrete paving spreaders	3.30				
Cranes, clamshells, backhoe, derricks, draglines or shovels	3.60				
Conveyors	2.70				
Crush & screening plants	3.30				
Drilling machines	3.30				
Drilling machines helpers	2.70				
Elevating graders, gradalls, or Trenching machine	3.60				
Firemen	2.70				
Form Graders	2.70				
Hoists (2-drum or 2-cages or more)	3.30				
Hoists (1-drum)	3.15				
Mechanics	3.60				
Mechanic helpers	2.77				
Motor patrols	3.60				
Oilers & greasemen	3.00				
Paving subgraders	3.15				
Piledrivers	3.66				
Pumps	2.70				
Pumpcretes	3.15				
Rollers, Self-Propelled	2.82				
Rollers, Self-propelled (on asphalt bases & pavements)	3.30				
Scale operators	2.70				
Scalmen	2.70				
Scrapers	3.30				
Seeding & mulching machines	2.70				
Tractors & loaders:					
Farm rubber tired	2.74				
80 H. P. or less-drawbar capacity	2.74				
Over 80 H.P.	3.30				
Winch truck & "A" - frame	3.15				
Stripping machines (paint)	2.70				
Welders:					
Structural steel	5.75				
Utility	4.00				



AP-221 P. 2

STATE: Arizona

COUNTY: Maricopa

DATE: Date of Publication

Supersedes Decision No. AP-221 dated April 21, 1972 in 37 FR 7923

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments (1-4)			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	\$8.38	.35	.40	.50	.02
BOILERMAKERS	7.20	.60	1.00		
BRICKLAYERS; Stonemasons:					
From City Hall of Phoenix:					
Zone A (0-25 miles)	8.35	.35	.30		.03
Zone B (25-40 miles)	9.10	.35	.30		.03
Zone C (40-70 miles)	9.44	.35	.30		.03
Zone D (70-100 miles)	9.77	.35	.30		.03
CARPENTERS:					
Carpenters	7.75	.35	.60		.025
Millwrights	8.125	.35	.60		.025
Piledrivers	8.00	.35	.60		.025
CEMENT MASONS	7.585	.35	.65		.025
DEYMAIL INSTALLERS:					
From Court House in Phoenix, Mesa, incl. Williams AFB and Luke AFB:					
TAPERS:					
Zone A (0-40 miles)	6.00	.225			
Zone B (40-60 miles)	7.00	.225			
Zone C (60 miles and over)	7.25	.225			
TEXTURE SPRAYMEN:					
Zone A	6.10	.225			
Zone B	7.10	.225			
Zone C	7.35	.225			
ELECTRICIANS:					
Zone A (Power Road on East from Hunt Highway on south to 1 mile south of Pinnacle Peak Road on the north - 1 mile south of Pinnacle Peak to Cotton Lane on the west - Cotton Lane to Pecos Road on the south - Pecos Road to Price Road to Hunt Highway on the south - to Hunt Highway to Power Road on the east and incl. Luke AFB)	8.25	.30	1 1/2	.60	1/2
Zone B (From outside edge of Zone A thru 16 road miles from outside edge of Zone A and incl. Williams AFB)	9.90	.30	1 1/2	.60	1/2
Zone C (Commence at 16 road miles from outside edge or Zone A & extends to outside limits of Union jurisdiction)	10.73	.30	1 1/2	.60	1/2

(2-4)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELEVATOR CONSTRUCTORS	\$7.58	.185	.20	2 1/4	.04
ELEVATOR CONSTRUCTORS' HELPER	70%JR	.185	.20	2 1/4	.04
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
IRONWORKERS:					
Ornamental - Structural	8.58	.43	.425		.04
Reinforcing	8.58	.43	.425		.04
LATHERS:					
Zone I (up to 35 miles from Phoenix)	5.60	.175			.04
Zone II (15 miles beyond Zone I)	5.93	.175			.04
Zone III (20 miles beyond Zone II)	6.26	.175			.04
Zone IV (area outside Zone III)	6.60	.175			.04
MARBLE SETTERS:					
From Phoenix:					
Zone I-VI (0-40 miles)	5.84	.25	.20		.01
Zone VII (40-60 miles)	6.965	.25	.20		.01
Zone VIII (60-80 miles)	6.965	.25	.20		.01
Zone IX (over 80 miles)	7.465	.25	.20		.01
PAINTERS:					
(Cities of Gila Bend and Sentinel):					
Brush	6.84	.27	.25		.02
Steel, Brush	7.89	.27	.25		.02
Spray	7.34	.27	.25		.02
(Remainder of County):					
Zone A (0-40 miles from Court House in Phoenix; Williams AFB & Luke AFB):					
Brush; Soft Floor Layers	6.25	.275	.20	.15	.02
Steel & bridge, brush	6.60	.275	.20	.15	.02
Spray	6.30	.275	.20	.15	.02
Spray (Steel & Bridge)	6.80	.275	.20	.15	.02
Zone B (41-60 miles from Court House in Phoenix, only):					
Brush; Soft Floor Layers	7.25	.275	.20	.15	.02
Steel & Bridge, Brush	7.60	.275	.20	.15	.02
Spray	7.50	.275	.20	.15	.02
Spray (Steel & Bridge)	7.80	.275	.20	.15	.02
Zone C (61 miles & over from Court House in Phoenix):					
Brush; Soft Floor Layers	7.75	.275	.20	.15	.02
Steel & Bridge, Brush	8.10	.275	.20	.15	.02
Spray	8.00	.275	.20	.15	.02
Spray (Steel & Bridge)	8.30	.275	.20	.15	.02



(3-4)

(4-4)

## FOOTNOTE:

a. Employer contributes  $\frac{1}{2}\%$  of basic hourly rate for 5 years' service and  $\frac{2}{3}\%$  of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays: A through F.

## PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
PLASTERERS:					
City of Sentinel & portion of County South thereof	9.12	.30	.45		
Remainder of County:					
Zone A (0-40 miles from Phoenix):	5.81	.20	.30		.035
Zone B (40-60 miles from Phoenix):	6.06	.20	.30		.035
Zone C (60-80 miles from Phoenix):	6.31	.20	.30		.035
Zone D (80 miles & over from Phoenix):	6.685	.20	.30		.035
PLUMBERS:					
(Zone Base: Phoenix):					
Zone I (0-15 miles)	7.74	.45	.70		.06
Zone II (15-30 miles)	8.04	.45	.70		.06
Zone III (30-45 miles)	8.39	.45	.70		.06
Zone IV (45 miles and beyond)	9.49	.45	.70		.06
ROOFERS:					
Roofer & Waterproofing	6.10	.30	.20		.02
Pitch & enameled	6.60	.30	.20		.02
SHEET METAL WORKERS:					
Zone Bases; Phoenix:					
Zone I (0-25 miles)	7.59	.27	.32		.02
Zone II (25-50 miles)	8.22	.27	.32		.02
Zone III (50 miles and over)	9.56	.27	.32		.02
SPRINKLER FITTERS	7.95	.25	.40		.05
TERRAZZO & MASALC WORKERS:					
Zone Bases; Phoenix:					
Zone I-VI (0-40 miles)	6.21				
Zone VII (40-60 miles)	7.335				
Zone VIII (60-80 miles)	7.335				
Zone IX (Over 80 miles)	7.835				
LINE CONSTRUCTION:					
Zone Bases; Phoenix:					
Zone 1 (0-30 miles):					
Cable Splicer	7.66	.23	5%		1/22
Linemen	7.40	.23	5%		1/22
Equipment Operators	6.96	.23	5%		1/22
Groundman	6.04	.23	5%		1/22
Zone 2 (Other areas):					
Cable Splicer	8.81	.23	5%		1/22
Linemen	8.55	.23	5%		1/22
Equipment Operators	8.11	.23	5%		1/22
Groundmen	7.21	.23	5%		1/22



(1-3)

Fringe Benefits Payments					Other
Basic Hourly Rates					
	H & W	Pensions	Vacation	App. Tr.	
<b>LABORERS:</b>					
<b>GROUP I</b>					
ALL HELPERS NOT HEREIN SEPARATELY CLASSIFIED; Cesspool Diggers and Installers; Chat Box Man; Checker, Tool Dispatcher; Concrete Dump Man-belt, Pipe and/or Hoseman; Dumpman and/or Spotter; Fence Builder, Guard Rail Builder Hwy.; Form Strippers; Labor, General or Construction; Landscape Gardener & Nurseryman; Packing Rod Steel and Pans; Rip Rap Stoneman					
\$5.53	.35	.60		.05	
<b>GROUP II</b>					
CEMENT FINISHER TENDER; Concrete Curer (Impervious membrane); Cutting Torch Operator; Fine Grader (Highway, Engineering and Sewer Work only); Kettleman - Tarman; Power Type Concrete Baggy					
5.64	.35	.60		.05	
<b>GROUP III</b>					
BANDER; CHUCKTENDER (except Tunnel); Crescote Tieman; Guinea Chaser; Powderman Helper; Rip-Rap Stone Paver; Sandblaster (Pot Tender); Spikers & Wrenchers					
5.75	.35	.60		.05	
<b>GROUP IV</b>					
CEMENT DUMPERS (Skip-type mixer or handling bulk cement); Chain Saw Machines (on clearing and grubbing); Concrete Vibrating Machines; Cribber and Shorer (except Tunnel); Floor Sanders - Concrete; Hydraulic Jacks, and similar mechanical tools not separately herein classified; Operators and Tenders of Pneumatic and electric tools; Pipe Caulker and/or Backup Man (pipeline); Pipe Wrapper; Pneumatic Gopher; Rigger/signalman (pipeline)					
5.83	.35	.60		.05	

(2-3)

(2-5)						
Basic Hourly Rates	Fringe Benefits Payments				Other	
	H & W	Pensions	Vacation	App. Tr.		
<b>LABORERS: (Cont'd)</b>						
<b>GROUP V</b>						
AIR AND WATER WASH-OUT NOZZLEMAN; Asphalt Rakers and Ironers; Driller; Grade Setter (pipeline); Hand Guided Trencher and Similar Operated Equipment; Jackhammer and/or Pavement Breakers; Pipe Layer (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock Slinger; Scaler (using Bos'ns Chair or Safety Belt); Tamper (mechanical - all types)						
\$5.97	.35	.60		.05		
<b>GROUP VI</b>						
CONCRETE CUTTING TORCH; CONCRETE SAW (Hand guided); Driller (Core, Diamond, Wagon or Air Track); Drill Doctor and/or Air Tool Repairman; Gunman and Mixerman (Gunite); Sandblaster (Nozzleman)						
6.275	.35	.60		.05		
<b>GROUP VII</b>						
CONCRETE ROAD FORM SETTER; Gunite Nozzleman or Rodman; Drillers, Joy Mustang, PR 143, 2200 Gardner-Denver, Hydrasonic; Powder Man; Scaler (Drillers); Welders and/or Pipe Layers installing process piping						
6.785	.35	.60		.05		
<b>MASON TENDERS</b>						
6.135	.35	.60		.05		
<b>PLASTERERS' TENDERS</b>						
6.45	.35	.60		.05		
Employees working underground shall receive twenty cents (20¢) per hour additional above the regular rate, except where herein specifically covered						



## LABORERS (Cont'd)

laborers employed where they may have a free fall over thirty (30) feet or on construction scaffolds above thirty (30) feet or 6' in Chair above thirty (30) feet, or where gas masks are necessary, shall receive fifty cents (50¢) per hour in addition to their regular rate, except where inherent in classifications.

## TUNNEL AND SHAFT WORKERS

## GROUP I

BULL GANG, MUCKERS, TRACKMAN; DUMPHEN; Concrete Crew (Includes Rodders and Spreaders); Grout Crew; Swamper (Brakeman and Switchmen on Tunnel Work)

## GROUP II

RIPPER; CHUCKTENDER, CABLETENDER; Vibratorman, Jackhammer, Pneumatic Tools (except Driller)

## GROUP III

## GROUT GUNMAN

## GROUP IV

TIMESEMAN, RETIMERMAN - wood or steel Elastar, Driller Powderman; Cherry Pickerman; Powderman - Primer House; Steel Form Raiser and Setter; Kemper and other Pneumatic Concrete Placer Operator; Miner - Finisher

## GROUP IV - A

MINERS - Tunnel (Hand or Machine)

## GROUP V

## DIAMOND DRILL

## GROUP V-A

SHAFT AND RAISE MINER WELDER

(3-3)

Basic Hourly Rates	Fringe Benefits Payments				Gr. 12
	H & W	Pensions	Vacation	App. Tr.	
\$5.725	.35	.60			.05
5.86	.35	.60			.05
5.96	.35	.60			.05
6.06	.35	.60			.05
6.26	.35	.60			.05
6.395	.35	.60			.05
6.595	.35	.60			.05

(1-4)

Basic Hourly Rates	Fringe Benefits Payments				Gr. 12
	H & W	Pensions	Vacation	App. Tr.	
\$6.42	.45	.50		.02	
6.73	.45	.50		.02	
7.13	.45	.50		.02	
7.57	.45	.50		.02	

## POWER EQUIPMENT OPERATORS:

Group I  
Air Compressor Operator; Field Equipment Helper; Heavy Duty Repair Oiler; Pump Operator

Group II  
Conveyor Operator; Generator Operator-Portable; Power Grizzly Operator; Self-Propelled Chip Spreading Machine-Conveyor Operator; Watch Fireman; Welding Machine Operator - Gasoline and Diesel Power

Group III  
Concrete Mixer Operator-Skip Type; Dinky Operator - (under 20 tons wt.); Driver-moto Paver, Slurry Seal Machine, and similar type equipment; Motor Crane Driver; Power Sweeper Operator-Self-propelled; Ross Carrier or Fork Lift Operator; Skip Loader Operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor Operator (Ford, Ferguson, or similar type) with attachments such as fusesno, push blade, post hole auger, mower, etc., excluding compacting equipment

Group IV  
A-Frame Boom Truck or Winch Truck Operator; Asphalt Plant Firemen; Elevator Hoist Operator (including Tuskey Hoist or similar types); Grade Checker (excluding Civil Engineer); Multiple Power Concrete Saw Operator; Pavement Breaker, Mechanical Compactor Operator, power propelled; Roller Operator - all types except as otherwise classified; Screed Operator; Self-propelled Chip Spreading Machine Operator (including Slurry Seal Machine Operator) Stationary Pipewrapping and Cleaning Machine Operator; Tugger Operator



