AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

federal register

FRIDAY, SEPTEMBER 29, 1972

WASHINGTON, D.C.

Volume 37 ■ Number 190

Pages 20309–20518

PART I

(Part II begins on page 20383)

(Part III begins on page 20509)

HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

INCOME TAX—IRS proposals on disaster loss deductions for taxable year immediately preceding taxable year disaster occurred; comments by 10–30–72 20330

SMALL FARM LOAN DEBT SETTLEMENT—USDA proposals regarding inability to collect as a basis for compromise or adjustment; comments within 30 days 20335

RENTAL PROJECTS—HUD new requirements for recertification of family income (2 documents); effective 10–27–72 ..... 20326, 20327

DISABILITY AND DEATH BENEFITS—VA proposes regulations on willful misconduct as factor in alcoholism, venereal disease and drug use; comments within 30 days 20335

THE PUBLIC AND BROADCASTING—FCC issues a procedure manual 20509

FOOD ADDITIVES—FDA adopts regulations on phosphoric acid esters as a component of paper and paperboard in contact with food 20324

DRUGS—

FDA approves multidose bottle for vancomycin hydrochloride and new vial size for cephaloridine (2 documents) 20325

FDA revokes certification of polymyxin B sulfate preparations for oral use 20324

(Continued inside)

How To Find U.S. Statutes and United States Code Citations

[Second Revised Edition—1971]

This useful guide is designed to enable the user to obtain—quickly and easily—up-to-date and accurate citations to the United States Statutes at Large and the United States Code.

It contains typical legal references which require further citing. The official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been included. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

Price: 10 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

[Published by the Committee on the Judiciary, House of Representatives]

Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 962-8626

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

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PEANUTS—USDA proposals on acreage allotments and marketing quotas for 1972 crop; comments within 15 days 20333

DISASTER ASSISTANCE—OEP names two counties in New Mexico as disaster areas 20352

NEW DRUG APPLICATIONS—FDA withdraws approval on certain steroid combinations and Ethamivan tablets for oral use (2 documents) 20343

GRAPEFRUIT IMPORTS—USDA proposes grade and size requirements; comments within 7 days and effective 10–16–72 20332

COUNTRY OF ORIGIN MARKING REQUIREMENTS—Customs Bur. revised regulations 20318

SAFETY GUIDES FOR NUCLEAR POWER PLANTS—AEC issues three new guides, revises one 20346

Contents

AGRICULTURAL MARKETING SERVICE

Rules and Regulations

Avocados grown in South Florida; shipment limitations 20315
Irish potatoes grown in Colorado; expenses and rate of assessment in Area 2 20315

Proposed Rule Making

Grapefruit; limitations on importation 20332

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Proposed Rule Making

Peanuts; acreage allotments and marketing quotas 20333

AGRICULTURE DEPARTMENT

See Agricultural Marketing Service; Agricultural Stabilization and Conservation Service; Farmers Home Administration; Packers and Stockyards Administration; Soil Conservation Service.

ASSISTANT SECRETARY FOR HOUSING MANAGEMENT OFFICE

Rules and Regulations

Mortgage insurance and interest reduction payments for rental projects; requirements 20327

ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT OFFICE

Rules and Regulations

Mortgage insurance and interest reduction payments for rental projects; recertification of income; revocation 20326

ATOMIC ENERGY COMMISSION

Notices

Availability of final environmental statements:
Arkansas Power & Light Co 20344
Consolidated Edison Company of New York, Inc 20346
Carolina Power & Light Co.; hearing on application for construction permits 20344
Safety guides; issuance and availability 20346

COMMERCE DEPARTMENT

See Import Programs Office.

CUSTOMS BUREAU

Rules and Regulations

Country of origin marking requirements for articles and containers 20318
Ryukyu Islands; tonnage tax and light money; revocation 20317

EMERGENCY PREPAREDNESS OFFICE

Notices

New Mexico; major disaster and related determinations 20352

EMPLOYMENT STANDARDS ADMINISTRATION

Notices

Minimum wages for Federal and federally assisted construction; modification and supersedeas decisions to area wage determination decisions 20384

FARMERS HOME ADMINISTRATION

Proposed Rule Making

Debt settlement; compromise and adjustments 20335

FEDERAL COMMUNICATIONS COMMISSION

Notices

Broadcast Procedure Manual 20510

FEDERAL INSURANCE ADMINISTRATION

Rules and Regulations

Sale of flood insurance; eligible areas; deletion 20329

FEDERAL MARITIME COMMISSION

Notices

Certificates of financial responsibility (oil pollution); certificates issued 20347
Port of Oakland and Matson Terminals, Inc.; agreement filed 20346

FEDERAL POWER COMMISSION

Notices

Memorandum of agreement with Department of the Interior; cross reference 20348
Hearings, etc.:
Albuquerque National Bank et al 20348
East Tennessee Natural Gas Co 20348
Emerald Exploration et al 20349
Phillips Petroleum Co et al 20349
South Georgia Natural Gas Co 20350
Southern Natural Gas Co 20351
Westland Oil Development Corp 20351

FEDERAL RESERVE SYSTEM

Rules and Regulations

Bank holding companies; nonbanking activities; use of term "insurance premium funding" 20329

FISH AND WILDLIFE SERVICE

Rules and Regulations

Certain migratory game birds; open seasons, bag limits, and possession; corrections 20326

(Continued on next page)

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Components of paper and paperboard in contact with aqueous and fatty foods (2 documents) - 20324
Drugs:
Cephaloridine - 20325
Certain polymyxin B sulfate preparations for oral use; revocations of certification or release - 20324
Vancomycin hydrochloride and vancomycin hydrochloride for oral solution - 20325

Notices

Certain steroid combination preparations for oral use; withdrawal of approval of new drug applications - 20343
USV Pharmaceutical Corp.; Ethamivan for oral use; withdrawal of approval of new drug application - 20343

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Procurement, substantial awards and awards involving congressional interest - 20315

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

HEARINGS AND APPEALS OFFICE

Notices

Eastern Associated Coal Corp.; petition for modification of safety standard - 20337

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See also Assistant Secretary for Housing Management Office; Assistant Secretary for Housing Production and Mortgage Credit Office; Federal Insurance Administration.

Notices

Acting Regional Administrator, Region IV (Atlanta); designation - 20344

IMPORT PROGRAMS OFFICE

Notices

Applications for duty-free entry of scientific articles:
University of California, et al - 20340
West Virginia University School of Medicine et al - 20341
Decisions on applications for duty-free entry of scientific articles:
Department of Health, Education, and Welfare, Health Services and Mental Health Administration, et al - 20339
University of Michigan - 20341
University of Missouri—St. Louis - 20341

INTERIOR DEPARTMENT

See also Fish and Wildlife Service; Hearings and Appeals Office; National Park Service.

Notices

Memorandum of agreement with Federal Power Commission - 20338
Proposed O'Neill Unit, Pick-Sloan Missouri Basin Program, Nebraska; availability of final environmental statement - 20338

INTERNAL REVENUE SERVICE

Proposed Rule Making

Income tax, procedure and administration; election to deduct certain disaster losses for taxable year immediately preceding taxable year in which disaster occurred - 20330

INTERSTATE COMMERCE COMMISSION

Notices

Assignments of hearings - 20354
Travenol Laboratories, Inc.; filing of petition for institution of rule making proceeding; extension of time for filing comments - 20355

JUSTICE DEPARTMENT

See Narcotics and Dangerous Drugs Bureau.

LABOR DEPARTMENT

See Employment Standards Administration.

NARCOTICS AND DANGEROUS DRUGS BUREAU

Notices

Dr. Bruce E. Hodges; revocation of registration - 20337

NATIONAL PARK SERVICE

Notices

Administrative Officer et al., Devils Tower National Monument, Wyoming; delegation of authority regarding purchasing authority - 20338
Wilson's Creek National Battlefield, Mo.; establishment - 20338

PACKERS AND STOCKYARDS ADMINISTRATION

Notices

Farmers Livestock Exchange, et al.; posted stockyards - 20339

SECURITIES AND EXCHANGE COMMISSION

Rules and Regulations

Division of Corporation Finance's review procedures for processing post-effective amendments filed by all registered investment companies - 20317

Notices

Hearings, etc.:
Brooks Industries, Inc - 20352
Georgia Power Co - 20353
EFM Financial Corp - 20354
Topper Corp - 20354

SELECTIVE SERVICE SYSTEM

Proposed Rule Making

Classification in Class 2–A; reporting for induction - 20335

SOIL CONSERVATION SERVICE

Notices

Oliver Bottoms Flood Prevention Project Measure, Arkansas River Valley RC&D Project, Ark.; availability of final environmental statement - 20339

TARIFF COMMISSION

Notices

Genesco, Inc.; workers' petition for determination under Trade Expansion of 1962; investigation - 20354
Kraft wrapping paper from Canada; investigation and hearing - 20354

TREASURY DEPARTMENT

See also Customs Bureau; Internal Revenue Service.

Notices

Kanekalon wigs from Hong Kong; determination of sales at less than fair value - 20337

VETERANS ADMINISTRATION

Proposed Rule Making

Venereal disease, alcoholism, and drug usage; regulatory development - 20335

List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section of each issue beginning with the second issue of the month. In the last issue of the month the cumulative list will appear at the end of the issue.

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

7 CFR

915 20315
948 20315

PROPOSED RULES:

729 20333
944 20332
1864 20335

12 CFR

225 20329

17 CFR

231 20317

19 CFR

4 20317
11 20318
134 20318
172 20323

21 CFR

121 (2 documents) 20324
148p 20324
148s 20325
148w 20325

24 CFR

236 20326
425 20327
1914 20329

26 CFR

PROPOSED RULES:

1 20330
301 20330

32 CFR

PROPOSED RULES:

1622 20335
1632 20335

38 CFR

PROPOSED RULES:

3 20335

41 CFR

5A–1 20315
5A–2 20316
5A–8 20316
5A–16 20316

50 CFR

10 20326

Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Avocado Reg. 14, Amdt. 2]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this armendment is based became available and the time when this amendment must become effective in order to effecuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of avocados in that it permits shipments of a certain variety of avocados at an earlier date than currently provided.

The need for the amendment to Avocado Regulation 14 stems from the current avocado crop maturity situation. Because of current climatic and growing conditions in the production area, the Booth 7 variety of avocados is maturing about 2 weeks earlier than the date such variety of avocados is permitted to be handled pursuant to the provisions of such regulation. Therefore, the Avocado Administrative Committee, on September 22, 1972, unanimously recommended the amendment of the aforesaid regulation, as hereinafter set forth, so as to permit the earlier handling of mature Booth 7 Avocados.

(a) *Order.* The provisions of paragraph (a)(2) of § 915.314 (37 F.R. 11465), are hereby amended by revising in Table I certain dates and minimum weights or diameters applicable to the Booth 7 variety of avocados, so that after such revision the portion of Table I relating to such variety reads as follows:

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Booth 7	9–26–72	18 oz. $3^{13}/_{16}$ in.	10–9–72	16 oz. $3^{19}/_{16}$ in.	10–23–72	14 oz. $3^{5}/_{16}$ in.	11–6–72

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated September 25, 1972, to become effective September 26, 1972.