## NOTICES

POWER EQUIPMENT OPERATORS: (Cont'd)						POWER EQUIPMENT OPERATORS: (Cont'd)										
Basic Hourly Rates			Fringe Benefits Payments			Basic Hourly Rates			Fringe Benefits Payments							
H & W	Pensions	Vacation	App. Tr.	Other		H & W	Pensions	Vacation	App. Tr.	Other						
<p>Group V</p> <p>Aggregate Plant Operator (including crushing screening and sand plants, etc.); Asphalt Laydown Machine Operator; Asphalt Plant Mixer Operator; Beltcrete Machine; Boring Machine Operator; Concrete Mechanical Tamping, spreading or finishing Machine (incl. Clary, Johnson or similar types); Concrete Pump Operator; Concrete Batch Plant Operator, all types &amp; sizes; Conductor, Brakeman, or Handler; Elevating Grader Operator - all types and sizes (except as otherwise classified); Field Equipment Serviceman; Highline Cableway Signalman; Kolman Belt Loader op. or similar type, w/belt width 48" or over; Locomotive Engineer (including Dinky-20 tons weight and over); Moto-paver and similar type equipment Operator; Operating Engineer Rigger; Pneumatic-tired Scraper Op. (Turnapull, Euclid, Cat, D-W, Hancock &amp; similar equipment) up to &amp; incl. 12 cu. yds.; Power Jumbo Form Setter Operator; Pressure Grout Machine Op. (as used in heavy engineering construction); Road Oil Mixing Machine Operator; Roller Operator-on all types asphalt pavement; Self-Propelled Compactor, with blade; Skip Loader Operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip Form Operator (Power driven lifting device for concrete forms); Soil Cement Road Mixing Machine Operator - single pass type; Stationary Central Generating Plant Operator - rated 300 k.w. or more; surface Heater and Planer Operator; Traveling Pipewrapping Machine Operator</p>						\$8.01	.15	.50	.02							
<p>Group V-A</p> <p>Heavy Duty Mechanic and/or Welder; Pneumatic tired scraper, all sizes &amp; types over 12 cu. yds. up to &amp; incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat D-W Hancock, and similar equipment); Tractor Operator (Pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching Machine Op.</p>						8.27	.15	.50	.02							
						\$8.55	.15	.50	.02							



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## POWER EQUIPMENT OPERATORS: (Cont'd)

Group VII (Cont'd)  
head and tail tower; Remote Control Earth Moving Equipment Operator; Skip Loader Operator - all types with rated capacity of 8 cu. yds. or more; Universal Equipment - Shovel, Backhoe, Dragline, Clamshell, etc., 8 cu. yds. and over

MULTIPLE-UNIT EARTH MOVING EQUIPMENT:  
Tractor Operator-Pneumatic-tired or track type, two units - fifty cents (50c) per hour more than the base single-unit rate established in Group V, Group V-A, or Group VI, and one dollar (\$1.00) per hour for each additional unit.

All Operators, Oiler, & Motor Crane Drivers on equipment with booms of 80 & over, incl. jib shall receive .0075 (3/4 of a cent) per foot per hour premium pay additional to the regular rate of pay.

Oiler shall be required on all track or crawler-type cranes, backhoes, shovels, clamshells, draglines, gradalls, etc.

Oiler drivers shall be required on all truck mounted or self-propelled excavating and/or hoisting equipment having the configuration for two men.

Basic Hourly Rates	Fringe Benefits Payments				App. Yr.	Other
	H & W	Pensions	Vacation			
\$9.05	.45	.50			.02	

(1-2)

Basic Hourly Rates	Fringe Benefits Payments				App. Yr.
	H & W	Pensions	Vacation		
\$ 5.67	.35	.60			.02
5.78	.35	.60			.02
5.94	.35	.60			.02
6.23	.35	.60			.02
6.36	.35	.60			.02
6.50	.35	.60			.02

## TRUCK DRIVERS:

## GROUP I

PICKUP; STATION WAGON; TEAMSTERS

## GROUP II

BUGGYMOBILE, 1 C.Y. OR LESS; Bulk Cement Spreader (2 or 3 Axle); Bus Driver; Dump (2 or 3 Axle); Flatrack (2 or 3 Axle); Water (under 2500 gal.)

## GROUP III

BULK CEMENT SPREADER (4 AXLE); Dump (4 Axle); Dumptor or Dumpster, less than 7 c.y.; Flatrack (4 Axle); Water (2500 gal. but less than 4000 gal.)

## GROUP IV

BULK CEMENT SPREADER (5 AXLE); Dump (5 Axle); Dumptor or Dumpster, 7 c.y. but less than 16 c.y.; Flaherty Spreader or similar type equipment or Leverman; Flatrack (5 Axle); Slurry-Type Equipment or Leverman; Transit Mix, 8 c.y. or less mixer capacity

## GROUP V

BULK CEMENT SPREADER (6 Axle); Dump (6 Axle); Flatrack (6 Axle); Rock Truck (Dart, Euclid and other similar type end dumps, single unit) less than 16 c.y.

## GROUP V - A

OIL TANKER OR SPREADER TRUCK DRIVER and/or Bootman, Retortman or Leverman

## GROUP VI

BULK CEMENT SPREADER (7 Axle); Concrete Pump Truck Driver, (when integral part of transit mix truck); Dump (7 Axle); Flatrack (7 Axle);



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## TRUCK DRIVERS: (CONT'D)

## GROUP VI (CONT'D)

Hydro Lift, Swedish Crane, Iowa 300 and similar types; Ross Carrier Fork Lift or Lift Truck; Transit Mix, over 10.5 c.y. but less than 14 c.y. mixer capacity

## GROUP VII

BULK CEMENT SPREADER (8 AXLE); Dump (8 Axle); Flatrack (8 Axle)

## GROUP VIII

OFF-HIGHWAY EQUIPMENT DRIVER (2 or 4 wheel power unit, i.e. Cat DW series, Euclid, International, and similar type equipment, transporting material when top loaded or by external means, including pulling water tanks, fuel tanks, or other Teamsters classifications; Bulk Cement Spreader (9 Axle); Dump (9 Axle); Dumpster or Dumpster, 16 c.y. and over; Eject-allis; Flat-rack (9 Axle); Rock Truck (Dart, Euclid, or other similar end dump types) 16 c.y. and over

HEAVY DUTY MECHANIC/WELDER

HEAVY DUTY MECHANIC/WELDER HELPER

FIELD EQUIPMENT SERVICEMAN or Fuel Truck Driver

Combination Man - 30¢ over the highest rated work

Multiple-unit equipment driver - two units 50¢ per hour more than the base single unit rate established in Group 8 above; and \$1.00 per hour for each additional unit

Basic Hourly Rates	Fringe Benefits Payments			
	H & V	Pensions	Vacation	Asp. Tr.
\$6.61	.35	.60		.02
6.95	.35	.60		.02
7.365	.35	.60		.02
8.24	.35	.60		.02
6.39	.35	.60		.02
7.98	.35	.60		.02



AP-222 P. 2

SUPERSEDES DECISION

STATE: Arizona

COUNTIES: Cochise and Pima

DECISION NO. AP-222

DATE: Date of Publication

Supersedes Decision No. AM-6,722 dated April 21, 1972 in 37 FR 7925

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	(1-2) Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	\$8.38	.35	.10		
BOILERMAKERS	7.20	.60	1.00	.50	.02
BRICKLAYERS; Stonemasons:					
Zone A (Tucson City limits through 10 miles)	7.175	.10	.30	.25	.02
Zone B (Tucson City limits 10-25 miles)	7.55	.40	.30	.25	.02
Zone C (Tucson City limits 25-40 miles)	7.925	.40	.30	.25	.02
Zone D (Tucson City limits over 40 miles)	8.675	.40	.30	.25	.02
CARPENTERS:					
Carpenters	7.75	.35	.60		.025
Millwrights	8.125	.35	.60		.025
Piledrivers	8.00	.35	.60		.025
CEMENT MASONS	7.585	.35	.65		
ELECTRICIANS:					
Zone A (within 16 miles of City Hall, Tucson)	8.35	.30	1%		$\frac{1}{2}\%$
Zone B (From 16-32 miles from City Hall)	9.05	.30	1%		$\frac{1}{2}\%$
Zone C (From 32-48 miles from City Hall)	9.65	.30	1%		$\frac{1}{2}\%$
Zone D (48 miles & over)	10.35	.30	1%		$\frac{1}{2}\%$
ELEVATOR CONSTRUCTORS	7.58	.185	.20	2%+a	
ELEVATOR CONSTRUCTORS' HELPERS	7.04JR	.185	.20	2%+a	
ELEVATOR CONSTRUCTORS' HELPERS (PROB. 6 mo.)	5.04JR				
IRONWORKERS:					
Structural & Ornamental	8.58	.43	.425		.04
Reinforcing	8.58	.43	.425		.04
LATHERS:					
Zone A (Area to 30 miles from Tucson)	8.16	.20			
Zone B (Area 30-40 miles from Tucson)	8.66	.20			
Zone C (Area 40-50 miles from Tucson)	8.91	.20			
Zone D (Area outside Zone C)	9.66	.20			
PAINTERS, Brush:					
Zone A (1-30 miles from Tucson P.O.)	5.59	.27	.25	.25	.02
Zone B (31-40 miles from Tucson P.O.)	6.34	.27	.25	.25	.02
Zone C (41-50 miles from Tucson P.O.)	6.59	.27	.25	.25	.02
Zone D (51 miles & over)	6.84	.27	.25	.25	.02
PAINTERS, Structural Steel, brush:					
Zone A (1-30 miles from Tucson P.O.)	6.64	.27	.25	.25	.02
Zone B (31-40 miles from Tucson P.O.)	7.39	.27	.25	.25	.02
Zone C (41-50 miles from Tucson P.O.)	7.64	.27	.25	.25	.02
Zone D (51 miles & over)	7.89	.27	.25	.25	.02

## PLASTERERS:

Zone A (0-30 miles from Tucson P.O.)  
 Zone B (30-40 miles from Tucson P.O.)  
 Zone C (40-50 miles from Tucson P.O.)  
 Zone D (over 50 miles from Tucson P.O.)

## PLUMBERS; Steamfitters

Zone I (0-15 miles from Tucson)  
 Zone II (15-30 miles from Tucson)  
 Zone III (30-45 miles from Tucson)  
 Zone IV (45 miles & beyond Tucson)

## ROOFERS:

Zone A  
 Waterproofing, Asbestos, Shingle & Tile  
 Enamel & Pitch  
 Zone B  
 Waterproofing, Asbestos, Shingle & Tile

## SHEET METAL WORKERS:

Zone A (0-17 miles from Tucson)  
 Zone B (18-23 miles from Tucson)  
 Zone C (24-31 miles from Tucson)  
 Zone D (32-43 miles from Tucson)  
 Zone E (44 miles & over from Tucson)

## SPRINKLER FITTERS

## LINE CONSTRUCTION:

Zone 1 (Tucson and 30 miles radius):  
 Linemen  
 Cable Splicers  
 Equipment Operators  
 Groundman  
 Zone 2 (Other Areas)  
 Linemen  
 Cable Splicer  
 Equipment Operators  
 Groundman

## FOOTNOTE:

a. Employer credits  $\frac{1}{2}\%$  basic hourly rate of employee with over 5 years' service, 2% basic hourly rate from 6 months to 5 years' service to Vacation Fund.  
 6 Paid Holidays: A through F.

## PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;  
 E-Thanksgiving Day; F-Christmas Day.

(2-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLASTERERS:					
Zone A (0-30 miles from Tucson P.O.)	\$8.12	.30	.45		
Zone B (30-40 miles from Tucson P.O.)	8.62	.30	.45		
Zone C (40-50 miles from Tucson P.O.)	8.87	.30	.45		
Zone D (over 50 miles from Tucson P.O.)	9.62	.30	.45		
PLUMBERS; Steamfitters					
Zone I (0-15 miles from Tucson)	7.74	.45	.70	.75	.06
Zone II (15-30 miles from Tucson)	8.04	.45	.70	.75	.06
Zone III (30-45 miles from Tucson)	8.39	.45	.70	.75	.06
Zone IV (45 miles & beyond Tucson)	9.49	.45	.70	.75	.06
ROOFERS:					
Zone A					
Waterproofing, Asbestos, Shingle & Tile	5.85	.30	.10		.02
Enamel & Pitch	6.85	.30	.10		.02
Zone B					
Waterproofing, Asbestos, Shingle & Tile	7.10	.30	.10		.02
Enamel & Pitch	8.10	.30	.10		.02
SHEET METAL WORKERS:					
Zone A (0-17 miles from Tucson)	6.83	.18	1.00		.01
Zone B (18-23 miles from Tucson)	7.28	.18	1.00		.01
Zone C (24-31 miles from Tucson)	7.73	.18	1.00		.01
Zone D (32-43 miles from Tucson)	8.33	.18	1.00		.01
Zone E (44 miles & over from Tucson)	8.78	.18	1.00		.01
SPRINKLER FITTERS	7.95	.25	.40		.05
LINE CONSTRUCTION:					
Zone 1 (Tucson and 30 miles radius):					
Linemen	7.40	.23	5%		$\frac{1}{2}\%$
Cable Splicers	7.66	.23	5%		$\frac{1}{2}\%$
Equipment Operators	6.96	.23	5%		$\frac{1}{2}\%$
Groundman	6.04	.23	5%		$\frac{1}{2}\%$
Zone 2 (Other Areas)					
Linemen	8.55	.23	5%		$\frac{1}{2}\%$
Cable Splicer	8.81	.23	5%		$\frac{1}{2}\%$
Equipment Operators	8.11	.23	5%		$\frac{1}{2}\%$
Groundman	7.21	.23	5%		$\frac{1}{2}\%$



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(2-3)

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation			
\$5.97	.35	.60			.05	
6.275	.35	.60			.05	
6.785	.35	.60			.05	
6.135	.35	.60			.05	
6.45	.35	.60			.05	

## LAFORRES: (Cont'd)

## GROUP V

AIR AND WATER WASH-OUT NOZZLEMAN; Asphalt Rakers and Ironers; Driller; Grade Setter (pipeline); Hand Guided Trencher and Similar Operated Equipment; Jackhammer and/or Pavement breakers; Pipe Layer (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock Slinger; Scaler (using Bos'ns Chair or Safety Belt); Tampers (mechanical - all types)