CHARLES R. BRADER,
Acting Deputy Director,
Fruit and Vegetable Division,
Agricultural Marketing Service.

[FR Doc.72–16591 Filed 9–28–72;8:46 am]

PART 948—IRISH POTATOES GROWN IN COLORADO

Expenses and Rate of Assessment in Area 2

Notice of rule making regarding the proposed expenses and rate of assessment for Area No. 2, to be effective under Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948), was published in the September 15, 1972, issue of the FEDERAL REGISTER (37 F.R. 18742). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file written data, views, or arguments, pertaining thereto not later than September 24, 1972. None was filed.

After consideration of all relevant matters, including the proposals set forth in the aforesaid notice which were recommended by the Area Committee for Area No. 2, established pursuant to the said marketing agreement and order, it is hereby found and determined that:

§ 948.268 **Expenses and rate of assessment.**

(a) The reasonable expenses that are likely to be incurred by the Area Committee for Area No. 2 to enable such committee to perform its functions, pursuant to the provisions of Marketing Agreement No. 97, as amended, and this part, during the fiscal period ending June 30, 1973, will amount to $14,050.

(b) The rate of assessment to be paid by each handler pursuant to Marketing Agreement No. 97, as amended, and this part, shall be $0.0025 per hundredweight of potatoes grown in Area No. 2 handled by him as the first handler thereof during said fiscal period: *Provided,* That potatoes for canning, freezing, and other processing, are exempt under the act.

(c) Unexpected income in excess of expenses for the fiscal period ending June 30, 1973, may be carried over as a reserve.

(d) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable potatoes from the beginning of such period, and (2) the current fiscal period began July 1, 1972, and the rate of assessment herein will automatically apply to all assessable potatoes beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674).

Dated: September 26, 1972.

CHARLES R. BRADER,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.72–16592 Filed 9–28–72;8:46 am]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 5A—Federal Supply Service, General Services Administration

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter 5A of Title 41 is amended to read as follows:

PART 5A–1—GENERAL

The table of contents of Part 5A–1 is amended to add the following new entry:

Sec.
5A–1.371 Notification of proposed substantial awards and awards involving congressional interest.

Subpart 5A–1.3—General Policies

Section 5A–1.371 is added as follows:

§ 5A–1.371 Notification of proposed substantial awards and awards involving congressional interest.

See § 5A–2.407–84.

PART 5A–2—PROCUREMENT BY FORMAL ADVERTISING

The table of contents for Part 5A–2 is amended to revise the following entry:

Sec.
5A–2.407–84 Notification of proposed substantial awards and awards involving congressional interest.

Subpart 5A–2.4—Opening of Bids and Award of Contract

Section 5A–2.407–84 is revised as follows:

§ 5A–2.407–84 Notification of proposed substantial awards and awards involving congressional interest.

(a) Applicability. This section applies to notification of proposed awards including modifications and renewals (1) when the dollar value exceeds or is estimated to exceed $100,000 except as shown in (b), below, and (2) when there is congressional interest regardless of dollar value.

(1) When congressional interest is involved, GSA Form 6380, Proposed Substantial Contract Awards (see § 5A–16.950–6380), or the TWX shall contain the following information:

Congressional interest _____
(Name of Congressman or Senator)
_____, Control No. _____. In
(State)
behalf of
_____
(Name of firm and complete address)
If award is not proposed to that bidder, explain why: _____
_____

(2) In addition to the requirement set forth in (a)(1), above, and in DOA 5410.1, Ch. 5, where a congressional inquiry is made orally and directly with the contracting officer and award or other information has been promised to the Congressman or Senator, GSA Form 6380 or the TWX shall contain the following statement:

Unless notified to the contrary, we will assume that the _____
(Congressman or Senator)
has been advised by AL.

(b) Notification of proposed awards exceeding or estimated to exceed $100,000 is not required for products whose points of origin are not readily identifiable (as in the case of gasoline and fuel oil contracts) or which involve foreign production points.

(c) Codes. The following codes shall be used in the appropriate columns of GSA Form 6380 or in teletype transmissions, as applicable.

(1) *DQ* for definite quantity contract;
(2) *FSS* for Federal Supply Schedule contract;
(3) *TC* for term contract other than Federal Supply Schedule;
(4) *S* for small business concern;
(5) *O* for other than a small business concern;
(6) *NLS* for not labor surplus area;
(7) *SLS* for substantial labor surplus area;
(8) *PLS* for persistent labor surplus area;
(9) *CUE* for concentrated unemployment or underemployment area; and
(10) *CEC* for certified-eligible concern.

(d) Notification procedure. (1) Regional Directors, FSS, shall be responsible for direct submission of the data pertinent to any proposed award of the type described in (a), above, except where the proposed award requires the approval by the Central Office in accordance with the GSA Delegations of Authority Manual, 7–67f (ADM P 5450.39).

(2) Regional offices shall furnish the required information to the Office of the Assistant Administrator (AL) by teletype, except for Region 3 which shall use GSA Form 6380, Proposed Substantial Contract Awards. In the case of exigency or emergency awards, the data shall be furnished by telephone in accordance with (f), below. All information shall be furnished in the sequence of the columns as they appear on GSA Form 6380, Proposed Substantial Contract Awards.

(3) Notification by Central Office procuring activities. The head of the Central Office procuring activity shall submit to the Office of the Assistant Administrator (AL) completed GSA Form 6380, Proposed Substantial Contract Awards, on proposed Central Office awards of the type described in (a), above, and applicable regional awards which were submitted to the Central Office for approval.

(4) In addition to the procedures set forth in (2) and (3), above, the following information shall be furnished when definite quantity contracts are involved.

(i) The quantity(s) shall be shown in parentheses below each production point.

(ii) The name of the requisitioning activity(s) shall be shown in parentheses adjacent to the applicable quantity(s). If the quantity(s) involves both domestic and overseas requirements, separate quantities shall be indicated.

(e) Release of awards. (1) Unless notified to the contrary, Regional Directors, FSS, may release awards of the type described in (a), above, or information pertinent thereto, upon the expiration of 2 full workdays after the date of transmission of the teletype or, in the case of Region 3, transmittal of GSA Form 6380, Proposed Substantial Contract Awards. However, in the case of the type of awards described in (a), above, for plywood, the Regional Director, FSS, Region 10, is authorized to release awards or information pertinent thereto on the Monday following the teletype notification (on the previous Thursday) to the Office of the Assistant Administrator (AL). Preaward release inquiries from offerors shall be processed in accordance with § 5A–2.407–1(c).

(2) Central Office awards (and regional awards requiring Central Office approval) or information pertinent thereto may be released by the head of the Central Office procuring activity in accordance with current arrangements with the Office of the Assistant Administrator (AL).

(f) Proposed exigency or emergency awards and cases where the acceptance time in an offer is about to expire.

(1) Regional exigency or emergency awards of the type described in (a), above, shall be reported by telephone to the head of the Central Office procuring activity. An explanation of the reasons for the urgency and the information called for in (d)(2), above, shall be provided. The Central Office procuring activity will notify the Office of the Assistant Administrator (AL) and advise the region of the decision on release.

(2) Central Office exigency or emergency awards of the type described in (a), above (including regional cases submitted for Central Office approval) shall be reported to the head of the Central Office procuring activity with the request to coordinate with the Office of the Assistant Administrator (AL). The head of the Central Office procuring activity or his designee will advise on the decision on release.

PART 5A–8—TERMINATION OF CONTRACTS

Subpart 5A–8.6—Termination for Default

Section 5A–8.601 is revised as follows:

§ 5A–8.601 General.

Contract termination actions require under certain circumstances the prior concurrence of the Assistant Commissioner for Procurement or the Commissioner, FSS, as set forth under the Administrative Limitations of the GSA Delegations of Authority Manual, Chapter 7 (ADM P 5450.39).

PART 5A–16—PROCUREMENT FORMS

The table of contents of Part 5A–16 is amended by adding the following new entry:

Sec.
5A–16.950–6380 GSA Form 6380, Proposed Substantial Contract Awards.

§ 5A–16.950–6380 GSA Form 6380, Proposed Substantial Contract Awards.

NOTE: A copy of the form illustrated in § 5A–16.950–6380 is filed with the original document.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); 41 CFR 5–1.101(c))

Effective date. These regulations are effective on the date shown below.

Dated: September 5, 1972.

L. E. SPANGLER,
Acting Commissioner,
Federal Supply Service.

[FR Doc.72-16624 Filed 9-28-72;8:50 am]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 33-5305]

PART 231—INTERPRETATIVE RELEASES RELATING TO THE SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER

Procedures for Processing Posteffective Amendments Filed by All Registered Investment Companies

On August 2, 1972, the Securities and Exchange Commission announced certain changes in its organizational structure, including the transfer to the Division of Corporation Finance of responsibility over registration statements, posteffective amendments, proxy material, and periodic reports, filed by registered investment companies. The purpose of this transfer was, among other things, to concentrate the attention of one division, exclusively, on the specific disclosure problems of all issuers.

Consistent with the Commission's practice of publishing the views of its staff to assist issuers, their counsel and accountants, and other interested persons, this release sets forth the Division of Corporation Finance's review procedures henceforth applicable to investment company posteffective amendments. The Commission is publishing this release at this time to give issuers ample opportunity to prepare their forthcoming posteffective amendments in accordance with these procedures.

The Division of Corporation Finance is concerned with the length of time spent in the review of posteffective amendments, and with problems that arise when material comments are not given until immediately prior to the expiration of the financial statements to the amendment. The division is aware that this latter occurrence, the so-called "eleventh-hour comment", may cause a company to incur materially higher printing expenses, and may deprive counsel of adequate time to explore positions or pursue comments with higher staff officials or the Commission. To curtail issuers' time in review and to minimize, to the extent possible, "eleventh-hour comments", the division will follow the following procedures.

First, the attention of investment company issuers is directed to Securities Act Release No. 5231 (February 3, 1972) (37 F.R. 4327) which sets forth and describes procedures for deferred, cursory, summary and customary review. These procedures will be applicable to investment company posteffective amendments. As the Commission pointed out in that release the division and not the registrant will determine which type of examination a filing will receive.

Second, issuers are requested to file formally the narrative portion of their posteffective amendments 2 months prior to the end of their fiscal year. Thus, in the case of calendar year companies, posteffective amendments should be filed on November 1 or as soon thereafter as feasible. This procedure is designed to permit comments on the text to be made, considered, and resolved within approximately 45 days of the filing date. As soon as the issuer's financial statements are available, they should be filed formally in a second posteffective amendment, the textual part of which will reflect those changes, if any, made as a result of earlier staff comments. This second filing must be accompanied by a letter of counsel stating, where appropriate, that with the exception of changes made in compliance with comments, no other changes exist in the text of the second filing; if changes have been made, however, they should be noted specifically. In either event, those changes reflecting comments should be scored.[1]

Third, with respect to regulatory questions that may arise in connection with posteffective amendments the review process can be expedited further if counsel, in a letter accompanying the filing, identifies the regulatory question and provides an opinion that its resolution and disclosure, if any, are consistent with applicable law. In this fashion, the review of a filing can continue and significant regulatory problems can be identified and resolved more effectively with the Division of Investment Company Regulation.