## GROUP VI

CONCRETE CUTTING TECH; CONCRETE SAW (Hand guided); Driller (Core, Diamond, Wagon or Air Track); Drill Doctor and/or Air Tool Repairman; Gunman and Mixerman (Gunite); Sandblaster (Nozzleman)

## GROUP VII

CONCRETE ROAD FORM SETTER; Gunite Nozzleman or Rodman; Drillers, Joy Mustang, FR 143, 2200 Gardner-Denver, Hydromatic; Powder Man; Scaler (Drillers); Welders and/or Pipe Layers installing process piping

## MASON TENDERS

## PLASTERERS' TENDERS

Employees working underground shall receive twenty cents (20¢) per hour additional above the regular rate, except where herein specifically covered

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(1-3)

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation			
\$5.53	.35	.60			.05	
5.64	.35	.60			.05	
5.75	.35	.60			.05	
5.83	.35	.60			.05	

## LAFORRES:

## GROUP I

ALL HELPERS NOT HEREIN SEPARATELY CLASSIFIED; Cesspool Diggers and Installers; Chat Box Man; Checker, Tool Dispatcher; Concrete Dump Man-belt, Pipe and/or Hoseman; Lumpman and/or Spotter; Fence Builder, Guard Rail Builder Hvy.; Form Strippers; Labor, General or Construction; Landscape Gardener & Nurseryman; Packing Rod Steel and Pans; Rip Rap Stoneman

## GROUP II

CEMENT FINISHER TENDER; Concrete Curer (Impervious membrane); Cutting Torch Operator; Fine Grader (Highway, Engineering and Sewer Work only); Kettleman - Therman; Power Type Concrete Buggy

## GROUP III

BANDER; CHUCKTENDER (except Tunnel); Crescote Tieman; Guinea Chaser; Powderman Helper; Rip-Rap Stone Paver; Sandblaster (Pot Tender); Spikers & Wrenchers

## GROUP IV

CEMENT DUMPERS (Skip-type mixer or handling bulk cement); Chain Saw Machines (on clearing and grubbing); Concrete Vibrating Machines; Cribber and Shorer (except Tunnel); Floor Sanders - Concrete; Hydraulic Jacks, and similar mechanical tools not separately herein classified; Operators and Tenders of Pneumatic and electric tools; Pipe Caulker and/or Backup Man (pipeline); Pipe Wrapper; Pneumatic Gopher; Rigger/signalman (pipeline)



## LABORERS (Cont'd)

Laborers employed where they may have a free fall over thirty (30) feet or on construction scaffolds above thirty (30) feet or Bos'n Chair above thirty (30) feet, or where gas masks are necessary, shall receive fifty cents (50¢) per hour in addition to their regular rate, except where inherent in classifications.

## TUNNEL AND SHAFT WORKERS

## GROUP I

BULL GANG, MUCKERS, TRACKMAN; DUFFMEN; Concrete Crew (includes Rodders and Spreaders); Grout Crew; Skammer (Brakeman and Switchmen on Tunnel Work)

## GROUP II

NIPPER; CHUCKTENDER, CABLETENDER; Vibratorman, Jackhammer, Pneumatic Tools (except Driller)

## GROUP III

GROUT GUNMAN

## GROUP IV

TIMEKEEPER, RETIMERMAN - wood or steel Blaster, Driller Powderman; Cherry Pickerman; Powderman - Primer House; Steel Form Raiser and Setter; Kemper and other Pneumatic Concrete Placer Operator; Miner - Finisher

## GROUP IV - A

MINERS - Tunnel (Hand or Machine)

## GROUP V

DIAMOND DRILL

## GROUP V-A

SHAFT AND RAISE MINER WELDER

(3-3)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$5.725	.35	.60			
5.86	.35	.60		.05	
5.96	.35	.60		.05	
6.06	.35	.60		.05	
6.26	.35	.60		.05	
6.395	.35	.60		.05	
6.595	.35	.60		.05	

(1-4)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$6.42	.45	.50		.02	
6.73	.45	.50		.02	
7.13	.45	.50		.02	
7.57	.45	.50		.02	

## POWER EQUIPMENT OPERATORS:

## Group I

Air Compressor Operator; Field Equipment Helper; Heavy Duty Repair Helper; Heavy Duty Welder Helper; Oilier; Pump Operator

## Group II

Conveyor Operator; Generator Operator-Portable; Power Grizzly Operator; Self-Propelled Chip Spreading Machine-Conveyor Operator; Watch Fireman; Welding Machine Operator - Gasoline and Diesel Power

## Group III

Concrete Mixer Operator-Skip Type; Dinky Operator - (under 20 tons wt.); Driver-moto Paver, Slurry Seal Machine, and similar type equipment; Motor Crane Driver; Power Sweeper Operator-Self-propelled; Ross Carrier or Fork Lift Operator; Skip Loader Operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor Operator (Ford, Ferguson, or similar type) with attachments such as fresno, push blade, post hole auger, mower, etc., excluding compacting equipment

## Group IV

A-Frame Boom Truck or Winch Truck Operator; Asphalt Plant Fireman; Elevator Hoist Operator (including Tuskley Hoist or similar types); Grade Checker (excluding Civil Engineer); Multiple Power Concrete Saw Operator; Pavement Breaker, Mechanical Compactor Operator power propelled; Roller Operator - all types except as otherwise classified; Screed Operator; Self-propelled Chip Spreading Machine Operator (including Slurry Seal Machine Operator) Stationary Pipewrapping and Cleaning Machine Operator; Tugger Operator



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(2-4)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				Offs.
		H & V	Pensions	Vacation	App. Tr.	
<p>Group V</p> <p>Aggregate Plant Operator (including crushing screening and sand plants, etc.); Asphalt Laydown Machine Operator; Asphalt Plant Mixer Operator; Beltcrete Machine; Boring Machine Operator; Concrete Mechanical Tamping, spreading or finishing Machine (incl. Clary, Johnson or similar types); Concrete Pump Operator; Concrete Batch Plant Operator, all types &amp; sizes; Conductor, Brakeman, or Handler; Elevating Grader Operator - all types and sizes (except as otherwise classified); Field Equipment Serviceman; Highline Cableway Signalman; Kolman Belt Loader op. or similar type, w/belt width 48" or over; Locomotive Engineer (including Dinky-20 tons weight and over); Moto-paver and similar type equipment Operator; Operating Engineer Rigger; Pneumatic-tired Scraper Op. (Turnapull, Euclid, Cat, D-W, Hancock &amp; similar equipment) up to &amp; incl. 12 cu. yds.; Power Jumbo Form Setter Operator; Pressure Grout Machine Op. (as used in heavy engineering construction); Road Oil Mixing Machine Operator; Roller Operator-on all types asphalt pavement; Self-Propelled Compactor, with blade; Skip Loader Operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip Form Operator (Power driven lifting device for concrete forms); Soil Cement Road Mixing Machine Operator - single pass type; Stationary Central Generating Plant Operator - rated 300 k.w. or more; surface Heater and Planer Operator; Traveling Pipewrapping Machine Operator</p>	\$8.01	.45	.50		.02	
<p>Group V-A</p> <p>Heavy Duty Mechanic and/or Welder; Pneumatic tired scraper, all sizes &amp; types over 12 cu. yds. up to &amp; incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat D-W Hancock, and similar equipment); Tractor Operator (Pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching Machine Op.</p>	8.27	.45	.50		.02	

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(3-4)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				Offs.
		H & V	Pensions	Vacation	App. Tr.	
<p>Group VI</p> <p>Auto-Grade Machine (CMI and similar equipment); Boring Machine Operator (including Mole, Badger and similar type); Concrete Mixer Operator-Paving type, and Mobile Mixer; Concrete Pump Operator with boom attachment (Truck Mounted); Crane Operator-Crawler and Pneumatic type, under 100 ton capacity MRC; Crawler type tractor Operator - with boom attachment; Derrick Operator; Forklift op. for hoisting personnel; Grade-all operator; Helicopter Hoist; Highline Cableway Op. (less than 20 tons rated capacity); Mass Excavator Op. (150 Bucyrus Erie &amp; similar types); Mechanical Hoist Operator (two or more drums); Motor Grader Operator - any type power blade; Motor Grader Operator with elevating Grader Attachment; Mucking Machine Operator; Overhead Crane Operator; Piledriver Engineer (portable, stationary or skid rig); Pneumatic-tired Scraper Op. - all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment over 45 cu. yds. MRC); Power Driven Ditch Lining or Ditch Trimming Machine Operator; Skip Loader Operator - all types with rated capacity 4 cu. yds. but less than 8 cu. yds.; Slip Form Paving Machine Op. (including Gummert, Zimmerman &amp; similar types); Specialized Power Digger Op. - attached to wheel-type tractor; Tower Crane (or similar type) Op.; Tractor Op. (pusher, Bulldozer, Scraper) 400 net horsepower and over; Tugger Op. (two or more); Universal Equipment Op. - Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.</p>	\$8.55	.45	.50		.02	
<p>Group VII</p> <p>Crawler Operator - Pneumatic or Crawler (100 ton hoisting capacity and over MRC rating); Helicopter Pilot - FAA qualified when used in construction work; Highline Cableway Op., over 20 ton rated capacity and using traveling</p>						



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	Basic Hourly Rates	(4-4) Fringe Benefits Payments				(1-2) Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Yr.	H & W	Pensions	Vacation	App. Yr.
POWER EQUIPMENT OPERATORS: (Cont'd)									
Group VII (Cont'd)									
Head and tail tower; Remote Control Earth Moving Equipment Operator; Skip Loader Operator - all types with rated capacity of 8 cu. yds. or more; Universal Equipment - Shovel, Backhoe, Dragline, Clamshell, etc., 8 cu. yds. and over	\$9.05	.45	.50		.02		.60		.02
MULTIPLE-UNIT EARTH MOVING EQUIPMENT: Tractor Operator-Pneumatic-tired or track type, two units - fifty cents (50¢) per hour more than the base single-unit rate established in Group V, Group V-A, or Group VI, and one dollar (\$1.00) per hour for each additional unit.							.60		.02
All Operators, Oiler, & Motor Crane Drivers on equipment with booms of 80 & over, incl. jib shall receive .0075 (3/4 of a cent) per foot per hour premium pay additional to the regular rate of pay.							.60		.02
Oiler shall be required on all track or crawler-type cranes, backhoes, shovels, clamshells, draglines, gradalls, etc.							.60		.02
Oiler drivers shall be required on all truck mounted or self-propelled excavating and/or hoisting equipment having the configuration for two men.							.60		.02
TRUCK DRIVERS:									
GROUP I									
PICKUP; STATION WAGON; TEAMSTERS	\$ 5.67	.35					.60		.02
GROUP II									
BUGGY/MOBILE, 1 C.Y. OR LESS; Bulk Cement Spreader (2 or 3 Axle); Bus Driver; Dump (2 or 3 Axle); Flatrack (2 or 3 Axle); Water (under 2500 gal.)	5.78	.35					.60		.02
GROUP III									
BULK CEMENT SPREADER (4 AXLE); Dump (4 Axle); Dumptor or Dumpster, less than 7 c.y.; Flatrack (4 Axle); Water (2500 gal. but less than 4000 gal.)	5.94	.35					.60		.02
GROUP IV									
BULK CEMENT SPREADER (5 AXLE); Dump (5 Axle); Dumptor or Dumpster, 7 c.y. but less than 16 c.y.; Flaherty Spreader or similar type equipment or Leverman; Flatrack (5 Axle); Slurry-Type Equipment or Leverman; Transit Mix, 8 c.y. or less mixer capacity	6.23	.35					.60		.02
GROUP V									
BULK CEMENT SPREADER (6 Axle); Dump (6 Axle); Flatrack (6 Axle); Rock Truck (Dart, Euclid and other similar type end dumps, single unit) less than 16 c.y.	6.36	.35					.60		.02
GROUP V - A									
OIL TANKER OR SPREADER TRUCK DRIVER and/or Bootman, Retortman or Leverman	6.50	.35					.60		.02
GROUP VI									
BULK CEMENT SPREADER (7 Axle); Concrete Pump Truck Driver, (when integral part of transit mix truck); Dump (7 Axle); Flatrack (7 Axle);									



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## TRUCK DRIVERS: (CONT'D)

## GROUP VI (CONT'D)

Hydro Lift, Swedish Crane, Iowa 300 and similar types; Ross Carrier Fork Lift or Lift Truck; Transit Mix, over 10.5 c.y. but less than 14 c.y. mixer capacity

## GROUP VII

BULK CEMENT SPREADER (8 AXLE); Dump (8 Axle); Flatrack (8 Axle)

## GROUP VIII

OFF-HIGHWAY EQUIPMENT DRIVER (2 or 4 wheel power unit, i.e. Cat DW series, Euclid, International, and similar type equipment, transporting material when top loaded or by external means, including pulling water tanks, fuel tanks, or other Teamsters classifications; Bulk Cement Spreader (9 Axle); Dump (9 Axle); Dumptor or Dumpster, 16 c.y. and over; Eject-allis; Flat-rack (9 Axle); Rock Truck (Dart, Euclid, or other similar end dump types) 16 c.y. and over

HEAVY DUTY MECHANIC/WELDER

HEAVY DUTY MECHANIC/WELDER HELPER

FIELD EQUIPMENT SERVICEMAN or Fuel Truck Driver

Combination Man - 30¢ over the highest rated work

Multiple-unit equipment driver - two units 50¢ per hour more than the base single unit rate established in Group 8 above; and \$1.00 per hour for each additional unit

Basic Hourly Rates	Fringe Benefits Payments				O--
	H & W	Pensions	Vacation	Apr. Tr.	
\$6.61	.35	.60		.02	
6.95	.35	.60		.02	
7.365	.35	.60		.02	
8.24	.35	.60		.02	
6.39	.35	.60		.02	
7.98	.35	.60		.02	



AP-223 P. 2

## SUPERSEDES DECISION

COUNTIES: Statewide\*

DECISION NUMBER: AP-223

DATE: Date of Publication

Supersedes Decision No. AP-207 dated July 28, 1972 in 37 FR 15240

## DESCRIPTION OF WORK: Heavy and Highway Construction

\*Establish a point 35 miles due north from the city hall of the City of Flagstaff and establish another point 35 miles due north from the city hall of the City of Kingman, then draw a straight line from the first point to the second point and extend that same line to the intersection of the Arizona-Nevada State Line. Establish a third point 35 miles due north of the city hall of the City of Holbrook and draw a straight line from the first point to the third point and from the third point extend a line due east to the intersection of the Arizona-New Mexico State Line.

## LINE CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ZONE 1. Phoenix-Tucson + 30 miles radius:						
Linenmen	\$7.40	.23	5%		$\frac{1}{2}\%$	
Cable splicers	7.66	.23	5%		$\frac{1}{2}\%$	
Equipment operators; Hole digger; Ditching	6.96	.23	5%		$\frac{1}{2}\%$	
Groundmen	6.04	.23	5%		$\frac{1}{2}\%$	
ZONE 1A. Douglas-Flagstaff-Globe-Kingman-Prescott-Yuma & 10 mile radius:						
Linenmen	7.98	.23	5%		$\frac{1}{2}\%$	
Cable splicer	8.25	.23	5%		$\frac{1}{2}\%$	
Equipment operator; Hole digger; Ditching	7.54	.23	5%		$\frac{1}{2}\%$	
Groundmen	6.63	.23	5%		$\frac{1}{2}\%$	
ZONE 2. Other Areas:						
Linenmen	8.55	.23	5%		$\frac{1}{2}\%$	
Cable splicers	8.81	.23	5%		$\frac{1}{2}\%$	
Equipment operators; Hole digger; Ditching	8.11	.23	5%		$\frac{1}{2}\%$	
Groundmen	7.21	.23	5%		$\frac{1}{2}\%$	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
BRICKLAYERS: (Phoenix Area)						
Bricklayers; Manhole Builders						
Zone A (0-25 miles from the City Hall of Phoenix; Flagstaff & Yuma	\$ 8.35	.35	.30		.03	
Zone B (25-40 miles from the City Hall of Phoenix; & Williams AFB)	9.10	.35	.30		.03	
Zone C (40-70 miles from the City Hall of Phoenix)	9.44	.35	.30		.03	
Zone D (70-100 miles from the City Hall of Phoenix)	9.77	.35	.30		.03	
Zone E (100-200 miles & over from the City Hall of Phoenix)	10.10	.35	.30		.03	
Zone F (200 miles and over from the City Hall of Phoenix)	10.44	.35	.30		.03	
BRICKLAYERS: (Tucson Area)						
Bricklayers						
Zone A (Shall be from the closest Tucson City limits through 10 miles)	7.175	.40	.30	.25	.02	
Zone B (Shall be from the closest Tucson City limits to over 10 miles & no further than 25 miles)	7.55	.40	.30	.25	.02	
Zone C (Shall be from the closest Tucson City limits to over 25 miles & no further than 40 miles)	7.925	.40	.30	.25	.02	
Zone D (Shall be all locations over 40 miles from the closest Tucson City limits)	8.675	.40	.30	.25	.02	
Manhole Builders						
Zone A	7.425	.40	.30	.25	.02	
Zone B	7.80	.40	.30	.25	.02	
Zone C	8.175	.40	.30	.25	.02	
Zone D	8.925	.40	.30	.25	.02	
CARPENTERS:						
(Central & Southern Areas):						
Carpenters	7.75	.35	.60		.025	
Power Tools	8.25	.35	.60		.025	
(Northern Area):						
Carpenters	9.625	.35	.60		.025	
Power Tool Opr.	10.125	.35	.60		.025	
CEMENT MASONS (Central & Southern Areas)	7.585	.35	.65		.025	
CEMENT MASONS (Northern Area)	9.51	.35	.65		.025	



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ELECTRICIANS: (Flagstaff Area)	Fringe Benefits Payments				Basic Hourly Rates
	H & W	Pensions	Vacation	App. Tr.	
Electricians Zone A (In Flagstaff, which shall cover that area lying in a square extending 20 miles North-South, East & West of the Post Office.) (Williams, Winslow, & Sedona covering a square extending 5 miles North-South, East & West of the Post Offices of each town)		1%		1/2%	\$ 8.60
Zone B (All territorial jurisdiction allotted outside of Zone A.)		1%		1/2%	10.10
Cable Splicers Zone A		1%		1/2%	8.80
Zone B		1%		1/2%	10.30
ELECTRICIANS: (Gallup Area - Northern Apache County)		1%		1/2%	7.35
Electricians		1%		1/2%	8.09
Cable Splicers					
ELECTRICIANS: (Globe-Miami Area)					
Electricians					
Zone A (Shall be the area within 16 road miles beginning where the Southern Pacific Railroad intersects Highway 60-70 at Kaiser Crossing)	.30	1%		1/2%	7.25
Zone B (Shall be from the 16th road mile and extend up to and including the 32nd road mile)	.30	1%		1/2%	7.75
Zone C (Shall be from the 32nd road mile and extend up to and including the 48th road mile)	.30	1%		1/2%	8.25
Zone D (Shall be from the 48th road mile and extend to the outside limits of the union's jurisdiction.)	.30	1%		1/2%	8.80
Cable Splicers					
Zone A	.30	1%		1/2%	7.50
Zone B	.30	1%		1/2%	8.00
Zone C	.30	1%		1/2%	8.50
Zone D	.30	1%		1/2%	9.00
ELECTRICIANS: (Phoenix-Kingman-Flagstaff Area)					
Electricians					
Zone A (Phoenix & other areas - Powers Road on the east, from Hunt Highway on the south to one mile south of					

ELECTRICIANS: (Phoenix-Kingman-Flagstaff Area)	Fringe Benefits Payments				Basic Hourly Rates
	H & W	Pensions	Vacation	App. Tr.	
Electricians Zone A					
Pinnacle Peak Road on the North. One mile south of Pinnacle Peak Road to Cotton Lane on the West. Cotton Lane to Pecos Road on the South. Pecos Road to Price Road and from Price Road to Hunt Highway on the South. Hunt Highway to Powers Road on the East. (Kingman & other cities - Zone "A" shall be the area within 16 road miles from the City Hall or central location. Exception to the above shall be Prescott where Zone A shall be 20 road miles from the City Hall.)	.30	1% +.60		1/2%	8.25
Zone B (Phoenix & other areas - shall be from the outside edge of Zone A up to & including 16 road miles from the outside edge of Zone A. (Kingman & other Cities - shall be from the 16th road mile and extend up to & including the 32nd road mile.)	.30	1% +.60		1/2%	9.90
Zone C (Phoenix & other areas - shall commence at 16 road miles from the outside edge of Zone "A" and extends to the outside limits of the Union's jurisdiction.)					
(Kingman & other Cities - shall be from the 32nd road mile and extend to the outside limits of the Union's jurisdiction.)	.30	1% +.60		1/2%	10.73
Cable Splicers					
Zone A	.30	1% +.60		1/2%	8.66
Zone B	.30	1% +.60		1/2%	10.40
Zone C	.30	1% +.60		1/2%	11.27
ELECTRICIANS: (Tucson Area)					
Electricians					
Zone A (Shall be the area within 16 road miles from City Hall of Tucson & Douglas)	.30	1%		1/2%	8.35



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Basic Hourly Rates	Fringe Benefits Payments				Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.	H & W	Pensions	Vacation	App. Tr.
PAINTERS: (Flagstaff Area)								
Brush								
Zone A (From Flagstaff Court House to 20 miles)								
Zone B (20-35 miles from Flagstaff Court House)								
Zone C (35-100 mi. & over from Flagstaff Court House)								
Zone D (100 miles & over from Flagstaff Court House)								
Brush, steel & bridge								
Zone A								
Zone B								
Zone C								
Zone D								
Spray, Steel & bridge								
Zone A								
Zone B								
Zone C								
Zone D								
PAINTERS: (Phoenix Area)								
Brush								
Zone A (0-40 miles from Phoenix Court House; Mesa; & incl. Williams & Lake Fields)								
Zone B (41-60 miles from Phoenix Court House)								
Zone C (61 miles & over from Phoenix Court House)								
Brush, steel & bridge								
Zone A								
Zone B								
Zone C								
Spray, steel & bridge								
Zone A								
Zone B								
Zone C								
PAINTERS: (Tucson Area)								
Brush								
Zone A (1-30 miles from Tucson Post Office)								
Zone B (31-40 miles from Tucson Post Office)								
Zone C (41-50 miles from Tucson Post Office)								
Zone D (51 miles & over from Tucson Post Office)								

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Basic Hourly Rates	Fringe Benefits Payments				Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.	H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS: (Tucson Area) (Cont'd)								
Electricians (Cont'd)								
Zone B (Shall be from the 16th road mile and extend up to and including the 32nd road mile from Tucson only)								
Zone C (Shall be from the 32nd road mile and extend up to and including the 48th road mile from Tucson only)								
Zone D (Shall be from the 48th road mile and extend to the outside limits of the units jurisdiction) and - (Douglas jurisdiction) and - (Douglas jurisdiction) and - (Douglas jurisdiction)								
Zone D shall be from the 16th road mile and extend to the outside limits of the units jurisdiction).								
Cable Splicers								
Zone A								
Zone B								
Zone C								
Zone D								
ELECTRICIANS: (Yuma Area)								
Electricians								
Zone A (Yuma north to Colorado River, east to County Avenue 5E, south to County 16, west to County Avenue E; Cities of Somerton and Parker)								
Zone B (1-16 miles from Zone A)								
Zone C (16 mi. from Zone A - 42 mi. from Zone A)								
Zone D (42 miles from Zone A & out)								
Cable Splicers								
Zone A								
Zone B								
Zone C								
Zone D								
IRONWORKERS: (Central & Southern Areas)								
Structural								
Reinforcing								
IRONWORKERS: (Northern Area)								
Structural								
Reinforcing								



Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation			
\$ 6.64	.27	.25			.02	
7.39	.27	.25			.02	
7.64	.27	.25			.02	
7.89	.27	.25			.02	
7.14	.27	.25			.02	
7.89	.27	.25			.02	
8.14	.27	.25			.02	
8.39	.27	.25			.02	
5.85						
6.16						
6.66						
6.10						
6.41						
6.91						
6.50						
6.81						
7.31						

Northern area of Arizona

LABORERS:  
GROUP I

ALL HELPERS NOT HEREIN SEPARATELY CLASSIFIED; Cesspool Diggers and Installers; Chat Box Man; Checker, Tool Dispatcher; Concrete Dump Man-belt, Pipe and/or Hoseman; Dumpman and/or Spotter; Fence Builder, Guard Rail Builder Hwy.; Form Strippers; Labor, General or Construction; Landscape Gardener & Nurseryman; Packing Road Steel and Pans; Rip Rap Stone man

GROUP II

CEMENT FINISHER TENDER; Concrete curer (Impervious membrane); Cutting Torch Operator; Fine Grader (Highway, Engineering and Sewer Work only); Kettleman - Tarman; Power Type Concrete Buggy

GROUP III

BANDER; CHUCKTENDER (except Tunnel); Creosote Tieman; Guinea Chaser; Powderman Helper; Rip-Rap Stone Paver; Sandblaster (Pot Tender); Spikers & Wrenchers

GROUP IV

CEMENT DUMPERS (Skip-type mixer or handling bulk cement); Chain Saw Machines (on clearing and grubbing); Concrete Vibrating Machines; Cribber and Shorer (except Tunnel); Floor Sanders - Concrete; Hydraulic Jacks, and similar mechanical tools not separately herein classified; Operators and Tenders of Pneumatic and electric tools; Pipe Caulker and/or Backup Man (pipeline); Pipe Wrapper; Pneumatic Gopher; Rigger/signman (pipeline)

(1-3)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$ 7.155	.35	.60		.05
7.265	.35	.60		.05
7.375	.35	.60		.05
7.455	.35	.60		.05



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LABORERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
<u>GROUP V</u>					
AIR AND WATER WASH-OUT NOZZLEMAN; Asphalt Rakers and Ironers; Driller; Grade Setter (pipeline); Hand Guided Trencher and Similar Operated Equipment; Jackhammer and/or Pavement Breakers; Pipe Layer (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock Slinger; Scaler (using Bos'n's Chair of Safety Belt); Tampers (mechanical - all types)	\$7.595	.35	.60		.05
<u>GROUP VI</u>					
CONCRETE CUTTING TORCH; CONCRETE SAW (Hand guided); Driller (Core, Diamond, Wagon or Air Track); Drill Doctor and/or Air Tool Repairman; Gunman and Mixerman (Gummit); Sandblaster (Nozzleman)	7.90	.35	.60		.05
<u>GROUP VII</u>					
CONCRETE ROAD FORM SETTER; Gummit Nozzleman or Rodman; Drillers, Joy Mustang, PR 143, 2200 Gardner-Denver, Hydrasonic; Powder Man; Scaler (Drillers); Welders and/or Pipe Layers installing process piping	8.41	.35	.60		.05
MASON TENDERS	7.21	.30	.45		.05
PLASTERERS' TENDERS	7.525	.30	.45		.05

Employees working underground shall receive twenty cents (20c) per hour additional above the regular rate, except where herein specifically covered.

Laborers employed where they may have a free fall over thirty (30) feet or on construction scaffolds above thirty (30) feet or Bos'n Chair above thirty (30) feet, or where gas masks are necessary, shall receive fifty cents (50c) per hour in addition to their regular rate, except where inherent in classifications.