While the division is concerned with and seeks to alleviate the problems associated with lengthy time in review and 11th hour comments, these problems cannot be corrected without the cooperation of issuers, their counsel and accountants. Thus, the extent to which issuers avail themselves of the opportunity to file posteffective amendments in advance, and to timely provide needed opinions will directly contribute to the above objectives.

Interested persons are invited to write directly to Ralph C. Hocker, Associate Director, Division of Corporation Finance, with any suggestions or comments designed to improve administration of the review process or to achieve greater uniformity of treatment.

[SEAL] RONALD F. HUNT,
Secretary.

SEPTEMBER 21, 1972.

[FR Doc.72-16604 Filed 9-28-72;8:48 am]

[1] The division finds the practice of underlining amendments so as to highlight particular changes to be most helpful. All persons filing periodic documents are requested to follow this practice.

Issuers, their counsel, and other representatives, also are requested to exercise restraint in considering whether to communicate with members of the staff, in person or by telephone. While the communication of a material development which might have an impact on the filing is encouraged, inquiries as to the status of a filing tend to contribute to the delay in processing all filings.

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 72-264]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Tonnage Tax and Light Money, Ryukyu Islands

SEPTEMBER 21, 1972.

On June 24, 1961, following assumption by the United States of jurisdiction over the Ryukyu Islands, Treasury Decision 55406 was published in the FEDERAL REGISTER (26 F.R. 5670), for the purpose of exempting vessels from ports of those islands from the payment of tonnage tax and light money. This ruling was made on the basis that those exactions under Revised Statute 4219, as amended (46 U.S.C. 121), and Revised Statute 4225 (46 U.S.C. 128), are directed only against vessels entering from a foreign port. The Ryukyu Islands were then added to the list of exemptions found in § 4.21(b) (15), Customs regulations.

The Department of State advised the Bureau of Customs on July 21, 1972, that pursuant to an agreement between the United States and Japan concerning the Ryukyu and Daito Islands, on May 15, 1972, Japan resumed control over those island groups.

The cited statutes make collection of tonnage taxes and light money mandatory, since Ryukyu Islands ports are again considered foreign. Accordingly, the exemption in favor of vessels from the Ryukyu Islands is revoked effective May 15, 1972. Thereafter, those vessels were subject to the payment of tonnage taxes and light money.

To reflect the revocation, § 4.21(b) (15) of the Customs regulations, is amended by the deletion of "the Ryukyu Islands" after "American Samoa" in the list of islands therein.

(R.S. 4219, as amended, 4225, 4227; 5 U.S.C. 301, 46 U.S.C. 121, 128, 135)

The resumption of payment of tonnage taxes and light money is made mandatory by statute and the amendment merely reflects this revocation. Therefore, good cause is found to waive

notice and public procedure, as unnecessary under 5 U.S.C. 553(b)(B).

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

Approved: September 21, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.72-16630 Filed 9-28-72;8:50 am]

[T.D. 72-262]

COUNTRY OF ORIGIN MARKING

SEPTEMBER 21, 1972.

On February 2, 1972, notice of proposed rule making pertaining to a revision of the Customs regulations relating to marking of articles and containers to indicate the name of the country of origin (19 CFR 11.8, 11.10, and 11.11) was published in the FEDERAL REGISTER (37 F.R. 2509).

After consideration of all comments received, the following changes are made in the proposed Part 134:

1. In § 134.3, in addition to the reference to "adequate security" an additional reference to § 134.53(a)(2) is added for clarity.

2. In § 134.32(m), the word "and" is substituted for "or".

3. In § 134.41(b), the words "distribution and" are added to clarify the permanency requirements.

4. In § 134.51, the heading of paragraph (a) is broadened to "Notice to mark or redeliver."

5. In § 134.53(a)(2), a new sentence is added to clearly indicate that an entry bond may be accepted as security for the marking duty and any additional expense on account of Customs supervision. The term "adequate security" previously used in § 11.11(b) of the Customs Regulations, was always intended to require adequate coverage of the 10 percent marking duty and expenses of Customs supervision. The current section is more specific.

6. In § 134.54, proposed paragraph (a) is deleted as duplicative of § 134.51(a), and the remaining paragraphs are renumbered (a), (b), and (c).

7. In § 134.54(b), the word "prosecution" is changed to "collection" to clearly indicate this action is a civil and not a criminal matter.

There is included as part of the revision a parallel reference table showing the relationship of sections in Part 134 to the superseded sections in 19 CFR Part 11.

Accordingly, new Part 134, and the conforming changes in Parts 11 and 172 of the Customs regulations, Chapter I, title 19 of the Code of Federal Regulations, are hereby adopted as set forth below.

Effective date. This amendment shall become effective 30 days after publication in the FEDERAL REGISTER.

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

Approved: September 21, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

PART 11—PACKING AND STAMPING; MARKING; TRADEMARKS AND TRADE NAMES; COPYRIGHTS

§§ 11.12, 11.12a and 11.12b [Amended]

Part 11 is amended by deleting therefrom §§ 11.8, 11.10, and 11.11 and footnotes 4 through 13 thereto.

§ 11.12, 11.12(b) [Amended]

Sections 11.12(b), 11.12a(b), and 11.12(b) are amended by substituting "§ 134.55 of this chapter" for "§ 11.8(m)" in the last sentence thereof.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 134—COUNTRY OF ORIGIN MARKING

Chapter I of Title 19, Code of Federal Regulations, is amended by adding a new Part 134 entitled "Country of Origin Marking" to read as follows:

Sec.

134.0 Scope.

Subpart A—General Provisions

134.1 Definitions.
134.2 Additional duties.
134.3 Delivery withheld until marked and redelivery order.
134.4 Penalties for removal, defacement, or alteration of marking.

Subpart B—Articles Subject to Marking

134.11 Country of origin marking required.
134.12 Foreign articles reshipped from a U.S. possession.
134.13 Imported articles repacked or manipulated.
134.14 Articles usually combined.

Subpart C—Marking of Containers or Holders

134.21 Special marking.
134.22 General rules for marking of containers or holders.
134.23 Containers or holders designed for or capable of reuse.
134.24 Containers or holders not designed for or capable of reuse.

Subpart D—Exceptions to Marking Requirements

134.31 Requirements of other agencies.
134.32 General exceptions to marking requirements.
134.33 J-List exceptions.
134.34 Certain repacked articles.
134.35 Articles substantially changed by manufacture.
134.36 Inapplicability of exceptions.

Subpart E—Method and Location of Marking Imported Articles

134.41 Methods and manner of marking.
134.42 Specific method may be required.
134.43 Methods of marking specific articles.
134.44 Location and other acceptable methods of marking.
134.45 Approved markings of country name.
134.46 Marking when name of country or locality other than country of origin appears.
134.47 Souvenirs and articles marked with trademarks or trade names.

Subpart F—Articles Found Not Legally Marked

134.51 Procedure when importation found not legally marked.
134.52 Certificate of marking.
134.53 Examination packages.
134.54 Articles released from Customs custody.
134.55 Compensation of Customs officers and employees.

AUTHORITY: The provisions of this Part 134 are issued under R.S. 251, as amended, secs. 304, 624, 46 Stat. 687, as amended, 759, 77A Stat. 14; 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Headnote 11), 1304, 1624.

§ 134.0 Scope.

This part sets forth regulations implementing the country of origin marking requirements and exceptions of section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), together with certain marking provisions of the Tariff Schedules of the United States (19 U.S.C. 1202). It also contains provisions regarding false or misleading markings as to the country of origin. The consequences and procedures to be followed when articles are not legally marked are also set forth. Special marking and labeling requirements are covered elsewhere.

Subpart A—General Provisions

§ 134.1 Definitions.

When used in this part, the following terms shall have the meaning indicated:

(a) *Country.* "Country" means the political entity known as a nation. Colonies, possessions, or protectorates outside the boundaries of the mother country are considered separate countries.

(b) *Country of origin.* "Country of origin" means the country of manufacture, production, or growth of any article of foreign origin entering the United States. Further work or material added to an article in another country must effect a substantial transformation in order to render such other country the "country of origin" within the meaning of this part.

(c) *Foreign origin.* "Foreign origin" refers to a country of origin other than the United States, as defined in paragraph (e) of this section, or its possessions and territories.

(d) *Ultimate purchaser.* The "ultimate purchaser" is generally the last person in the United States who will re-

ceive the article in the form in which it was imported. It is not feasible to state who will be the "ultimate purchaser" in every circumstance. The following examples may be helpful:

(1) If an imported article will be used in manufacture, the manufacturer may be the "ultimate purchaser" if he subjects the imported article to a process which results in a substantial transformation of the article, even though the process may not result in a new or different article.

(2) If the manufacturing process is merely a minor one which leaves the identity of the imported article intact, the consumer or user of the article, who obtains the article after the processing, will be regarded as the "ultimate purchaser."

(3) If an article is to be sold at retail in its imported form, the purchaser at retail is the "ultimate purchaser."

(4) If the imported article is distributed as a gift the recipient is the "ultimate purchaser."

(e) *United States.* "United States" includes all territories and possessions of the United States, except the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Island, and the island of Guam.

(f) *Customs territory of the United States.* "Customs territory of the United States," as used in this chapter includes the States, the District of Columbia, and the Commonwealth of Puerto Rico.

§ 134.2 Additional duties.

Articles not marked as required by this part shall be subject to additional duties of 10 percent of the final appraised value unless exported or destroyed under Customs supervision prior to liquidation of the entry, as provided in paragraph (c) of section 304, Tariff Act of 1930, as amended (19 U.S.C. 1304(c)). The 10 percent additional duty is assessable for failure either to mark the article (or container) to indicate the English name of the country of origin of the article or to include words or symbols required to prevent deception or mistake.

§ 134.3 Delivery withheld until marked and redelivery order.

Until every article (or its container) previously released and all imported articles held in Customs custody for inspection, examination or appraisement are marked, or until the estimated duties payable under 19 U.S.C. 1304(c) or adequate security therefor (see § 134.53 (a)(2) of this part) are deposited, articles held in Customs custody shall not be delivered and redelivery to Customs custody may be ordered of all articles previously released. Nothing in this part shall be construed as excepting any article (or its container) from the particular requirements of marking provided for in any other provision of law.

§ 134.4 Penalties for removal, defacement, or alteration of marking.

Any intentional removal, defacement, destruction, or alteration of a marking of the country of origin required by section 304, Tariff Act of 1930, as amended (19 U.S.C. 1304), and this part in order to conceal this information may result in criminal penalties of up to $5,000 and/or imprisonment for 1 year, as provided in section 304(e), Tariff Act of 1930, as amended (19 U.S.C. 1304(e)).

Subpart B—Articles Subject to Marking

§ 134.11 Country of origin marking required.

Unless excepted by law, section 304, Tariff Act of 1930, as amended (19 U.S.C. 1304), requires that every article of foreign origin (or its container) imported into the United States shall be marked in a conspicuous place as legibly, indelibly, and permanently as the nature of the article (or container) will permit, in such manner as to indicate to an ultimate purchaser in the United States the English name of the country of origin of the article, at the time of importation into the Customs territory of the United States. Containers of articles excepted from marking shall be marked with the name of the country of origin of the article unless the container is also excepted from marking.