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LABORERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
<u>TUNNEL AND SHAFT WORKERS</u>					
<u>GROUP I</u>					
BULL GANG, MUCKERS, TRACKMAN; DUMPMEN; Concrete Crew (includes Rodders and Spreaders); Grout Crew; Swamper (Brakeman and Switchmen on Tunnel Work)	\$7.35	.35	.60		.05
<u>GROUP II</u>					
NIPPER; CHUCKTENDER, CABLETENDER; Vibratorman, Jackhammer, Pneumatic Tools (except Driller)	7.485	.35	.60		.05
<u>GROUP III</u>					
GROUT GUNMAN	7.585	.35	.60		.05
<u>GROUP IV</u>					
TIMBERMAN, RETIMBERMAN - wood or steel Blaster, Driller Powderman; Cherry Pickerman; Powderman - Primer House; Steel Form Raiser and Setter; Kemper and other Pneumatic Concrete Placer Operator; Miner - Finisher	7.685	.35	.60		.05
<u>GROUP IV - A</u>					
MINERS - Tunnel (Hand or Machine)	7.885	.35	.60		.05
<u>GROUP V</u>					
DIAMOND DRILL	8.02	.35	.60		.05
<u>GROUP V - A</u>					
SHAFT AND RAISE MINER WELDER	8.22	.35	.60		.05



## POWER EQUIPMENT OPERATORS:

	Basic Hourly Rates	Fringe Benefits Payments (1-4)				
		H & W	Pensions	Vacation	App. Tr.	Other
Group I Air Compressor Operator; Field Equipment Helper; Heavy Duty Repair Helper; Heavy Duty Welder Helper; Oiler; Pump Operator	\$8.06	.45	.50		.02	
Group II Conveyor Operator; Generator Operator-Portable; Power Grizzly Operator; Self-Propelled Chip Spreading Machine-Conveyor Operator; Watch Fireman; Welding Machine Operator - Gasoline and Diesel Power	8.35	.45	.50		.02	
Group III Concrete Mixer Operator-Skip Type; Dinky Operator - (under 20 tons wt.); Driver-moto Paver, Slurry Seal Machine, and similar type equipment; Motor Crane Driver; Power Sweeper Operator-Self-propelled; Ross Carrier or Fork Lift Operator; Skip Loader Operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor Operator (Ford, Ferguson, or similar type) with attachments such as fresno, push blade, post hole auger, mower, etc., excluding compacting equipment	8.75	.45	.50		.02	
Group IV A-Frame Boom Truck or Winch Truck Operator; Asphalt Plant Fireman; Elevator Hoist Operator (including Tuskey Hoist or similar types); Grade Checker (excluding Civil Engineer); Multiple Power Concrete Saw Operator; Pavement Breaker, Mechanical Compactor Operator, power propelled; Roller Operator - all types except as otherwise classified; Screed Operator; Self-propelled Chip Spreading Machine Operator (including Slurry Seal Machine Operator) Stationary Pipewrapping and Cleaning Machine Operator; Tugger Operator	9.19	.45	.50		.02	

## NOTICES

(2-4)

## POWER EQUIPMENT OPERATORS: (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments (2-4)				
		H & W	Pensions	Vacation	App. Tr.	Other
Group V Aggregate Plant Operator (including crushing screening and sand plants, etc.); Asphalt Laydown Machine Operator; Asphalt Plant Mixer Operator; Belterrete Machine; Boring Machine Operator; Concrete Mechanical Tamping, spreading or finishing Machine (incl. Clary, Johnson or similar types); Concrete Pump Operator; Concrete Batch Plant Operator, all types and sizes; Conductor, Brakeman, or Handler; Elevating Grader Operator - all types and sizes (except as otherwise classified); Field Equipment Serviceman; Highline Cableway Signalman; Kolman Belt Loader op. or similar type, w/belt width 48" or over; Locomotive Engineer (including Dinky-20 tons weight and over); Moto-paver and similar type equipment Operator; Operating Engineer Rigger; Pneumatic-tired Scraper Op. (Turnapull, Euclid, Cat, D-W, Hancock & similar equipment) up to & incl. 12 cu. yds.; Power Jumbo Form Setter Operator; Pressure Grout Machine Op. (as used in heavy engineering construction); Road Oil Mixing Machine Operator; Roller Operator-on all types asphalt pavement; Self-Propelled Compactor, with blade; Skip Loader Operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip Form Operator (Power driven lifting device for concrete forms); Soil Cement Road Mixing Machine Operator - single pass type; Stationary Central Generating Plant Operator - rated 300 k.w. or more; surface Heater and Planer Operator; Traveling Pipewrapping Machine Operator	\$9.63	.45	.50		.02	
Group V-A Heavy Duty Mechanic and/or Welder; Pneumatic tired scraper, all sizes & types over 12 cu. yds. up to & incl. 45 cu. yds. XRC (Turnapull, Euclid, Cat D-W Hancock, and similar equipment); Tractor Operator (pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching Machine Op.	9.89	.45	.50		.02	



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POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group VI Auto-Grade Machine (CMI and similar equipment); Boring Machine Operator (including Mole, Badger and similar type); Concrete Mixer Operator-Paving type; and Mobile Mixer; Concrete Pump Operator with boom attachment (Truck Mounted); Crane Operator-Crawler and Pneumatic type, under 100 ton capacity MRC; Crawler type tractor Operator - with boom attachment; Derrick Operator; Forklift op. for hoisting personnel; Grade-all operator; Helicopter Hoist; Highline Cableway Op. (less than 20 tons rated capacity); Mass Excavator Op. (150 Bucyrus Erie & similar types); Mechanical Hoist Operator (two or more drums); Motor Grade Operator - any type power blade; Motor Grader Operator with elevating Grader Attachment; Mucking Machine Operator; Overhead Crane Operator; Piledriver Engineer (portable, stationary or skid rig); Pneumatic-tired Scraper Op. - all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment over 45 cu. yds. MRC); Power Driven Ditch Lining or Ditch Trimming Machine Operator; Skip Loader Operator - all types with rated capacity 4 cu. yds. but less than 8 cu. yds.; Slip Form Paving Machine Op. (including Gummert, Zimmerman & similar types); Specialized Power Digger Op. - attached to wheel-type tractor; Tower Crane (or similar type) Op.; Tractor Op. (pusher, Bulldozer, Scraper) 400 net horsepower and over; Tugger Op. (two or more); Universal Equipment Op. - Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.	\$10.17	.45	.50		.02

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(4-4)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group VII (Cont'd) head and tail tower; Remote Control Earth Moving Equipment Operator; Skip Loader Operator - all types with rated capacity of 8 cu. yds. or more; Universal Equipment - Shovel, Backhoe, Dragline, Clamshell, etc., 8 cu. yds. and over  MULTIPLE-UNIT EARTH MOVING EQUIPMENT: Tractor Operator-Pneumatic-tired or track type, two units - fifty cents (50c) per hour more than the base single-unit rate established in Group V, Group V-A, or Group VI, and one dollar (\$1.00) per hour for each additional unit.  All Operators, Oiler, & Motor Crane Drivers on equipment with booms of 80 & over, incl. jib shall receive .0075 (3/4 of a cent) per foot per hour premium pay additional to the regular rate of pay.  Oiler shall be required on all track or crawler-type cranes, backhoes, shovels, clamshells, draglines, gradalls, etc.  Oiler drivers shall be required on all truck mounted or self-propelled excavating and/or hoisting equipment having the configuration for two men.	\$10.69	.45	.50		.02



(1-2)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
<b>TRUCK DRIVERS:</b>				
<b>GROUP I</b>				
PICKUP; STATION WAGON; TEAMSTERS				
<b>GROUP II</b>				
BUGGYMOBILE, 1 C.Y. OR LESS; Bulk Cement Spreader (2 or 3 Axle); Bus Driver; Dump (2 or 3 Axle); Flatrack (2 or 3 Axle); Water (under 2500 gal.)	.35	.60		.02
<b>GROUP III</b>				
BULK CEMENT SPREADER (4 AXLE); Dump (4 Axle); Dumptor or Dumpster, less than 7 c.y.; Flatrack (4 Axle); Water (2500 gal. but less than 4000 gal.)	.35	.60		.02
<b>GROUP IV</b>				
BULK CEMENT SPREADER (5 AXLE); Dump (5 Axle); Dumptor or Dumpster, 7 c.y. but less than 16 c.y.; Flaherty Spreader or similar type equipment or Leverman; Flatrack (5 Axle); Slurry-Type Equipment or Leverman; Transit Mix, 8 c.y. or less mixer capacity	.35	.60		.02
<b>GROUP V</b>				
BULK CEMENT SPREADER (6 AXLE); Dump (6 Axle); Flatrack (6 Axle); Rock Truck (Dart, Euclid and other similar type end dumps, single unit) less than 16 c.y.	.35	.60		.02
<b>GROUP V - A</b>				
OIL TANKER OR SPREADER TRUCK DRIVER and/or Bootman, Retortman or Leverman	.35	.60		.02
<b>GROUP VI</b>				
BULK CEMENT SPREADER (7 AXLE); Concrete Pump Truck Driver, (when integral part of transit mix truck); Dump (7 Axle); Flatrack (7 Axle);	.35	.60		.02

(2-2)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
<b>TRUCK DRIVERS: (CONT'D)</b>				
<b>GROUP VI (CONT'D)</b>				
Hydro Lift, Swedish Crane, Iowa 300 and similar types; Ross Carrier Fork Lift or Lift Truck; Transit Mix, over 10.5 c.y. but less than 14 c.y. mixer capacity	.35	.60		.02
<b>GROUP VII</b>				
BULK CEMENT SPREADER (8 AXLE); Dump (8 Axle); Flatrack (8 Axle)	.35	.60		.02
<b>GROUP VIII</b>				
OFF-HIGHWAY EQUIPMENT DRIVER (2 or 4 wheel power unit, i.e. Cat DW series. Euclid, International, and similar type equipment, transporting material when top loaded or by external means, including pulling water tanks, fuel tanks, or other Teamsters classifications; Bulk Cement Spreader (9 Axle); Dump (9 Axle); Dumptor or Dumpster, 16 c.y. and over; Eject-all; Flatrack (9 Axle); Rock Truck (Dart, Euclid, or other similar end dump types) 16 c.y. and over	.35	.60		.02
HEAVY DUTY MECHANIC/WELDER	.35	.60		.02
HEAVY DUTY MECHANIC/WELDER HELPER	.35	.60		.02
FIELD EQUIPMENT SERVICEMAN or Fuel Truck Driver	.35	.60		.02
Combination Man - 30¢ over the highest rated work	.35	.60		.02
Multiple-unit equipment driver - two units 50¢ per hour more than the base single unit rate established in Group 8 above; and \$1.00 per hour for each additional unit	.35	.60		.02

## NOTICES

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## Central &amp; Southern areas of Arizona

## LABORERS:

## GROUP I

ALL HELPERS NOT HEREIN SEPARATELY CLASSIFIED; Cesspool Diggers and Installers; Chat Box Man; Checker, Tool Dispatcher; Concrete Pump Man-belt, Pipe and/or Hoseman; Dumpman and/or Spotter; Fence Builder, Guard Rail Builder Hwy.; Form Strippers; Labor, General or Construction; Landscape Gardener & Nurseryman; Packing Rod Steel and Pans; Rip Rap Stoneman

## GROUP II

CEMENT FINISHER TENDER; Concrete Curer (Impervious membrane); Cutting Torch Operator; Fine Grader (Highway, Engineering and Sewer Work only); Kettelman - Tarman; Power Type Concrete Buggy

## GROUP III

BANDER; CHUCKTENDER (except Tunnel); Creosote Tleman; Guinea Chaser; Powderman Helper; Rip-Rap Stone Paver; Sandblaster (Pot Tender); Spikers & Wrenchers

## GROUP IV

CEMENT DUMPERS (Skip-type mixer or handling bulk cement); Chain Saw Machines (on clearing and grubbing); Concrete Vibrating Machines; Cribber and Shorer (except Tunnel); Floor Sanders - Concrete; Hydraulic Jacks, and similar mechanical tools not separately herein classified; Operators and Tenders of Pneumatic and electric tools; Pipe Caulker and/or Backup Man (pipeline); Pipe Wrapper; Pneumatic Gopher; Rigger/signalman (pipeline)

(1-3)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$5.53	.35	.60		.05	
5.64	.35	.60		.05	
5.75	.35	.60		.05	
5.83	.35	.60		.05	

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(2-3)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
LABORERS: (Cont'd)					
GROUP V					
AIR AND WATER WASH-OUT NOZZLEMAN; Asphalt Rakers and Ironers; Driller; Grade Setter (pipeline); Hand Guided Trencher and Similar Operated Equip- ment; Jackhammer and/or Pavement Breakers; Pipe Layer (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock Slinger; Scaler (using Bos'n's Chair or Safety Belt); Tampers (mechanical - all types)					
\$5.97	.35	.60		.05	
GROUP VI					
CONCRETE CUTTING TORCH; CONCRETE SAW (Hand guided); Driller (Core, Diamond, Wagon or Air Track); Drill Doctor and/ or Air Tool Repairman; Gunman and Mixerman (Gunite); Sandblaster (Nozzleman)					
6.275	.35	.60		.05	
GROUP VII					
CONCRETE ROAD FORM SETTER; Gunite Nozzleman or Rodman; Drillers, Joy Mustang, FR 143, 2200 Gardner-Denver, Hydronic; Powder Man; Scaler (Drillers); Welders and/or Pipe Layers installing process piping					
6.785	.35	.60		.05	
6.135	.35	.60		.05	
6.115	.35	.60		.05	
MASON TENDERS					
PLASTERERS' TENDERS					
Employees working underground shall receive twenty cents (20¢) per hour additional above the regular rate, except where herein specifically covered					



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## LABORERS (Cont'd)

laborers employed where they may have a free fall over thirty (30) feet or on construction scaffolds above thirty (30) feet or Bos'n Chair above thirty (30) feet, or where gas masks are necessary, shall receive fifty cents (50¢) per hour in addition to their regular rate, except where inherent in classifications.