§ 134.12 Foreign articles reshipped from a U.S. possession.

Articles of foreign origin imported into any possession of the United States outside its Customs territory and reshipped to the United States are subject to all marking requirements applicable to like articles of foreign origin imported directly from a foreign country to the United States.

§ 134.13 Imported articles repacked or manipulated.

(a) *Marking requirement.* An article within the provisions of this section shall be marked with the name of the country of origin at the time the article is withdrawn for consumption unless the article and its container are exempted from marking under provisions of Subpart D of this part at the time of importation.

(b) *Applicability.* The provisions of this section are applicable to the following articles:

(1) Articles repacked in a bonded warehouse under § 19.8 of this chapter;

(2) Articles manipulated under section 562, Tariff Act of 1930, as amended (19 U.S.C. 1562), and § 19.11 of this chapter;

(3) Articles manipulated, but not manufactured, in a foreign-trade zone under § 146.32 of this chapter.

§ 134.14 Articles usually combined.

(a) *Articles combined before delivery to purchaser.* When an imported article is of a kind which is usually combined with another article after importation but before delivery to an ultimate purchaser and the name indicating the country of origin of the article appears in a place on the article so that the name will be visible after such combining, the marking shall include, in addition to the name of the country of origin, words or symbols which shall clearly show that the origin indicated is that of the imported article only and not that of any other article with which the imported article may be combined after importation.

(b) *Example.* Labels and similar articles so marked that the name of the country of origin of the label or article is visible after it is affixed to another article in this country shall be marked with additional descriptive words such as "Label made (or printed) in (name of country)" or words of similar meaning. See Subpart C of this part for marking of bottles, drums, or other containers.

(c) *Applicability.* This section shall not apply to articles of a kind which are ordinarily so substantially changed in the United States that the articles in their changed condition become products of the United States. An article excepted from marking under Subpart D of this part is not within the scope of section 304(a)(2), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)(2)), and is not subject to the requirements of this section.

Subpart C—Marking of Containers or Holders

§ 134.21 Special marking.

This subpart includes only country of origin marking requirements and exceptions under section 304(b), Tariff Act of 1930, as amended (19 U.S.C. 1304(b)), for containers or holders. Special marking may be required by the Internal Revenue Service on alcoholic beverage bottles and other requirements may be imposed by reason of the nature of the contents by other Government agencies.

§ 134.22 General rules for marking of containers or holders.

(a) *Contents excepted from marking.* When an article is excepted from the marking requirements by Subpart D of this part, the outermost container or holder in which the article ordinarily reaches the ultimate purchaser shall be marked to indicate the country of origin of the article whether or not the article is marked to indicate its country of origin.

(b) *Containers or holders treated as imported articles.* Containers or holders for imported merchandise subject to treatment as imported articles within the purview of general headnote 6, Tariff Schedules of the United States (19 U.S.C. 1202), shall be marked to indicate clearly the country of their own origin in addition to any marking which may be required to show the country of origin of their contents.

(c) *Containers or holders bearing a U.S. address.* Containers or holders of imported merchandise bearing the name and address of an importer, distributor, or other person or company in the United States shall be marked in close proximity to the U.S. address to indicate clearly the country of origin of the contents with a marking such as "Contents made in France" or "Contents Product of Spain."

(d) *Exceptions.* Containers or holders of imported articles are not required to be marked if:

(1) *Excepted articles.* They are containers or holders of articles within the

exceptions set forth in paragraph (f), (g), or (h) in § 134.32.

(2) *Excepted containers or holders.* The container or holder itself is within an exception set forth in Subpart D of this part.

(3) *To be filled by the importer.* The container or holder is within the exception set forth in § 134.24(c).

§ 134.23 Containers or holders designed for or capable of reuse.

(a) *Usual and ordinary reusable containers or holders.* Containers or holders designed for or capable of reuse after the contents have been consumed, whether imported full or empty, must be individually marked to indicate the country of their own origin with a marking such as, "Container Made in (name of country)." Examples of the containers or holders contemplated are heavy duty steel drums, tanks, and other similar shipping, storage, transportation containers or holders capable of reuse. These containers or holders are subject to the treatment specified in headnote 6(b)(ii), Tariff Schedules of the United States (19 U.S.C. 1202).

(b) *Other reusable containers or holders.* Containers or holders within the purview of headnote 6(b)(iii), Tariff Schedules of the United States (19 U.S.C. 1202), must be individually marked to clearly indicate their own origin with a marking such as, "Container made in (name of country)." Examples of the containers contemplated are mustard jars reusable as beer mugs; shaving soap containers reusable as shaving mugs; fancy cologne bottles reusable as flower vases, and other containers which have a lasting value or decorative use.

§ 134.24 Containers or holders not designed for or capable of reuse.

(a) *Containers ordinarily discarded after use.* Disposable containers or holders subject to the provisions of this section are the usual ordinary types of containers or holders, including cans, bottles, paper or polyethylene bags, paperboard boxes, and similar containers or holders which are ordinarily discarded after the contents have been consumed.

(b) *Imported empty.* Disposable containers or holders imported for distribution or sale are subject to treatment as imported articles in accordance with general headnote 6(a), Tariff Schedules of the United States (19 U.S.C. 1202), and shall be marked to indicate clearly the country of their own origin. However, when the containers are packed and sold in multiple units (dozens, gross, etc.), this requirement ordinarily may be met by marking the outermost container which reaches the ultimate purchaser.

(c) *Imported to be filled—(1) If unmarked.* When disposable containers or holders are imported by persons or firms who fill or package them with various products which they sell, these persons or firms are the "ultimate purchasers" of these containers or holders and they may be excepted from individual marking pursuant to 19 U.S.C. 1304(a)(3)(D). The outside wrappings or packages containing the containers shall be clearly marked to indicate the country of origin.

(2) *If marked.* If the disposable containers or holders are marked with the country of origin at the time of importation and the marking will be visible after they are filled, the marking shall clearly indicate that the container only and not the contents were made in the named country. For example, bottles, drums, or other containers imported empty, to be filled in the United States, shall be marked with such words as "Bottle (or container) made in (name of country)."

(d) *Imported full—(1) When contents are excepted from marking.* Usual disposable containers in use as such at the time of importation shall not be required to be marked to show the country of their own origin, but shall be marked to indicate the origin of their contents regardless of the fact that the contents are excepted from marking requirements.

(2) *Sealed containers or holders.* Disposable containers or holders of imported merchandise, which are sold without normally being opened by the ultimate purchaser (e.g., individually wrapped soap bars or tennis balls in a vacuum sealed can), shall be marked to indicate the country of origin of their contents.

(3) *Unsealed containers.* Unsealed disposable containers of imported merchandise normally unopened by the ultimate purchaser, may be excepted from marking if the article is so marked that the country of origin is clearly visible without unpacking the container. However, if the container is normally opened by the ultimate purchaser prior to purchase, only the article need be marked.

Subpart D—Exceptions to Marking Requirements

§ 134.31 Requirements of other agencies.

Nothing in this subpart shall be construed as excepting any article (or its container) from the particular requirements of marking provided for in any other provision of any law, such as those of the Federal Trade Commission, Food and Drug Administration, and other agencies.

§ 134.32 General exceptions to marking requirements.

The articles described or meeting the specified conditions set forth below are excepted from marking requirements (see Subpart C of this part for marking of the containers):

(a) Articles that are incapable of being marked;

(b) Articles that cannot be marked prior to shipment to the United States without injury;

(c) Articles that cannot be marked prior to shipment to the United States except at an expense economically prohibitive of its importation;

(d) Articles for which the marking of the containers will reasonably indicate the origin of the articles;

(e) Articles which are crude substances;

(f) Articles imported for use by the importer and not intended for sale in their imported or any other form;

(g) Articles to be processed in the United States by the importer or for his account otherwise than for the purpose of concealing the origin of such articles and in such manner that any mark contemplated by this part would necessarily be obliterated, destroyed, or permanently concealed;

(h) Articles for which the ultimate purchaser must necessarily know the country of origin by reason of the circumstances of their importation or by reason of the character of the articles even though they are not marked to indicate their origin;

(i) Articles which were produced more than 20 years prior to their importation into the United States;

(j) Articles entered or withdrawn from warehouse for immediate exportation or for transportation and exportation;

(k) Products of American fisheries which are free of duty;

(l) Products of possessions of the United States;

(m) Products of the United States exported and returned;

(n) Articles exempt from duty under § 8.3 or § 9.6 of this chapter; and

(o) Articles which cannot be marked after importation except at an expense that would be economically prohibitive unless the importer, producer, seller, or shipper failed to mark the articles before importation to avoid meeting the requirements of the law.

§ 134.33 J-List exceptions.

Articles of a class or kind listed below are excepted from the requirement of country of origin marking in accordance with the provisions of section 304(a)(3)(J), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)(3)(J)). However, in the case of any article described in this list which is imported in a container, the outermost container in which the article ordinarily reaches the ultimate purchaser is required to be marked to indicate the origin of its contents in accordance with the requirements of Subpart C of this part. All articles are listed in Treasury Decisions 49690, 49835, and 49896. A reference different from the foregoing indicates an amendment.

Articles	*References*
Art, works of.	
Articles classifiable under items 850.40, 850.70, 851.30, and 853.30, Tariff Schedules of the United States.	T.D. 66–153.
Articles entered in good faith as antiques and rejected as unauthentic.	
Bagging, waste.	
Bags, jute.	
Bands, steel.	
Beads, unstrung.	
Bearings, ball, ⅝-inch or less in diameter.	
Blanks, metal, to be plated.	
Bodies, harvest hat.	

Articles	References
Bolts, nuts, and washers.	
Briarwood in blocks.	
Briquettes, coal or coke.	
Buckles, 1 inch or less in greatest dimension.	
Burlap.	
Buttons.	
Cards, playing.	
Cellophane and celluloid in sheets, bands, or strips.	
Chemicals, drugs, medicinal, and similar substances, when imported in capsules, pills, tablets, lozenges, or troches.	
Cigars and cigarettes.	
Covers, straw bottle.	
Dies, diamond wire, unmounted.	
Dowels, wooden.	
Effects, theatrical.	
Eggs.	
Feathers.	
Firewood.	
Flooring, not further manufactured than planed, tongued and grooved.	T.D.s 49750; 50366(6).
Flowers, artificial, except bunches.	
Flowers, cut.	
Glass, cut to shape and size for use in clocks, hand, pocket, and purse mirrors, and other glass of similar shapes and sizes, not including lenses or watch crystals.	
Glides, furniture, except glides with prongs.	
Hairnets.	
Hides, raw.	
Hooks, fish. (except snelled fish hooks)	T.D. 50205(3).
Hoops (wood), barrel.	
Laths.	
Leather, except finished.	
Livestock.	
Lumber, sawed	T.D.s 49750; 50366(6).
Metal bars, except concrete reinforcement bars; billets, blocks, blooms; ingots; pigs; plates; sheets; except galvanized sheets; shafting; slabs; and metal in similar forms.	
Mica not further manufactured than cut or stamped to dimensions, shape or form.	
Monuments.	
Nails, spikes, and staples.	
Natural products, such as vegetables, fruits, nuts, berries, and live or dead animals, fish and birds; all the foregoing which are in their natural state or not advanced in any manner further than is necessary for their safe transportation.	
Nets, bottle, wire.	
Paper, newsprint.	
Paper, stencil.	
Paper, stock.	
Parchment and vellum.	
Parts for machines imported from same country as parts.	
Pickets (wood).	
Pins, tuning.	
Pipes, iron or steel, and pipe fittings of cast or malleable iron (except cast iron soil pipe and fittings).	T.D. 71–89.
Plants, shrubs and other nursery stock.	
Plugs, tie.	
Poles, bamboo.	
Posts (wood), fence.	
Pulpwood.	
Rags (including wiping rags).	
Rails, joint bars, and tie plates covered by item 610.20 through 610.26, Tariff Schedules of the United States.	
Ribbon.	
Rivets.	
Rope, including wire rope; cordage; cords; twines, threads, and yarns.	
Scrap and waste.	
Screws.	
Shims, track.	
Shingles (wood), bundles of (except bundles of red-cedar shingles).	T.D. 49750.
Skins, fur, dressed or dyed.	
Skins, raw fur.	
Sponges.	
Springs, watch.	
Stamps, postage and revenue, and other articles covered in item 274.40, Tariff Schedules of the United States.	T.D. 66–153.
Staves (wood), barrel.	
Steel, hoop.	
Sugar, maple.	
Ties (wood), railroad.	
Tiles, not over 1 inch in greatest dimension.	
Timbers, sawed.	
Tips, penholder.	
Trees, Christmas.	
Weights, analytical and precision in sets.	T.D.s 49750; 51802.
Wicking, candle.	
Wire, except barbed.	

§ 134.34 Certain repacked articles.

(a) *Exception for repacked articles.* An exception under § 134.32(d) may be authorized in the discretion of the district director for imported articles which are to be repacked after release from Customs custody under the following conditions:

(1) The containers in which the articles are repacked will indicate the origin of the articles to an ultimate purchaser in the United States.

(2) The importer arranges for supervision of the marking of the containers by Customs officers at the importer's expense or secures such verification, as may be necessary, by certification and the submission of a sample or otherwise, of the marking prior to the liquidation of the entry.

(b) *Liquidation of entries.* The liquidation of such entries may be deferred for a period of not more than 60 days from the date that a request for repacking is granted. Extensions of the 60-day deferral period may be granted by the district director in his discretion upon written application by the importer.

§ 134.35 Articles substantially changed by manufacture.

An article used in the United States in manufacture which results in an article having a name, character, or use differing from that of the imported article, will be within the principle of the decision in the case of United States v. Gibson-Thomsen Co., Inc., 27 C.C.P.A. 267 (C.A.D. 98). Under this principle, the manufacturer or processor in the United States who converts or combines the imported article into the different article will be considered the "ultimate purchaser" of the imported article within the contemplation of section 304(a), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)), and the article shall be excepted from marking. The outermost containers of the imported articles shall be marked in accord with this part.

§ 134.36 Inapplicability of exceptions.

(a) *Processed articles capable of marking.* An article which is to be processed in the United States by the importer or for his account shall not be considered to be within the specifications of section 304(a)(3)(G), of the Tariff Act of 1930, as amended (19 U.S.C. 1304(a)(3)(G)), if there is a reasonable method of marking which will not be obliterated, destroyed, or permanently concealed by such processing.

(b) *Articles or container bearing misleading markings.* An exception from marking shall not apply to any article or retail container bearing any words, letters, names, or symbols described in § 134.46 or 134.47 which imply that an article was made or produced in a country other than the actual country of origin.

Subpart E—Method and Location of Marking Imported Articles

§ 134.41 Methods and manner of marking.

(a) *Suggested methods of marking.* Section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), requires that the marking of the country of origin be legible, indelible, and permanent. Definite methods of marking are prescribed only for articles provided for in § 134.43 and for articles which are the objects of special rulings by the Commissioner of Customs. As a general rule, marking requirements are best met by marking worked into the article at the time of manufacture. For example, it is suggested that the country of origin on metal articles be die sunk, molded in or etched; on earthenware or chinaware be glazed on in the process of firing; and on paper articles be imprinted.

(b) *Degree of permanence and visibility.* The degree of permanence should be at least sufficient to insure that in any reasonably foreseeable circumstance, the marking shall remain on the article (or its container) until it reaches the ultimate purchaser unless it is deliberately removed. The marking must survive normal distribution and store handling. The

ultimate purchaser in the United States must be able to find the marking easily and read it without strain.

§ 134.42 Specific method may be required.

Marking merchandise by specific methods, such as die stamping, cast-in-the-mold lettering, etching, or engraving, or cloth labels may be required by the Commissioner of Customs in accordance with section 304(a), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)). Notices of such rulings shall be published in the FEDERAL REGISTER and the Customs Bulletin.

§ 134.43 Methods of marking specific articles.

(a) *Marking required by certain provisions of the Tariff Act of 1930.* Articles such as knives, clippers, shears, safety razors, surgical instruments, scientific and laboratory instruments, pliers, pincers, vacuum containers, and parts thereof shall be marked legibly and conspicuously by die stamping, cast-in-the-mold lettering, etching (acid or electrolytic), engraving, or by means of metal plates which bear the prescribed marking and which are securely attached to the article in a conspicuous place by welding, screws, or rivets. The articles such as those referred to are classifiable under the following items of the Tariff Schedules of the United States:

545.31–545.37	683.40	710.50
648.63	683.95	710.60
648.71	684.40	710.61
648.73	686.70	710.63
648.75	708.78	710.76
648.81	708.82	710.80
648.85	709.07	711.08
648.91	709.13	711.25
649.71–650.49	709.15	711.42
650.61–650.75	709.19–709.27	711.45
650.79–650.91	709.56	711.88
651.13	710.04	712.15
660.92–660.94	710.08	712.20
661.70	710.12	712.47–712.49
661.90	710.36	726.10
661.95	710.42	

(b) *Watch, clock, and timing apparatus.* The country of origin marking requirements on watches, clocks, and timing apparatus are intensive and require special methods. (See § 11.9 of this chapter and schedule 7, part 2, subpart E, headnotes 4 and 5 of the Tariff Schedules of the United States (19 U.S.C. 1202)).

§ 134.44 Location and other acceptable methods of marking.

(a) *Other acceptable methods.* Except for articles classifiable under an item specified in § 134.43 of this part or the subject of a ruling by the Commissioner of Customs, any method of marking at any location insuring that country of origin will conspicuously appear on the article shall be acceptable. Such marking must be legible and sufficiently permanent so that it will remain on the article (or its container when the container and not the article is required to be marked) until it reaches the ultimate purchaser unless deliberately removed.

(b) *Articles marked with paper sticker labels.* If paper sticker or pressure sensitive labels are used, they must be affixed in a conspicuous place and so securely that unless deliberately removed they will remain on the article while it is in storage or on display and until it is delivered to the ultimate purchaser.

(c) *Articles marked with tags.* When tags are used, they must be attached in a conspicuous place and in a manner which assures that unless deliberately removed they will remain on the article until it reaches the ultimate purchaser.

§ 134.45 Approved markings of country name.

(a) *English language.* The markings required by this part shall include the English name of the country of origin, unless other marking to indicate the English name of the country of origin is specifically authorized by the Commissioner of Customs. Notice of acceptable markings other than the English name of the country of origin shall be published in the FEDERAL REGISTER and the Customs Bulletin.

(b) *Abbreviations and variant spellings.* Abbreviations which unmistakably indicate the name of a country, such as "Gt. Britain" for "Great Britain" or "Luxemb" and "Luxembg" for "Luxembourg" are acceptable. Variant spellings which clearly indicate the English name of the country of origin, such as "Brasil" for "Brazil" and "Italie" for "Italy," are acceptable.

(c) *Adjectival form.* The adjectival form of the name of a country shall be accepted as a proper indication of the name of the country of origin of imported merchandise provided the adjectival form of the name does not appear with other words so as to refer to a kind or species of product. For example, such terms as "English walnuts" or "Brazil nuts" are unacceptable.

(d) *Colonies, possessions, or protectorates.* The name of a colony, possession, or protectorate outside the boundaries of the mother country shall usually be considered acceptable marking. When the Commissioner of Customs finds that the name is not sufficiently well known to insure that the ultimate purchasers will be fully informed of the country of origin, or where the name appearing alone may cause confusion, deception, or mistake, clarifying words shall be required. In such cases, the Commissioner of Customs shall specify in decisions published in the FEDERAL REGISTER and the Customs Bulletin the additional wording to be used in conjunction with the name of the colony, possession, or protectorate.

§ 134.46 Marking when name of country or locality other than country of origin appears.

In any case in which the words "United States," or "American," the letters "U.S.A.," any variation of such words or letters, or the name of any city or locality in the United States, or the name of any foreign country or locality other than the country or locality in which the article was manufactured or produced, appear on an imported article or its container, there shall appear, legibly and permanently, in close proximity to such words, letters or name, and in at least a comparable size, the name of the country of origin preceded by "Made in," "Product of," or other words of similar meaning.

§ 134.47 Souvenirs and articles marked with trademarks or trade names.

When as part of a trademark or trade name or as part of a souvenir marking, the name of a location in the United States or "United States" or "America" appear, the article shall be legibly, conspicuously, and permanently marked to indicate the name of the country of origin of the article preceded by "Made in," "Product of," or other similar words, in close proximity or in some other conspicuous location.

Subpart F—Articles Found Not Legally Marked

§ 134.51 Procedure when importation found not legally marked.

(a) *Notice to mark or redeliver.* When articles or containers are found upon examination not to be legally marked, the district director shall notify the importer on Customs Form 4647 to arrange with the district director's office to properly mark the article or containers, or to return all released articles to Customs custody for marking, exportation, or destruction.

(b) *Identification of articles.* When an imported article which is not legally marked is to be exported, destroyed, or marked under Customs supervision, the identity of the imported article shall be established to the satisfaction of the district director.

(c) *Supervision.* Verification of marking, exportation, or destruction of articles found not to be legally marked shall be at the expense of the importer and shall be performed under Customs supervision unless the district director accepts a certificate of marking as provided for in § 134.52 in lieu of marking under Customs supervision.

§ 134.52 Certificate of marking.

(a) *Applicability.* District directors may accept certificates of marking supported by samples of articles required to be marked, for which Customs Form 4647 was issued, from importers or from actual owners complying with the provision of § 8.18(d) of this chapter, to certify that marking of the country of origin on imported articles as required by this part has been accomplished.

(b) *Filing of certificates of marking.* The certificates of marking shall be filed in duplicate with the district director, and a sample of the marked merchandise shall accompany the certificate. The district director may waive the production of the marked sample when he is satisfied that the submission of such sample is impracticable.