## TUNNEL AND SHAFT WORKERS

## GROUP I

BULL GANG, MUCKERS, TRACKMAN; DUMPFEN; Concrete Crew (includes Rodders and Spreaders); Grout Crew; Stamper (Brakeman and Switchmen on Tunnel Work)

## GROUP II

NIPPER; CHUCKTENDER, CABLETENDER; Vibratorman, Jackhammer, Pneumatic Tools (except Driller)

## GROUP III

GROUT GUNMAN

## GROUP IV

TIMBERMAN, RETIMBERMAN - wood or steel Elaster, Driller Powderman; Cherry Pickerman; Powderman - Primer House; Steel Form Raiser and Setter; Kemper and other Pneumatic Concrete Placer Operator; Miner - Finisher

## GROUP IV - A

MINERS - Tunnel (Hand or Machine)

## GROUP V

DIAMOND DRILL

## GROUP V-A

SHAFT AND RAISE MINER WELDER

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$5.725	.35	.60			
5.86	.35	.60			
5.96	.35	.60			
6.06	.35	.60			
6.26	.35	.60			
6.395	.35	.60			
6.595	.35	.60			

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Central &amp; Southern areas of Arizona

(1-4)

## POWER EQUIPMENT OPERATORS:

## Group I

Air Compressor Operator; Field Equipment Helper; Heavy Duty Welder Repair; Heavy Duty Welder Helper; Oilier; Pump Operator

## Group II

Conveyor Operator; Generator Operator; Portable; Power Grizzly Operator; Self-Propelled Chip Spreading Machine-Conveyor Operator; Watch Fireman; Welding Machine Operator - Gasoline and Diesel Power

## Group III

Concrete Mixer Operator-Skip Type; Dinky Operator - (under 20 tons wt.); Driver-moto Paver; Slurry Seal Machine, and similar type equipment; Motor Crane Driver; Power Sweeper Operator-Self-propelled; Ross Carrier or Fork Lift Operator; Skip Loader Operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor Operator (Ford, Ferguson, or similar type) with attachments such as Fresno, push blade, post hole auger, mower, etc., excluding compacting equipment

## Group IV

A-Frame Boom Truck or Winch Truck Operator; Asphalt Plant Firemen; Elevator Hoist Operator (including Tuskey Hoist or similar types); Grade Checker (excluding Civil Engineer); Multiple Power Concrete Saw Operator; Pavement Breaker, Mechanical Compactor Operator power propelled; Roller Operator - all types except as otherwise classified; Screed Operator; Self-propelled Chip Spreading Machine Operator (including Slurry Seal Machine Operator) Stationary Pipewrapping and Cleaning Machine Operator; Tugger Operator

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$6.112	.15	.50			.02
6.73	.15	.50			.02
7.13	.15	.50			.02
7.57	.15	.50			.02



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## POWER EQUIPMENT OPERATORS: (Cont'd)

## Group V

Aggregate Plant Operator (including crushing screening and sand plants, etc.); Asphalt Laydown Machine Operator; Asphalt Plant Mixer Operator; Belcrete Machine; Boring Machine Operator; Concrete Mechanical Tamping, spreading or finishing Machine (incl. Clary, Johnson or similar types); Concrete Pump Operator; Concrete Batch Plant Operator, all types & sizes; Conductor, Brakeman, or Handler; Elevating Grader Operator - all types and sizes (except as otherwise classified); Field Equipment Serviceman; Highline Cableway Signalman; Kolman Belt Loader op. or similar type, w/belt width 48" or over; Locomotive Engineer (including Dinky-20 tons weight and over); Moto-paver and similar type equipment Operator; Operating Engineer Rigger; Pneumatic-tired Scraper Op. (Turnapull, Euclid, Cat, D-W, Hancock & similar equipment) up to incl. 12 cu. yds.; Power Jumbo Form Setter Operator; Pressure Grout Machine Op. (as used in heavy engineering construction); Road Oil Mixing Machine Operator; Roller Operator-on all types asphalt pavement; Self-Propelled Compactor, with blade; Skip Loader Operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip Form Operator (Power driven lifting device for concrete forms); Soil Cement Road Mixing Machine Operator - single pass type; Stationary Central Generating Plant Operator - rated 300 k.w. or more; surface Heater and Planer Operator; Traveling Pipewrapping Machine Operator

## Group V-A

Heavy Duty Mechanic and/or Welder; Pneumatic tired scraper, all sizes & types over 12 cu. yds. up to incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat D-W Hancock, and similar equipment); Tractor Operator (Pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching Machine Op.

(2-4)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$8.01	.45	.50		.02
8.27	.45	.50		.02

(3-4)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$8.55	.45	.50		.02

## POWER EQUIPMENT OPERATORS: (Cont'd)

## Group VI

Auto-Grade Machine (CMI and similar equipment); Boring Machine Operator (including Mole, Badger and similar type); Concrete Mixer Operator-Paving type, and Mobile Mixer; Concrete Pump Operator with boom attachment (Truck Mounted); Crane Operator-Crawler and Pneumatic type, under 100 ton capacity MRC; Crawler type tractor Operator - with boom attachment; Derrick Operator; Forklift op. for hoisting personnel; Grade-all operator; Helicopter Hoist; Highline Cableway Op. (less than 20 tons rated capacity); Mass Excavator Op. (150 Bucyrus Erie & similar types); Mechanical Hoist Operator (two or more drums); Motor Grade Operator - any type power blade; Motor Grader Operator with elevating Grader Attachment; Mucking Machine Operator; Overhead Crane Operator; Piledriver Engineer (portable, stationary or skid rig); Pneumatic-tired Scraper Op. - all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment over 45 cu. yds. MRC); Power Driven Ditch Lining or Ditch Trimming Machine Operator; Skip Loader Operator - all types with rated capacity 4 cu. yds. but less than 8 cu. yds.; Slip Form Paving Machine Op. (including Gurnert, Zimmerman & similar types); Specialized Power Digger Op. - attached to wheel-type tractor; Tower Crane (or similar type) Op.; Tractor Op. (pusher, Bulldozer, Scraper) 400 net horsepower and over; Tugger Op. (two or more); Universal Equipment Op. - Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.

## Group VII

Crane Operator - Pneumatic or Crawler (100 ton hoisting capacity and over MRC rating); Helicopter Pilot - FAA qualified when used in construction work; Highline Cableway Op., over 20 ton rated capacity and using traveling



## NOTICES

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	Basic Hourly Rates	Fringe Benefits Payments					(1-2)		
		H & W	Pensions	Vacation	App. Tr.	Others	H & W	Pensions	Others
POWER EQUIPMENT OPERATORS: (Cont'd)									
Group VII (Cont'd)									
head and tail tower; Remote Control Earth Moving Equipment Operator; Skip Loader Operator - all types with rated capacity of 8 cu. yds. or more; Universal Equipment - Shovel, Backhoe, Dragline, Clamshell, etc., 8 cu. yds. and over	\$9.05	.45	.50		.02				
MULTIPLE-UNIT EARTH MOVING EQUIPMENT: Tractor Operator-Pneumatic-tired or track type, two units - fifty cents (50c) per hour more than the base single-unit rate established in Group V, Group V-A, or Group VI, and one dollar (\$1.00) per hour for each additional unit.									
All Operators, Oiler, & Motor Crane Drivers on equipment with booms of 80 & over, incl. jib shall receive .0075 (3/4 of a cent) per foot per hour premium pay additional to the regular rate of pay.									
Oiler shall be required on all crawler-type cranes, backhoes, shovels, clamshells, draglines, gradalls, etc.									
Oiler drivers shall be required on all truck mounted or self-propelled excavating and/or hoisting equipment having the configuration for two men.									
TRUCK DRIVERS:									
GROUP I									
PICKUP; STATION WAGON; TEAMSTERS	\$ 5.67	.35	.60		.02				
GROUP II									
BUGGYMOBILE, 1 C.Y. OR LESS; Bulk Cement Spreader (2 or 3 Axle); Bus Driver; Dump (2 or 3 Axle); Flatrack (2 or 3 Axle); Water (under 2500 gal.)	5.78	.35	.60		.02				
GROUP III									
BULK CEMENT SPREADER (4 AXLE); Dump (4 Axle); Dumpter or Dumpster, less than 7 c.y.; Flatrack (4 Axle); Water (2500 gal. but less than 4000 gal.)	5.94	.35	.60		.02				
GROUP IV									
BULK CEMENT SPREADER (5 AXLE); Dump (5 Axle); Dumpter or Dumpster, 7 c.y. but less than 16 c.y.; Flaherty Spreader or similar type equipment or Leverman; Flatrack (5 Axle); Slurry-type Equipment or Leverman; Transit Mix, 8 c.y. or less mixer capacity	6.23	.35	.60		.02				
GROUP V									
BULK CEMENT SPREADER (6 AXLE); Dump (6 Axle); Flatrack (6 Axle); Rock Truck (Dart, Euclid and other similar type end dumps, single unit) less than 16 c.y.	6.36	.35	.60		.02				
GROUP V - A									
OIL TANKER OR SPREADER TRUCK DRIVER and/or Bootman, Retortman or Leverman	6.50	.35	.60		.02				
GROUP VI									
BULK CEMENT SPREADER (7 Axle); Concrete Pump Truck Driver, (when integral part of transit mix truck); Dump (7 Axle); Flatrack (7 Axle);									



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## TRUCK DRIVERS: (CONT'D)

## GROUP VI (CONT'D)

Hydro Lift, Swedish Crane, Iowa 300 and similar types; Ross Carrier Fork Lift or Lift Truck; Transit Mix, over 10.5 c.y. but less than 14 c.y. mixer capacity

## GROUP VII

BULK CEMENT SPREADER (8 AXLE); Dump (8 Axle); Flatrack (8 Axle)

## GROUP VIII

OFF-HIGHWAY EQUIPMENT DRIVER (2 or 4 wheel power unit, i.e. Cat DW series, Euclid, International, and similar type equipment, transporting material when top loaded or by external means, including pulling water tanks, fuel tanks, or other Teamsters classifications; Bulk Cement Spreader (9 Axle); Dump (9 Axle); Dumptor or Dumpster, 16 c.y. and over; Eject-allis; Flat-rack (9 Axle); Rock Truck (Dart, Euclid, or other similar end dump types) 16 c.y. and over

HEAVY DUTY MECHANIC/WELDER

HEAVY DUTY MECHANIC/WELDER HELPER

FIELD EQUIPMENT SERVICEMAN or Fuel Truck Driver

Combination Man - 30¢ over the highest rated work

Multiple-unit equipment driver - two units 50¢ per hour more than the base single unit rate established in Group 8 above; and \$1.00 per hour for each additional unit

Basic Hourly Rates	Fringe Benefits Payment's			
	H & W	Pensions	Vacation	App. Tr. Others
\$6.61	.35	.60		.02
6.95	.35	.60		.02
7.365	.35	.60		.02
8.24	.35	.60		.02
6.39	.35	.60		.02
7.98	.35	.60		.02



STATE: Kentucky  
 COUNTY: Area 1 \*See Below  
 DATE: See Date of Publication  
 Supersedes Decision No. AM-483 dated August 20, 1971, in 36 FR 16450.  
 DESCRIPTION OF WORK: Heavy and Highway Construction.

## Heavy and Highway Construction - Area 1

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
*Counties: Allen, Ballard, Butler, Caldwell, Calloway, Carlisle, Christian, Crittenden, Davies, Edmonson, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Logan, Lyon, McCracken, McLean, Marshall, Muhlenberg, Ohio, Simpson, Todd, Trigg, Union, Warren, Webster					
Heavy & Highway Construction	\$5.61	.15			
Bricklayers	5.01	.15			
Carpenters	5.60	.25	.15		
Cement masons	5.83	.15	1%		1/2 of 1%
Electricians					1/2 of 1%
Ironworkers:					
Structural & reinforcing	6.31	.25	.45		
Painters, brush	5.04	.30	.20		
Filedriermen	5.26	.15	.15		
Pipefitters	7.21	.25	.375		
Plumbers	7.34	.25	.25		
Sheet metal workers	6.37	.15			

## Kentucky 2 - IEO - J (1-2)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR.
Highway 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, motor scraper, bulldozer, mechanic, orange-peel bucket, pile driver, power blade, roller (bituminous), searifier, 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, hysler, material pump, pumpcrete, ross carrier, side boom, tail boom, throttlevalve man, rotary drill (5" & over), power generator, mucking machine, rock spreader attached to equip., scoopmobile, KeCal Loader, tower cranes (French, German & other Types), hydrocrane, tugger, backfiller, gurries, sub-grader, electric vibrator compactor.	\$5.43	.15	.20	
Class B Operators:				
All air compressors (200 cu. ft. per Min. or greater cap.), bituminous mixer, concrete mixer (under 21 cu. ft.), welding machine, form-grader roller (rock), tractor (50 H.P. & over), bull float, finish machine, outboard motor boat, flexpale, fireman, boom type tamping machine, truck crane oiler, greaser on grease facilities servicing heavy equip., switchman or brakeman, mechanic helper, whirley oiler, self-propelled compactor, tractor & road widening trencher, joint sealing machine, rotary drill (under 5"O	4.69	.15	.20	



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Kentucky 2 - JEO

(2-2)

Power Equipment (Cont'd)  
Highway Construction

## Class C Operators

Bituminous Dist., Cement gun, conveyor, mud jack, paving joint machine, pump, roller (earth), tamping machine, tractor (under 50 H.P.), concrete saw, burlap & curing machine, hydro seeder, power form handling equip. deckhand oiler and hydraulic post driver, vibrator, oiler, air compressor (under 200 cu. ft. per min. cap)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR. OTI
\$4.33	.15	.20		

## Kentucky 3-TD

## Heavy and Highway Construction

## Truck Drivers:

Driver (3 tons & under), greaser, tire changer, mechanic's helper, truck helper  
 Driver (over 3 tons), distributors, dump truck ( tandem axle), euclid and other heavy earth-moving equipment, low boy, fork lift truck (when used to transport building materials), mixer trucks (all types), pavement breakers, semi-trailer or pole trailer (when used to pull building material or equipment winch and A-Frames (when used in transporting materials)

## Truck mechanic

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR. OTI
\$4.49	.15	a 6.00		
4.84	.15	a 6.00		
4.77	.15	a 6.00		

## FOOTNOTE:

a - per week, per employee when employed a minimum of 20 work days within any 90 day consecutive period

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Ky. 3-Lab.

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
		H & W	PENSIONS	VACATION	APP. TR. OTI
Heavy and Highway 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 tract drillers, asphalt lute & raker men	4.35	.15	.15		
Caisson workers	5.53	.15	.15		
Gunnite nozzle men, tunnel muckers (free air)	4.73	.15	.15		
Gunnite 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 side rail setters	4.48	.15	.15		
Tunnel miners, blasters (free air), drillers	5.08	.15	.15		



FEDERAL REGISTER, VOL. 37, NO. 161—FRIDAY, AUGUST 18, 1972



## SUPERSEDEAS DECISION

STATE: Kentucky  
 DECISION NUMBER: AP-109  
 Supersedes Decision No. AN-484, dated August 20, 1971, in 36 FR 16452  
 DESCRIPTION OF WORK: Heavy and Highway Construction.

COUNTY: Area 2 \*See Below

DATE: See Date of Publication

in 36 FR 16452

DESCRIPTION OF WORK: Heavy and Highway Construction.