(c) *Notice of acceptance.* The district director shall notify the importer or actual owner when the certificate of marking is accepted. Such notice of acceptance may be granted on the duplicate copy of the certificate of marking by use

of a stamped notation of acceptance. The district director is authorized to spot check the marking of articles on which a certificate has been filed. If a spot check is performed, the approved copy of the certificate, if approval is granted, shall be returned to the importer or actual owner after the spot check is completed.

(d) *Filing of false certificate of marking.* If a false certificate of marking is filed with the district director indicating that goods have been properly marked when in fact they have not been so marked, a seizure shall be made or claim for forfeiture value reported under section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592). In addition, in cases involving willful deceit, a criminal case report may be made charging a violation of section 1001, title 18, United States Code, which provides for a fine up to $10,000 and/or imprisonment up to 5 years for anyone who willfully conceals a material fact or uses any document knowing the same to contain any false or fraudulent statement in connection with any matter within the jurisdiction of an agency of the United States.

(e) *Authority to require physical supervision when deemed necessary.* The district director may require physical supervision of marking as specified in § 134.51(c) in those cases in which he determines that such action is necessary to insure compliance with this part. In such cases the expenses of the Customs officer shall be reimbursed to the Government as provided for in § 134.55.

§ 134.53 Examination packages.

(a) *Site of marking—(1) Customs custody.* Articles (or containers) in examination packages may be marked by the importer at the place where they have been discharged from the importing or bonded carrier or in the public stores.

(2) *Importer's premises or elsewhere.* If it is impracticable to mark the articles (or containers) in examination packages as provided in subparagraph (1) of this paragraph, the merchandise may be turned over to the importer after the amount of duty estimated to be payable under 19 U.S.C. 1304(c) has been deposited to insure compliance with the marking requirements and the payment of any additional expense which will be incurred on account of Customs supervision. (See § 134.55.) The district director may at his discretion accept the entry bond as security for the requirements of 19 U.S.C. 1304(c) and (d).

(b) *Failure to export, destroy, or properly mark merchandise in examination packages.* If the articles (or containers) in examination packages are not exported, destroyed, or properly marked by the importer within a reasonable time (not more than 30 days), they shall be sent to general-order stores for disposition in accordance with Part 20 of this chapter, unless covered by a warehouse entry. If covered by a warehouse entry, they shall be sent to the warehouse containing the rest of the shipment for marking prior to withdrawal.

§ 134.54 Articles released from Customs custody.

(a) *Demand for liquidated damages.* If within 30 days from the date of the notice of redelivery the importer does not redeliver or properly mark all merchandise previously released to him, the district director shall demand payment of liquidated damages incurred under the bond in an amount equal to the entered value of the articles not returned, plus any estimated duty thereon as determined at the time of entry.

(b) *Failure to petition for relief.* A written petition addressed to the Commissioner of Customs for relief from the payment of liquidated damages may be filed with the district director in accord with Part 172 of this chapter. If a petition for relief from the payment of liquidated damages is not filed or payment of the liquidated damages is not made within a period of 60 days after the demand for payment, or if the liquidated damages are not paid within 60 days after the denial of the petition for relief, the district director shall in accord with Part 172 of this chapter report the matter to the U.S. attorney for collection.

(c) *Relief from full liquidated damages.* Any relief from the payment of the full liquidated damages incurred will be contingent upon the deposit of the marking duty required by section 304(c) of the Tariff Act of 1930, as amended (19 U.S.C. 1304(c)), and the satisfaction of the district director that the importer was not guilty of negligence or bad faith in permitting the illegally marked articles to be distributed, has been diligent in attempting to secure compliance with the marking requirements, and has attempted by all reasonable means to effect redelivery of the merchandise.

§ 134.55 Compensation of Customs officers and employees.

(a) *Time for which compensation is charged.* The time for which compensation is charged shall include all periods devoted to supervision and all periods during which Customs officers or employees are away from their regular posts of duty by reason of such assignment and for which compensation to such officers and employees is provided for by law.

(b) *Applicability—(1) Official hours.* The compensation of Customs officers and employees assigned to supervise the exportation, destruction, or marking of articles so as to exempt them from the application of marking duties shall be computed in accordance with § 19.5(b) of this chapter when such supervision is performed during a regularly scheduled tour of duty.

(2) *Overtime.* When such supervision is performed by a Customs officer or employee in an overtime status, the compensation with respect to the overtime shall be computed in accordance with § 24.16 of this chapter.

(c) *Expenses included.* In formulating charges for expenses pertaining to supervision of exportation, destruction, or marking, there shall be included all expenses of transportation, per diem allowance in lieu of subsistence, and all other expenses incurred by reason of such supervision from the time the Customs officer leaves his official station until he returns thereto.

(d) *Services rendered for more than one importer.* If the importations of more than one importer are concurrently supervised, the service rendered for each importer shall be regarded as a separate assignment, but the total amount of the compensation, and any expenses properly applicable to more than one importer, shall be equitably apportioned among the importers concerned.

PART 172—LIQUIDATED DAMAGES

Section 172.21(b)(3) is amended by substituting "§ 134.54(c)" for "§ 11.11 (d)" in the parenthetical matter at the end thereof.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PARALLEL REFERENCE TABLE

(This table shows the relation of sections in revised Part 134 to superseded 19 CFR Part 11)

Proposed Part 134 section:	*19 CFR section*
134.0	None
134.1(a)	11.8(a)
134.1(b)	11.8(c)
134.1(c)	None
134.1(d)	11.8(e)
134.1(e)	None
134.1(f)	None
134.2	11.8(k)
134.3	None
134.4	None
134.11	None
134.12	11.8(f)
134.13	11.8(l)
134.14(a)-(c)	11.8(g)
134.21	None
134.22(a)	11.8(h)&(l)
134.22(b)	11.8(j)
134.22(c)	None
134.22(d)	11.8(l)
134.23(a)	None
134.23(b)	None
134.24(a)	None
134.24(b)	11.8(j)
134.24(c)(1)	None
134.24(c)(2)	11.8(g)
134.24(d)(1)-(3)	None
134.31	None
134.32	11.10(a)&(b)
134.33	11.10(a)
134.34(a)&(b)	11.10(a)
134.35	11.8(e)
134.36(a)&(b)	11.10(a)
134.41(a)	11.8(a)&(d)
134.41(b)	11.8(d)
134.42	None
134.43(a)	11.8(d)
134.43(b)	11.9
134.44(a)-(c)	11.8(d)
134.45(a)-(c)	11.8(b)
134.45(d)	11.8(a)
134.46	11.8(a)(1&2)
134.47	11.8(a)(3)
134.51(a)	11.11(a)
134.51(b)	11.8(k)
134.51(c)	11.11(a)
134.52(a)-(e)	None
134.53(a)(1)-(2)	11.11(b)
134.53(b)	11.11(b)
134.54(a)	11.11(c)
134.54(b)&(c)	11.11(c)&(d)
134.55(a)-(d)	11.8(m)

[FR Doc.72-16629 Filed 9-28-72;8:50 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

Components of Paper and Paperboard in Contact With Aqueous and Fatty Foods

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 0B2540) filed by Nalco Chemical Co., 180 North Michigan Avenue, Chicago, IL 60601, and other relevant material, concludes that the food additive regulations should be amended, as set forth below, to provide for the safe use of a composition of acid esters and polyesters formed by the reaction of polyphosphoric acid and triethanolamine as an adjuvant to control pitch and scale formation in the manufacture of paper and paperboard in contact with aqueous and fatty foods.

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

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

* * * * * *

(a) * * *

(5) * * *

List of substances	*Limitations*
* * *	* * *
Phosphoric acid esters and polyesters (and their sodium salts) of triethanolamine formed by the reaction of triethanolamine with polyphosphoric acid to produce a mixture of esters having an average nitrogen content of 1.5 percent and an average phosphorus content of 32 percent (as PO_4).	For use as an adjuvant prior to the sheet forming operation to control pitch and scale formation in the manufacture of paper and paperboard intended for use in contact with food only of the types identified in paragraph (c) of this section, table 1, under type I, IV, V, VII, VIII, and IX, and used at a level not to exceed 0.075 percent by weight of dry paper or paperboard fibers.
* * *	* * *

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

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (9–29–72).

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

Dated: September 22, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72–16572 Filed 9–28–72;8:45 am]

PART 121—FOOD ADDITIVES

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

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

In F.R. Doc. 72–15559 appearing at page 18528 in the issue of Wednesday, September 13, 1972, the fifth line of the entry under the "Limitations" column under § 121.2526(b)(2) is corrected to read "Use D through G described in * * *."

Dated: September 22, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72–16576 Filed 9–28–72;8:45 am]

SUBCHAPTER C—DRUGS

[DESI 7501]

PART 148p—POLYMYXIN

Certain Polymyxin B Sulfate Preparations for Oral Use; Revocations of Certification or Release

In the FEDERAL REGISTER of August 26, 1970 (35 F.R. 13602), and April 2, 1971 (36 F.R. 6118), the Commissioner of Food and Drugs announced (DESI 7501) the conclusions of the Food and Drug Administration following evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs for oral use:

1. Aerosporin Compressed Tablets containing polymyxin B sulfate; Burroughs Wellcome and Co., Inc., 3030 Corwallis Road, Research Triangle Park, NC 27709. (NDA 7–934)

2. Polymyxin B Sulfate Soluble Tablets; Pfizer Inc., 235 East 42nd Street, New York, NY 10017. (NDA 8–318)

The notice stated that these drugs were regarded as probably effective and possibly effective for their labeled indications. The indications have been reclassified as lacking substantial evidence of effectiveness in that such evidence has not been submitted pursuant to the above notices.

Accordingly, the Commissioner concludes that the antibiotic drug regulations should be amended to revoke provisions for certification or release of such antibiotic drugs for human use.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050–1051, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner (21 CFR 2.120), Part 148p is amended as follows:

Part 148p is amended by revoking § 148p.2 *Polymyxin sulfate tablets* and § 148p.6 *Polymyxin B sulfate soluble tablets.*

Any person who will be adversely affected by the removal of any such drug from the market may file objections to this order and request a hearing, showing reasonable grounds therefore. The statement of reasonable grounds and request for a hearing shall be submitted in writing within 30 days after publication hereof in the FEDERAL REGISTER, *shall* state the reasons why the antibiotic drug regulations should not be so amended, and shall include a well-organized and full factual analysis of the clinical and other investigational data the objector is prepared to prove in support of his objections.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing. When it clearly appears from the data incorporated into or referred to by the objections and from the factual analysis in the request for a hearing that no genuine issue of fact precludes the action taken by this order, the Commissioner will enter an order on these data, making findings and conclusions on such data.

If a hearing is requested and justified by the objections, the issues will be defined and a hearing examiner named. The provisions of Subpart F of 21 CFR Part 2 shall apply to such hearing, except as modified by 21 CFR 146.1(f),

and to judicial review in accord with section 701 (f) and (g) (21 U.S.C. 371 (f) and (g)) of the Federal Food, Drug, and Cosmetic Act. (35 F.R. 7250, May 8, 1970).

Objections and requests for a hearing should be filed (preferably in quintuplicate) with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852. Received objections and requests for a hearing may be seen in the above office during regular business hours, Monday through Friday.

Effective date. This order shall become effective 40 days after its date of publication in the FEDERAL REGISTER. If objections are filed, the effective date will be extended as necessary to rule thereon. In so ruling, the Commissioner will specify another effective date.

(Secs. 502, 507, 52 Stat. 1050-1051, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357)

Dated: September 19, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-16575 Filed 9-28-72;8:45 am]

PART 148s—VANCOMYCIN

Vancomycin Hydrochloride and Vancomycin Hydrochloride for Oral Solution

Vancomycin hydrochloride for oral and parenteral use, a drug previously approved under section 507 of the Federal Food, Drug, and Cosmetic Act, is packaged in one-dose sterile vials. These vials are inconvenient to use when more than one patient is being treated orally. The Commissioner of Food and Drugs has evaluated the data submitted concerning the repackaging of vancomycin hydrochloride in a multidose bottle for oral use and concludes that the regulations should be amended to provide for the certification of the repackaged drug. The section heading of § 148s.1 (21 CFR 148s.1) is being revised to conform with U.S.P. nomenclature.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), Part 148s is amended by revising § 148s.1 and by adding two new sections as follows:

1. In § 148s.1 by revising the section heading and the first sentence of paragraph (a)(1) as follows:

§ 148s.1 Sterile vancomycin hydrochloride.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Sterile vancomycin hydrochloride is the hydrochloride salt of a kind of vancomycin or a mixture of two or more such salts. * * *

* * * * *

2. The following two new sections are added to Part 148s:

§ 148s.2 Vancomycin hydrochloride.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Vancomycin hydrochloride is the hydrochloride salt of a kind of vancomycin or a mixture of two or more such salts. It is soluble in water and moderately soluble in dilute methyl alcohol. It is insoluble in higher alcohols, acetone, and ether. It is so purified and dried that:

(i) It contains not less than 900 micrograms of vancomycin per milligram, calculated on an anhydrous basis.

(ii) It passes the safety test.

(iii) Its moisture content is not more than 5 percent.

(iv) Its pH in an aqueous solution containing 50 milligrams per milliliter is not less than 2.5 and not more than 4.5.

(v) It contains not more than 15 percent of factor A.

(vi) It gives a positive identity test for vancomycin.

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

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

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

(ii) Samples required: 12 packages, each containing approximately 500 milligrams.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed sample of approximately 30 milligrams in sufficient sterile distilled water to give a stock solution of 1 milligram per milliliter (estimated). Further dilute an aliquot of the stock solution with 0.1*M* potassium phosphate buffer, pH 4.5 (solution 4), to the reference concentration of 10 micrograms of vancomycin per milliliter (estimated).

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

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

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using a solution containing 50 milligrams per milliliter.

(5) *Identity and factor A content.* Proceed as directed in § 148s.1(b)(7).

§ 148s.11 Vancomycin hydrochloride for oral solution.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Vancomycin hydrochloride for oral solution is vancomycin hydrochloride packaged in a suitable dispensing container. Its potency is satisfactory if it is not less than 90 percent and not more than 115 percent of the number of grams of vancomycin that it is represented to contain. Its moisture content is not more than 5 percent. When reconstituted as directed in the labeling, its pH is not less than 2.5 and not more than 4.5. The vancomycin hydrochloride used conforms to the standards prescribed by § 148s.2(a)(1).

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

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

(i) Results of tests and assay on:

(*a*) The vancomycin hydrochloride used in making the batch for potency, safety, moisture, pH, factor A content, and identity.

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

(ii) Samples required:

(*a*) The vancomycin hydrochloride used in making the batch: 12 packages, each containing approximately 500 milligrams.

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

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Empty the contents into an accurately measured volume of distilled water as directed in the labeling of the drug. Further dilute an aliquot with 0.1*M* potassium phosphate buffer, pH 4.5 (solution 4), to the reference concentration of 10 micrograms of vancomycin per milliliter (estimated).

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

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

Data supplied by the manufacturer concerning the subject antibiotic have been evaluated. Since the conditions prerequisite to providing for its certification have been complied with and since the matter is noncontroversial, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (9-29-72).

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: September 22, 1972.

MARY A. MCENIRY,
Assistant to the Director of Regulatory Affairs, Bureau of Drugs.

[FR Doc.72-16573 Filed 9-28-72;8:45 am]

PART 148w—CEPHALOSPORIN

Cephaloridine

The Commissioner of Food and Drugs has evaluated data submitted in accordance with regulations promulgated under section 507 of the Federal Food, Drug, and Cosmetic Act, as amended, with respect to the certification of a new vial size for cephaloridine. As the designation of vial sizes is not required by the regulations for the certification of an antibiotic, the Commissioner concludes that the regulations should be amended by deleting the reference to vial sizes in § 148w.2 (21 CFR 148w.2).

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic

Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), § 148w.2 *Cephaloridine* is amended by deleting paragraph (a)(2) and redesignating paragraph (a)(3) as (a)(2) and paragraph (a)(4) as (a)(3).

Since the matter is noncontroversial, notice and public procedure and delayed effective date are not prerequisite to promulgation of this amendment.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (9–29–72).

(Sec. 507, 59 Stat. 465, as amended; 21 U.S.C. 357)

Dated: September 22, 1972.

MARY A. MCENIRY,
Assistant to the Director for Regulatory Affairs, Bureau of Drugs.

[FR Doc.72–16574 Filed 9–28–72;8:45 am]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 10—MIGRATORY BIRDS

Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds; Corrections

There was published in the FEDERAL REGISTER of Friday, September 1, 1972 (37 F.R. 17838), certain amendments to Subpart K of this Part 10 which established open hunting seasons, bag limits, shooting hours, and certain closed seasons for migratory game birds for the 1972–73 hunting seasons.

It is necessary to make the following corrections in that publication. Since these amendments are in accordance with the desires of the respective States as expressed pursuant to a notice of proposed rule making published in the FEDERAL REGISTER of April 28, 1972 (37 F.R. 8530), and are for the purpose of correcting oversights in the publication of September 1, 1972 (37 F.R. 17838) and amendments thereto published Wednesday, September 13, 1972 (37 F.R. 18547), it is determined that notice and public procedure thereon are impracticable, unnecessary, and contrary to the public interest, and these amendments shall be effective upon publication in the FEDERAL REGISTER.

Accordingly, Part 10, Subpart K of Title 50, Code of Federal Regulations, is amended as set out below:

§ 10.105 [Amended]

1. The section number and heading for § 10.105, reading "§ 10.105 *Seasons, limits, and shooting hours for waterfowl, coots, and gallinules.*", should be inserted between § 10.104(b) and the material now designated as § 10.104(c), followed by a line of five asterisks.

2. In the table of States in § 10.105(e), Atlantic, Mississippi, and Central Flyways, delete the reference to footnote 22 for the States of Ohio, Michigan, and Tennessee, delete the reference to footnotes 9 and 22 for Indiana, and insert a reference to footnote 20. As amended, these States and footnote references read:

Indiana.[20]
Michigan.[20]
Ohio:
Pymatuning area.[7 16 44]
Remainder of State.[9 20]
Tennessee.[20]

3. The following amendments are made in § 10.105(f), Pacific Flyway:

a. In the table of States, the dates for the California Tule Lake area, Colorado River area, and Northern zone under the column for common snipe (Wilson's) are amended to read:

Tule Lake area	Oct. 14–Jan. 14.
Colorado River area	Oct. 1–Oct. 23. Nov. 12–Jan. 20.
Northern zone	Oct. 14–Dec. 20. Dec. 27–Jan. 20

b. In the table of States, the dates for New Mexico (Pacific Flyway portion) under the column for ducks and snipe are amended to read:

New Mexico[5 9 15]	Oct. 21–Jan. 20

c. Footnote 10 is amended to read:

[10] In that portion of the State lying west of U.S. Highway 93, except the counties of Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Nez Perce, Lewis, Clearwater, and Idaho, the open season for Canada geese is October 7, 1972–December 31, 1972. In the 10 counties named above, the limits for geese are three daily and six in possession.

d. Footnote 16 is amended by deleting the word "Utah" and inserting in its place the word "Idaho."

e. Footnote 18 is amended to read:

[18] In that portion of Montana placed in the Pacific Flyway and east of the Continental Divide, the open season for geese is October 1, 1972–December 4, 1972.

f. In the table of States, a reference to footnote 18 is added after Montana. As amended, Montana footnote references read:

Montana.[5 9 12 18]

g. In the table of States, reference to footnote 18 is deleted after Idaho; reference to footnote 8 is added after Idaho and reference to footnote 16 is added after Columbia Basin area. As amended, Idaho footnote references read:

Idaho.[5 8 10 11 12 18]
Columbia Basin area.[16 22]

h. In the table of States, reference to footnote 16 is deleted after Oregon and is added after Columbia Basin area. As amended, Oregon footnote references read:

Oregon.[14 21]
Columbia Basin area.[16 22]

i. In the table of States, reference to footnote 16 is deleted after Utah. As amended, the Utah footnote reference reads:

Utah.[5]

j. In the table of States, references to footnotes 9 and 16 are deleted after Washington; footnote 16 is added after Columbia Basin area. As amended, Washington footnote references read:

Washington.[11]
Columbia Basin area.[16 22]

k. Footnote 20 is deleted.

l. In the table of States, reference to footnote 20 after Wyoming is deleted. As amended, Wyoming footnote references read:

Wyoming.[5 8 9]

3. Section 10.106(b) is amended to include all of Howard and Lynn Counties of Texas. As amended, § 10.106(b) reads:

§ 10.106 Seasons and limits on little brown cranes.

* * * * *

(b) In the New Mexico counties of Chaves, Curry, De Baca, Eddy, Lea, Quay, and Roosevelt, and in that portion of the State of Texas lying west of a line running south from the Oklahoma border along U.S. Highway 287 to the U.S. Highway 87 at Dumas, along U.S. Highway 87 and including all of Howard and Lynn Counties to U.S. Highway 277 at San Angelo, and along U.S. Highway 277 to the International Toll Bridge in Del Rio; season dates are October 28, 1972–January 28, 1973.

* * * * *

(16 U.S.C. 703–711)

Effective date: Upon publication in the FEDERAL REGISTER (9–29–72).

SEPTEMBER 26, 1972.

E. V. SCHMIDT,
Acting Director, Bureau of Sport Fisheries and Wildlife.

[FR Doc.72–16615 Filed 9–28–72;8:50 am]

Title 24—HOUSING AND URBAN DEVELOPMENT

Chapter II—Office of Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner [Federal Housing Administration], Department of Housing and Urban Development

SUBCHAPTER B—MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER NATIONAL HOUSING ACT

[Docket No. R–72–214]

PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS FOR RENTAL PROJECTS

Subpart A—Eligibility Requirements for Mortgage Insurance

RECERTIFICATION OF INCOME; REVOCATION

This issue of the FEDERAL REGISTER contains an amendment to Title 24 of

the Code of Regulation that adds a new Part 425, "Mortgage Insurance and Interest Reduction Payments for Rental Projects." Sections 425.25 and 425.27 of the new Part 425 supersede § 236.70(d) of this title effective October 27, 1972. Accordingly, § 236.70(d) of Part 236 of Chapter II of Title 24 of the Code of Federal Regulations is revoked.