## Heavy and Highway Construction - Area 2

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr. Others
*Counties: Adair, Barren, Bell, Casey, Clay, Clinton, Cumberland, Estill, Garrard, Green, Hazlan, Hart, Jackson, Knox, Laurel, Lee, Leslie, Lincoln, McCreary, Menifee, Metcalfe, Monroe, Owsley, Powell, Pulaski, Rockcastle, Russell, Taylor, Wayne, Whitley, & Wolfe				
Heavy and Highway Construction				
Bricklayers	\$5.95	.15		
Carpenters	4.71	.15		
Cement masons	5.94	.20		
Electricians	6.32	.15	1%+.27	1/2 of 1%
Ironworkers:				
Structural & reinforcing	5.99	.25	.45	
Painters, brush	4.89	.20		
Piledrivers	4.96	.15		
Pipefitters	6.96	.40	.37	.05
Plumbers	7.06	.60	1.00	.05
Sheet metal workers	6.63	.15		

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Form 2-7D (1-1)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR. OTHER
Heavy & Highway Construction				
Truck Drivers:				
Driver (3 tons & under), fork lift truck (when used to transport building materials), winch truck & A-frame truck (when used in transporting materials), greaser, tire changer & mechanic helper	\$4.33	.15	a 6.00	
Driver (over 3 tons); distributors dump truck (tandem axle), semi-trailer or pole trailer (when used to pull building material or equipment)	4.44	.15	a 6.00	
Driver, euclid and other heavy earth-moving equipment, low boy, & pavement breakers	4.61	.15	a 6.00	
Driver mixer trucks (all types)	4.48	.15	a 6.00	
Truck helper	4.21	.15	a 6.00	
Truck mechanic	4.51	.15	a 6.00	

## 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 2 - IEO - J (1 - 2)

Ky. 2-Lab. (1-1)

AP-109 P. 3

Kentucky 2 - 120 - 1 - 1 - 2											
FRINGE BENEFITS PAYMENTS						FRINGE BENEFITS PAYMENTS					
BASIC HOURLY RATES		H & W	PENSIONS	VACATION	APP. TR.	BASIC HOURLY RATES		H & W	PENSIONS	VACATION	APP. TR.
Heavy & Highway Construction											
Laborers:											
Aging & curing of concrete, Grade checker, Guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers & placers, rip-rap & grouters						\$3.85					
Asphalt lute & raker men						.15					
Caisson workers						.15					
Gummitte nozzlemen, tunnel laborers (free air)						.15					
Gummitte operators						.15					
Hand blade operator & batch truck dumpers						.15					
Operator & deck hand scow men						.15					
Powdermen, blasters, side rail setters, air tract drillers						.15					
Power-driven tools, wagon drills, jack hammers, chain saws, concrete saws, sewer pipe layers (all storm sewers), bottom men, dry cement handlers, concrete rubbers, mason tenders, concrete green cutting, sand blasting, concrete chippers, vibrator operators, power wheelbarrow or buggies						.15					
Tunnel miners & blasters						.15					
Tunnel muckers (free air)						.15					
Power Equipment Operators						.15					
Class A Operators:						.15					
Auto patrol, batcher plant, bituminous paver, cableway, clausshell, concrete mixer, (21 cu. ft. or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching & trenching machine, augline, dredge engineer, elevator (regardless of ownership when used for hoisting any building material), elevating grader & all types of loaders, locomotive, motor scraper, bulldozer, mechanic, orange-peel bucket, pile driver, power blade, roller (bituminous), searifier, 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, gradall, hoist, hystar, material pump, pumper, ross carrier, side boom, tail boom, throttle valve man, rotary drill (5" & over), power generator, mucking machine, rock spreader attached to equip., scoopmobile, KeCal Loader, tower cranes (French, German & other Types), hydrocrane, tugger, backfiller, graders, sub-grader, electric vibrator compactor.						\$5.43					
Class B Operators:						.20					
All air compressors (200 cu. ft. per Min. or greater cap.), bituminous mixer, concrete mixer (under 21 cu. ft.), welding machine, form grader roller (rock), tractor (50 H.P. & over), bull float, finish machine, outboard motor boat, flexpalme, fireman, boom type tamping machine, truck crane oiler, greaser on grease facilities servicing heavy equip., switchman or brakeman, mechanic helper, whirley oiler, self-propelled compactor, tractor & road widening trencher, joint sealing machine, rotary drill (under 5"0						4.68					
						.15					
						.20					



Bituminous Dist., Cement gun, conveyor, mud jack, paving joint machine, pump, roller (earth), tamping machine, tractor (under 50 H.P.), concrete saw, burlap & curing machine, hydro seeder, power form handling equip., declutch oiler and hydraulic post driver, vibrator, oiler, air compressor (under 200 cu. ft. per min. cap)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
	II & W	PENSIONS	VACATION	APP. TR.	OTH.
\$4.33	.15	.20			

## HEAVY CONSTRUCTION

## POWER EQUIPMENT OPERATORS

CLASS A OPERATORS:

Auto patrol, batcher plant, bitumi-  
nous paver, batchway clamshell, con-  
crete mixer (21 cu. ft. or over),  
concrete pump, crane, crusher plant,  
derrick, derrick boat, ditching &  
trenching machine, dragline, dredge  
engine 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, bull-  
dozer, 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 (regard-  
less of lift height), all types of boom  
cats, multiple op., core drill, tow  
or push boat, A-frame winch truck,  
concrete paver, gradeall, hoist,  
hyser, material pump, pumpcrete, tress  
carrier, sheep feet, side boom, tail  
boom, throttlevalve man, rotary drill,  
joint sealing machine, power generator,  
mucking machine, rock spreader attached  
to equip., scoopmobile, KoGal loader,  
Tower G-ranes (French, German & other  
types), hydrocrane, tugger, backfiller,  
gurries, sub-grader, electric vibrator  
compacto.

### 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-lanc, firemen, boom type tamping machine, self-propelled drill, truck crane oiler, greaser on grease facilities servicing heavy equip., switchman or brakeman, mechanized helper, whipple oiler, air track drill, Ingersoll Rand track drill, self propelled compactor, tractor & road widening trencher.

Basic Hourly Rates	Fringe Benefits Payments				
	H & V	Pensions	Vacation	App. Yrs	Other
6.65	.25	.25			
5.50	.25	.25			



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Kentucky 1- PEO - G (2-2)

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.

Basic Hourly Rates	Fringe Benefits Payments				Oth.
	H & V	Pensions	Vacation	App. Tr.	
5.10	.25	.25			



## SUPERSEDES DECISION

STATE: Kentucky  
 COUNTY: Area 3 \*See Below  
 DECISION NUMBER: AP-110  
 DATE: See Date of Publication  
 Supersedes Decision No. AM-485 dated August 20, 1971, in 36 FR 16455.  
 DESCRIPTION OF WORK: Heavy and Highway Construction.

## Heavy and Highway Construction - Area 3

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$6.37	.15	.25	.25	
5.21	.15	.15		
5.94	.20			
6.62	.16	1 1/4 .16	.495	1%
6.75	.225	.35		
5.53	.15	.15		
5.46	.15	.15		
6.99	.57	.41	1.00	.05
7.46	.60	.30	1.00	.05
6.58	.15	.15		

\*Counties: Anderson, Bath, Bourbon, Boyd, Boyle, Bracken, Breckinridge, Bullitt, Carroll, Carter, Clark, Elliott, Fayette, Fleming, Franklin, Gallatin, Grayson, Grant, Greenup, Hardin, Harrison, Henry, Jefferson, Jessamine, Larue, Lewis, Madison, Marion, Mason, Meade, Mercer, Montgomery, Morgan, Nelson, Nicholas, Oldham, Owen, Pendleton, Robertson, Rowan, Scott, Shelby, Spencer, Trimble, Washington, Woodford

## Heavy and Highway Construction

Bricklayers  
 Carpenters  
 Cement masons  
 Electricians  
 Ironworkers  
 Structural & reinforcing  
 Painters, Brush  
 Piledrivers  
 Pipefitters  
 Plumbers  
 Sheet metal workers

## AP-110 P.2

Kentucky 2 - 100 5 J

(1-2)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR.
\$5.43	.15	.20		
4.68	.15	.20		

## HIGHWAY CONSTRUCTION

## Power Equipment Operators

## Class A Operators:

Auto patrol, batcher plant, bituminous paver, cableway, clausshell, 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, motor scraper, bulldozer, mechanic, orange-peel bucket, pile driver, power blade, roller (bituminous), scarifier, shovel, tractor shovel, truck crane, wall 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, hystar, material pump, pumpcrete, ross carrier, side boom, tail boom, throttle valve man, rotary drill (5" & over), power generator, macking machine, rock spreader attached to equip., scoopmobile, McCal loader, tower cranes (French, German & other Types), hydrocrane, tugger, backfiller, gurries, sub-grader, electric vibrator compactor.

## Class B Operators:

All air compressors (200 cu. ft. per Min. or greater cap.), bituminous mixer, concrete mixer (under 21 cu. ft.), welding machine, form grader roller (rock), tractor (50 H.P. & over), bull flout, finish machine, outboard motor boat, flexpalse, fireman, boom type tamping machine, truck crane oiler, greaser on greases, facilities servicing heavy equip., switchman or brakeman, mechanic helper, whirley oiler, self-propelled compactor, tractor & road widening trencher, joint sealing machine, rotary drill (under 5"0



AP-110 P. 3

Kentucky 2 - 1980

(2-2)

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				OTHER
	H & W	PENSIONS	VACATION	APP. TR.	
\$4.33	.15	.20			

Power Equipment (Cont'd)  
Highway Construction

## Class C Operators

Bituminous Dist., Cement Gun, conveyor, mud jack, paving joint machine, pump, roller (earth), tamping machine, tractor (under 50 H.P.), concrete saw, burlap & curing machine, hydro seeder, power form handling equip. deckhand oiler and hydraulic post driver, vibrator, oiler, air compressor (under 200 cu. ft. per min. cap)

## Kentucky 1-7D

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				OTHER
	H & W	PENSIONS	VACATION	APP. TR.	
\$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 and Highway Construction

## Truck Drivers:

Drivers (3 tons & under), greaser, tire changer & mechanics' helper  
Driver (over 3 tons), distributions, 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.

AP-110 P. 4

Ky. 3-1ab.

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				OTHER
	H & W	PENSIONS	VACATION	APP. TR.	
\$4.08	.15	.15			
4.35	.15	.15			
5.53	.15	.15			
4.73	.15	.15			
4.58	.15	.15			
4.18	.15	.15			
4.18	.15	.15			
4.48	.15	.15			
5.08	.15	.15			

## Heavy and Highway Construction

## Laborers:

Aging and curing of concrete, grade checkers, guardrail & fence installers, laborers, landscaping (seeders, planters, tree trimmers), mesh handlers and placers

Air tract drillers, asphalt lute & raker men

Caisson workers

Gunnite nozzle men, tunnel muckers (free air)

Gunnite operators, tunnel laborers (free air)

Hand blade operators, batch truck dumpers, rip-rap & grouters

Operator & deck hand scov 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

Powdermen, blasters and side rail setters

Tunnel miners, blasters (free air), drillers



AP-110 P.5

Kentucky 1-PEO G (1-2)

Basic Hourly Rates	Fringe Benefits Payments				Comments
	H & W	Pensions	Vacation	App. Tr.	
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 cates, multiple op., core drill, tow or push boat, A-frame winch truck, concrete paver, gradeall, hoist, hyster, material pump, pumpcrete, ross carrier, sheep feet, side boom, tail boom, throttle valve man, rotary drill, joint sealing machine, power generator, mucking machine, rock spreader attached to equip., scoopmobile, KeCal loader, Tower Cranes (French, German & other types), hydrocrane, tugger, backfiller, gurries, 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, tractor & road widening trencher.

5.50

.25

.25

AP-110 P.6

Kentucky 1-PEO G (2-2)

Basic Hourly Rates	Fringe Benefits Payments				Comments
	H & W	Pensions	Vacation	App. Tr.	
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 boat driver.					
5.10	.25	.25			



STATE: Kentucky  
 COUNTY: Boone, Campbell, & Kenton - Area 4  
 DECISION NUMBER: AP-111  
 DATE: See Date Of Publication  
 Supersedes Decision No. AM-486 dated August 20, 1971, in 36 FR 16457.  
 DESCRIPTION OF WORK: Heavy and Highway Construction.

## Ky. Zone 4 - A

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$7.14	.15			
7.35	.30	.25		.025
6.05	.32			
7.75	.15	1%+15		1%
7.185	.25	.45		
6.53	.15			
7.35	.30	.25		.025
7.36	.60	.625		
8.45	.15			
6.64	.15			

## Heavy and Highway Construction:

Bricklayers  
 Carpenters  
 Cement masons  
 Electricians  
 Ironworkers  
 Structural & reinforcing  
 Painters, brush  
 Piledriversmen  
 Pipefitters  
 Plumbers  
 Sheet metal workers

## Kentucky 1-TD

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$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 and Highway Construction:

## Truck Drivers:

Drivers (3 tons & under), greaser, tire changer & mechanics' helper

Drivers (over 3 tons), distributors, dump truck tandem axle, semi-trailer or pole trailer (when used to pull building material or equipment)

Drivers, 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)

Drivers, 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.

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS		
	H & W	PENSIONS	VACATION
\$6.44	.28	.35	
6.37	.28	.35	
6.21	.28	.35	
6.06	.28	.35	

## Highway Construction:

## POWER EQUIPMENT OPERATORS:

Air Compressor on Steel Erection, Boiler Operator or Compressor when mounted on a rig, Cableways, Combination Concrete Mixer and Tower, Concrete Plants (over 4 yd. capacity), Concrete Pumps, Cranes (all types, including A Frames, Boom Trucks, Cherry Pickers), Derricks, Draglines, Elevating Grader or Backhoe Loader, Floating Equipment (all types), Hoisting Engines, Hoisting Engines on Shaft or Tunnel Work, Industrial-type Tractor, Locomotives (Standard Gauge), Maintenance Operator Class A, Mixer, Paving (Single or Double Drum), Pile-driving Machines (all types), Power Shovels, Rotary Drill on Caisson Work, Slip-Form Paver, Tower Derricks, Trench Machines (over 24" wide)

Asphalt Paver, Automatic Subgrade Machine, Self-propelled (CHI type), Bulldozer, Endloaders, Kolan Loader (production type - Dirt), Lead Grease Man, Packing Machines, Power Grader, Power Scoops and Scrapers, Push Cat

Air Compressors on Tunnel Work (low pressure), Maintenance Operators Class B, Pump Operator installing and operating Well Points, Trench Machines (24" wide and under), Welding Machines and Generators

Asphalt Plant Engineer, Locomotive (narrow gauge), Mixers, concrete (capacity more than one bag), Mixers, one bag capacity (side loader), Power Boilers over 15 lb. pressure, Pumps (4" and over discharge), Rollers Asphalt



AP-111 P. 3		Ky. 3-1970		2-1-2		Kentucky 1-1-60		AP-111 P. 4	
BASIC HOURLY RATES		FRINGE BENEFITS PAYMENTS		FRINGE BENEFITS PAYMENTS		FRINGE BENEFITS PAYMENTS		FRINGE BENEFITS PAYMENTS	
H & W		PENSIONS		VACATION		APP. TR.		H & W	
Highway Construction:									
POWER EQUIPMENT OPERATORS:									
Back fillers, Bar, Joint and Vesh In-									
stalling Machines, Batch Plant, Bull									
Floats, Burlap and Curing Machines,									
Compressors (portable, sewer, heavy									
and highway), Concrete Plant (capacity									
4 yd. and under), Concrete Saw (mul-									
tipple), Conveyors (highway), Crushers,									
Drill, highway (with integral power),									
Form-Type Tractors with attachments									
(highway), Finishing Machines, Fire-									
man, Floating Equipment (all types),									
Fork Lift (highway), Form Trenchers,									
Hydro Seeders, Plant Mixers, Power									
Form Handling Equipment, Road Widening									
Trencher, Rollers (brick, grade,									
macedum), Self-propelled Power									
Spreaders, self-propelled power Sub-									
graders, Steam Fireman, Tractor									
(pulling sheepfoot roller or Grader),									
Vibratory Compactors (with integral									
power)	5.81	.28	.35						
Drum Fireman (asphalt plant), Helpers									
Oil Heaters (asphalt plants), Oilers,									
Power Driven Heaters, Pumps (under 4"									
discharge), Signalmen, Tire Repairmen	5.16	.28	.35						



AP-111 P. 5		3-PEO E (1 - 2)		3-PTO (2 - 2)	
Heavy Construction Power Equipment Operators		FRINGE BENEFITS PAYMENTS			
BASIC HOURLY RATES	H & W	PENSIONS	VACATION	APP. TR.	
Air Compressor on Steel Erection, Boiler Operator or Compressor when mounted on a rig, Cableways, Combination Concrete Mixer and Tower, Concrete Plants (over 4 yd. capacity), Concrete Pumps, Cranes (all types, including A Frames, Boom Trucks, Cherry Pickers), Derricks, Draglines, Elevating Grader or Euclid Loader, Floating Equipment (all types), Hoes (all types), Hoisting Engines, Hoisting Engines on Shaft or Tunnel Work, Industrial-Type Tractor, Locomotives (Standard Gauge), Maintenance Operator Class A, Mixer, Paving (Single or Double Drum), Pile-driving Machines (all types), Power Shovels, Rotary Drill on Caisson Work, Slip-Form Paver, Tower Derricks, Trench Machines (over 24" wide)	.28	.35			.05
Asphalt Paver, Automatic Subgrade Machine, Self-propelled (CMI type), Bulldozer, Endloaders, Kolman Loader (production type - Dirt), Lead Grease Man, Mucking Machines, Power Grader, Power Scoops and Scrapers, Push Cat	6.67	.28	.35		.05
Air Compressors on Tunnel Work (low pressure), Maintenance Operators Class B, Pump Operator installing and operating Well Points, Trench Machines (24" wide and under, Welding Machines and Generators	6.51	.28	.35		.05
Asphalt Plant Engineer, Locomotive (narrow gauge), Mixers, concrete (capacity more than one bag), Mixers, one bag capacity (side loader), Power Boilers over 15 lb. pressure, Pumps (1" and over discharge), Rollers Asphalt	6.36	.28	.35		.05
Heavy Construction:					
POWER EQUIPMENT OPERATORS:					
Back Fillers, Bar, Joint and Mesh Installing Machines, Batch Plant, Bull Floats, Burlap and Curing Machines, Compressors (portable, sewer, heavy and highway), Concrete Plant (capacity 4 yd. and under), Concrete Saw (multiple), Conveyors (highway), Crushers, Drill, highway (with integral power), Farm-type Tractors with attachments (highway), Finishing Machines, Fireman, Floating Equipment (all types), Fork Lift (highway), Form Trenchers, Hydro Sockers, Plant Mixers, Power Form Handling Equipment, Road Widening Trencher, Rollers (brick, grade, macadam), Self-propelled power Sub-Spreaders, Steam Fireman, Tractor graders, Steam Fireman, Tractor (pulling sheepfoot roller or grader), Vibratory Compactors (with integral power)	6.11	.28	.35		.05
Drum Fireman (asphalt plant), Helpers Oil Heaters (asphalt plants), Oilers, Power Driven Heaters, Pumps (under 4" discharge), Signalmen, Tire Repairmen	5.46	.28	.35		.05



AP-311 P. 2

12 - LA - 1,2 f (2 - 2)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$4.90				.01
2.80				.01
3.17				.01
6.67	.30	.25		.05
7.30	.25	.40		.05
7.25				
5.50				
3.00				
3.30				
3.65				

## ROOFERS:

Roofers  
Helpers

Kettelman

SHEET METAL WORKERS  
SPRINKLER FITTERS

STONEMASONS

TILE SETTERS &amp; TERRAZZO WORKERS

TERRAZZO WORKERS' HELPERS

TERRAZZO MACHINE OPERATOR

TRUCK DRIVERS:

1/2 to 1 ton trucks; and mechanic  
helper; truck helper, spotter and  
dumpers of dirt, gravel, asphalt  
and rock, material checkers and  
warehousemanStake bodies, flat beds 1½ tons to  
3 tonsSingle axle dump and batch and water  
trucks, 1½ to 3 tons, transit mix  
up to 6 yds.

Mechanic

Tandem axle dump, batch and water  
trucks over 3 tons, pick-ups with  
trailer

Mississippi wagon, floats, tractor

trailers, rubber tired tractors  
and wobble wheelsEuclid, low-boys, dempsey dumpsters,  
koehring-dumps, five axle trucks,  
transit mix over 6 yards, fuel  
truck

Master mechanic, fork-lift

4.50

4.65

4.35

4.40

4.85

5.20

## FOOTNOTES:

a - lat 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.

## SUPERSEDES DECISION

PARTISHERS: Caddo &amp; Rossier

DATE: Date of Publication

Supersedes Decision No. AP-311

dated April 28, 1972, in 37 FR 8637.

DESCRIPTION OF WORK: Building Construction, (excluding single family  
homes and garden type apartments up to and including 4 stories).

12 - LA - 1,2 f (1 - 2)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$6.975	.25	.325		.025
6.80	.30	.50		.02
7.25				
6.15		.20		.03
6.40		.20		.03
6.65		.20		.03
5.55				
5.80				
7.50	.30	1%		.004%
7.00	.30	1%		.004%
5.65	.17	.185	2½-4½	
70¢JR	.17	.185	2½-4½	
50¢JR				
5.40				
6.40	.30	.25		.04
6.40	.30	.25		.04
6.40	.30	.25		.04
3.60	.10	.10		
3.70	.10	.10		
3.75	.10	.10		
3.80	.10	.10		.01
6.675				
5.50				
3.00				
5.25				
5.50				
5.75				
5.85				
5.85				
6.05				
6.51				

ASBESTOS WORKERS

BOILERMAKERS

BRICKLAYERS

CARPENTERS:

Carpenters; soft floor layers, linoleum

Piledrivers

Millwrights

CEMENT MASONS:

Cement masons

Troweling machine operators

ELECTRICIANS:

Cable splicers

Electricians

ELEVATOR CONSTRUCTORS

ELEVATOR CONSTRUCTORS' HELPERS

ELEVATOR CONSTRUCTORS' HELPERS (PROB.)

GLAZIERS

IRONWORKERS:

Structural; Ornamental

Reinforcing

Sheeters

LABORERS:

Laborers

Mason tenders; Plasterers' tenders;

Asphalt rakers &amp; smoothers

Mortar mixers

Pipelayers (concrete &amp; clay); Air

jack vibrator operator

LATHERS

MARBLE SETTERS

MARBLE SETTERS' HELPERS

PAINTERS:

Painters, tape &amp; float and paper-

hangers; Stage, window jacks &amp;

structural steel

Stage, window jacks &amp; structural

steel:

Heights exceeding 30 feet

Heights exceeding 75 feet

Sandblasting

Spray

PLASTERERS

PLUMBERS - PIPEFITTERS



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## POWER EQUIPMENT OPERATORS

## HEAVY DUTY OPERATORS

Asphalt Spreader; Backhoe; Bulldozer, over D-4 and equivalent; Cableways; Concrete Mixer, over 16-s; Cranes; Derricks; Ditching or Trenching Machines; Draglines; Fork Lifts (setting steel, machinery or pipe); Front-End Loaders (except Farm-type tractors); Grease Serviceman; Hoist, 1 drum 4 stories or more; Hoist, 2 drums and over; Hydrolifts; Heavy Duty Mechanic; Motor Patrols; Piledrivers; Pump, concrete (6" & over); Road Pavers; Rollers on asphalt or brick; Scoopmobiles; Scrapers; Sideboom Cats; Shovels; Tractotators; Welder, Journeyman; Well Point System; Winch Cats (hoisting); Winch Truck, A-Frame (handling steel or pipe)

\$6.65 .10 .15

## LIGHT DUTY OPERATORS

Air Compressor; Asphalt Plant Operator; Bulldozers, D-4 and equivalent & under; Bulfloats; Concrete Spreader; Finishing Machines; Concrete Mixer (16-s or less); Concrete Saw; Distributors (Bitum Surface); Dowell Bar Machine; Farm-Type Tractor (with all attachments except Backhoe); Fireman; Fork Lifts (other than setting steel, machinery or pipe); Hoist, 1 drum less than 4 stories; Kolum Buff Machine; Pull Cats; Pump (3" and over); Pump, concrete (under 6"); Rollers, except on asphalt or brick; Straddle Buggies; Sweepers on streets & roads (Motorized); Winch Truck, A-Frame (other than handling steel or pipe)

5.72 .10 .15

Scaleman

5.50 .10 .15

Oiler-Driver

5.46 .10 .15

Mechanic Helper

5.23 .10 .15

Oiler

5.02 .10 .15



## SUPERSEDEAS DECISION

STATE: Puerto Rico  
 COUNTY: Island Wide  
 DECISION NO.: AP-412  
 DATE: Date of Publication  
 Supersedes Decision No. AM-2340 dated August 11, 1971, in 36 FR 14991.  
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

11-PUERTO RICO 1-2-3 (1-1)					
	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	\$2.37				
BRICKLAYERS' HELPERS	1.84				
CARPENTERS	2.25				
CARPENTERS' HELPERS	2.00				
CEMENT MASONS	2.37				
ELECTRICIANS	2.20				
IRONWORKERS	2.00				
LABORERS:					
Laborers	1.80				
PAINERS; Brush	1.80				
PLUMBERS; Steamfitters	2.20				
PLUMBERS' HELPERS	1.90				
ROOFERS	1.80				
TRUCK DRIVERS	2.27				
POWER EQUIPMENT OPERATORS:					
Air Compressors	1.80				
Bulldozer	3.25				
Crane, Derrick, Dragline & Shovels	3.35				
Hoist Operator	2.10				
Mechanics	2.65				
Mechanics' Helper	1.80				
Mixer Operator	2.00				
Motor Grader	3.25				
Oilers	2.35				
Roller Operator	2.65				
Scraper Operator	3.35				
Tractor (push)	3.35				



## SUPPLEMENTAL DECISION

STATE: Texas

COUNTIES: Atascosa, Bandera, Bexar, Comal, Dimmit, Edwards, Frio, Guadalupe, Kendall, Kerr, Kinney, LaSalle, Maverick, McMullen, Medina, Real, Uvalde, Val Verde, Wilson and Zavala

DATE: Date of Publication

DECISION NO.: AP-310  
Supersedes Decisions No. AN-11,386, dated February 4, 1972, in 37 FR 2711 and No. AN-11,391, dated February 4, 1972, in 37 FR 2713.

DESCRIPTION OF WORK: Highway, water and sewer utilities construction

16 - Texas - 3 f (1 - 2)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
Air Tool Man	\$1.85				
Asphalt Heaterman	2.50				
Asphalt Raker	2.50				
Batching Plant Scaleman	2.75				
Carpenter	2.75				
Carpenter Helper	2.50				
Concrete Finisher (Paving)	3.00				
Concrete Finisher Helper (Paving)	2.75				
Concrete Finisher (Structures)	2.85				
Concrete Finisher Helper (Structures)	2.40				
Concrete Rubber	2.10				
Electrician	4.60				
Form Builder (Structures)	2.95				
Form Builder Helper (Structures)	2.00				
Form Setter (Paving and Curb)	3.00				
Form Setter (Structures)	2.95				
Form Setter Helper (Structures)	2.50				
Laborer, Common	1.60				
Laborer, Utility Man	2.00				
Manhole Builder, Brick	2.00				
Mechanic	3.00				
Mechanic Helper	2.50				
Oilier	2.30				
Painter (Structures)	4.25				
Painter Helper (Structures)	2.25				
Pipelayer	2.50				
Pipelayer Helper	1.85				
Powderman	2.75				
Powderman Helper	2.25				
Reinforcing Steel Setter (Paving)	3.00				
Reinforcing Steel Setter (Structures)	2.80				
Reinforcing Steel Setter Helper	2.00				
Steel Worker (Structural)	3.60				
Spreader Box Man	2.30				
Swamper	2.00				
Power Equipment Operators:					
Asphalt Distributor	2.50				
Asphalt Paving Machine	2.75				
Bulldozer, 150 H.P. and Less	2.50				
Bulldozer, over 150 H.P.	3.25				
Concrete Paving Finishing Machine	2.75				
Concrete Paving Saw	2.25				

AP-310 P. 2

16 - Texas - 3 f (2 - 2)

Power Equipment Operators (Cont'd):  
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  
Foundation Drill Operator (Crawler Mounted)  
Foundation Drill Operator (Truck Mounted)  
Foundation Drill Operator Helper  
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.)  
Tractor (Crawler Type) 150 H.P. and Less  
Tractor (Crawler type) over 150 HP  
Tractor (Pneumatic) 80 H.P. and Less  
Tractor (Pneumatic) over 80 H.P.  
Trenching Machine, Light  
Wagon Drill, Boring Machine or Post Hole Driller Operator  
Truck Drivers:  
Single Axle, Light  
Single Axle, Heavy  
Tandem Axle or Semitrailer  
Winch  
Welder

[FR Doc.72-12964 Filed 8-17-72;8:45 am]











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