Effective date. This revocation shall become effective October 27, 1972.

EUGENE A. GULLEDGE,
Assistant Secretary-Commissioner.

[FR Doc.72-16582 Filed 9-28-72;8:46 am]

Chapter IV—Office of Assistant Secretary for Housing Management, Department of Housing and Urban Development

SUBCHAPTER E—INTEREST REDUCTION HOUSING—MANAGEMENT AND CONTRACT ADMINISTRATION—SECTION 236

[Docket No. R-72-193]

PART 425—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS FOR RENTAL PROJECTS

Subpart A—Mortgage Insurance Requirements

This makes final a proposal issued on May 27, 1972 (37 F.R. 10736), to amend Title 24 of the Code of Federal Regulations to include a new Part 425, "Mortgage Insurance and Interest Reduction Payments for Rental Projects."

The part changes the recertification of family income from a biennial to an annual recertification by tenants or cooperative members of housing projects receiving interest reduction payments pursuant to section 236 of the National Housing Act. The part also provides that tenants or cooperative members may request recertification at any time that there is a change in family income as reported in the most recent recertification. A 90-day period is provided for the purpose of effecting conversion from biennial recertification of those tenants or cooperative members whose annual anniversary of initial occupancy occurs within such 90-day period, but whose biennial recertification would not be due for another year. Inasmuch as this part would supersede § 236.70(d), Part 236, Subpart A will be amended to revoke § 236.70(d) on the effective date of this part.

Interested persons were given the opportunity to participate in the rule making through submission of comments. Comments received on the changes pointed out that annual recertification would entail additional workload and expense. The Department has determined that the additional benefits to the program which would result by adoption of the proposed rule would offset the additional workload.

Subpart A—Mortgage Insurance Requirements

Sec.
425.1 Purpose and definitions.
425.3 Operation of the project.
425.5 Mortgage release provision.
425.7 Application of payments.
425.9 Prepayment privileges.
425.11 Late charge.
425.13 Supervision applicable to limited distribution mortgagors.
425.15 Rental charges.
425.17 Excess rental charges.
425.19 Selection of tenants and transient occupancy.
425.21 Occupancy requirements.
425.23 Form of lease and occupancy agreement.
425.25 Required recertification of income.
425.27 Optional recertification of income.
425.29 Effect of amendments.

AUTHORITY: The provisions of this Part 425 issued under sec. 211, 52 Stat. 23, as amended, sec. 236, 82 Stat. 498, as amended; 12 U.S.C. 1715b, 1715z-1.

Subpart A—Mortgage Insurance Requirements

§ 425.1 Purpose and definitions.

(a) It is the purpose of this part to set forth those provisions contained in Part 236, Subpart A of this title which are generally applicable, after final endorsement, to housing projects receiving interest reduction payments pursuant to section 236 of the National Housing Act, and to set forth the requirements for recertification of family income by each tenant or cooperative member who is not paying the fair market rental in such a housing project.

(b) The definitions contained in § 236.2 of this title shall apply to this part. In addition, the term "Secretary" means the Secretary of the Department of Housing and Urban Development and includes such other official or officials of the Department to whom the Secretary has delegated authority to act.

§ 425.3 Operation of the project.

(a) *Nonprofit mortgagors.* The nonprofit mortgagor approved in accordance with the provisions of § 236.10 of this title shall be subject to such regulation or supervision as to rents, charges, and methods of operation as the Secretary deems necessary to effectuate the purposes of this subpart.

(b) *Builder-seller mortgagors.* The builder-seller mortgagor approved in accordance with the provisions of § 236.10 of this title shall:

(1) Operate the project, subject to special controls and requirements of the Secretary as to rents, charges, rates of return, and methods of operation until the conveyance to the nonprofit mortgagor.

(2) Operate the project as a limited distribution mortgagor subject to the supervision, controls, and requirements prescribed by the Secretary for such mortgagor in the event of a failure to convey to a nonprofit mortgagor either at final endorsement or within such additional period as may be agreed to in writing by the Secretary.

(c) *Limited distribution mortgagor.* The limited distribution mortgagor approved in accordance with the provisions of § 236.10 of this title shall be restricted by law (or by the Secretary) as to distribution of income and shall be regulated as to rents, charges, rate of return, and methods of operation in such form and manner as is satisfactory to the Secretary to effectuate the purposes of this subpart.

(d) *Cooperative and investor sponsor mortgagors.* (1) The cooperative mortgagor approved in accordance with § 236.10 of this title shall be regulated or restricted by the Secretary as to rents or sales, charges, rate of return, and methods of operation in such manner as will effectuate the purposes of this subpart and protect the consumer interest.

(2) The investor sponsor mortgagor shall:

(i) Operate the project until 2 years after the date of completion or until conveyance to the cooperative mortgagor, whichever occurs sooner, subject to the controls and requirements of the Secretary.

(ii) Operate the project as a limited distribution mortgagor subject to the controls and requirements of the Secretary in the event of failure to convey to a cooperative mortgagor within the 2-year period.

§ 425.5 Mortgage release provision.

If a mortgage contains a provision permitted by § 236.20 of this title, then in accordance with such provision at any time after final endorsement, the property covered by the mortgage may be released from the lien of the mortgage in whole or in part, with the approval of the Secretary and under such terms and conditions as he may prescribe, upon payment of the portion of the unpaid balance of the mortgage allocable to the property released.

§ 425.7 Application of payments.

(a) Payment of all amounts to be paid monthly by the mortgagor to the mortgagee and the application of such payment by the mortgagee shall be made in accordance with the mortgage terms required by § 236.25 of this title.

(b) Any deficiency in the amount of the monthly payment shall constitute an event of default. Any default must be cured within the 30-day grace period as provided in the mortgage in accordance with the requirement of § 236.25 of this title.

§ 425.9 Prepayment privileges.

(a) *Prepayment in full*—(1) *Without prior consent of the Secretary.* A mortgage indebtedness may be prepaid in full and the Secretary's controls terminated without the prior consent of the Secretary where the mortgagor is a limited distribution type and either of the following conditions is met:

(i) If the prepayment occurs after the expiration of 20 years after the date of

final insurance endorsement of the mortgage, provided the mortgagor is not receiving payments from the Secretary under a rent supplement contract executed pursuant to the provisions of §§ 215.1 et seq. of this title.

(ii) If the prepayment occurs as a result of the sale of the project to a cooperative or private nonprofit corporation or association, provided the sale is financed with a mortgage insured pursuant to § 236.40(d) of this title.

(2) *With prior consent of the Secretary.* In all cases, except those outlined in subparagraph (1) of this paragraph, a mortgage indebtedness shall not be prepaid in full and the Secretary's controls shall not be terminated unless the Secretary gives his consent to such prepayment.

(b) *Partial prepayments.* With the prior written approval of the Secretary, partial prepayments may be made for the purpose of reducing succeeding monthly payments of the remaining balance as recast over the remaining portion of the original mortgage term.

(c) *Optional provision.* If the mortgage contains a provision permitted by § 236.30(c) of this title, then in accordance with such provision, prior to the maturity and with the approval of the Secretary, partial prepayments may be made after 30 days' written notice to the mortgagee on any principal payment date. If prepayments are made in any calendar year in excess of 15 percent of the original face amount of the mortgage, the mortgagee will be permitted to collect such reasonable charge on such excess as is agreed upon between the mortgagor and the mortgagee.

(d) *Prepayment in connection with sale of units.* With the prior written approval of the Secretary, the mortgagor may sell the individual dwelling units in the project to lower income, elderly, or handicapped purchasers. The mortgagee shall not collect any charge for the prepayment of the mortgage in connection with the sale of such units.

§ 425.11 Late charge.

A late charge may be collected by the mortgagee for each payment to interest or principal more than 15 days in arrears, if provided in the mortgage, but such charge shall not exceed 2 cents for each dollar of the mortgagor's share of such payment. Such charge shall be separately charged to and collected from the mortgagor and shall not be deducted from any aggregate monthly payment. Such charge shall not be included in the interest reduction payment made by the Secretary to the mortgagee pursuant to § 236.501 et seq. of this title.

§ 425.13 Supervision applicable to limited distribution mortgagors.

(a) Dividends or other distributions, as defined in the charter, trust agreement, or regulatory agreement, may be declared or made only as of or after the end of a semiannual or annual fiscal period. The amount of any allowable distribution, or disbursement from surplus cash, shall not exceed in any one fiscal year more than 6 percent of the mortgagor's initial equity investment in the projects, as determined by the Secretary.

(b) No dividends or other distributions shall be declared or made except out of surplus cash available and remaining after:

(1) The payment of:

(i) All sums due or currently required to be paid under the terms of any mortgage or note insured or held by the Secretary.

(ii) All amounts required to be deposited in the reserve fund for replacements.

(iii) All obligations of the project (other than the mortgage insured or held by the Secretary) unless funds for payment are set aside or deferment of payment has been approved by the Secretary.

(2) The segregation of:

(i) An amount equal to the aggregate of all special funds required to be maintained by the project.

(ii) All tenant security deposits held.

(c) The right to any allowable distribution or disbursement from surplus cash shall be cumulative.

(d) No distribution of any kind may be made from borrowed funds.

§ 425.15 Rental charges.

(a) *Approved rental charges.* The mortgagor shall, with the approval of the Secretary, establish and maintain for each dwelling unit the following:

(1) A basic monthly rental charge determined on the basis of operating the project with payments of principal and interest due under a mortgage bearing interest at the rate of 1 percent per annum.

(2) A fair market monthly rental charge determined on the basis of operating the project with payments of principal, interest, and mortgage insurance premium which the mortgagor is obliged to pay under the mortgage.

(b) *Monthly rental charge.* The monthly rental for each dwelling unit shall be 25 percent of the tenant's adjusted monthly income, except that the monthly rental shall not be less than the basic rental nor more than the fair market rental charge. In the event of any change in a tenant's income, the monthly rental charge shall be adjusted by the mortgagor.

(c) *Application of terms.* In the case of a cooperative project, the term "tenant" as used in this subpart shall mean a member of a cooperative and the term "rental charge" shall mean the charges under the occupancy agreement of members of the cooperative.

§ 425.17 Excess rental charges.

In accordance with the requirement of § 236.60 of this title, the mortgagor shall pay monthly to the Secretary all rental charges collected in excess of the basic rental charges.

§ 425.19 Selection of tenants and transient occupancy.

In accordance with the certification required pursuant to § 236.65 of this title, as long as the Secretary is the insurer, holder, or reinsurer of the mortgage, the mortgagor will not:

(a) In selecting tenants for the project covered by the mortgage, discriminate against any family because there are children in the family.

(b) Rent, permit the rental or permit the offering for rental of the housing, or any part thereof, covered by such mortgage, for transient or hotel purposes. For the purposes of this certificate, the term "rental for transient or hotel purposes" shall mean (1) rental for any period less than 30 days, or (2) except in the case of a project designed primarily for occupancy by elderly or handicapped persons, any rental which includes the provision of customary hotel services such as room service for food and beverages, furnishing and laundering of linens, maid service and bellboy service.

(c) Sell the project, unless the purchaser also agrees to comply with the requirements of paragraphs (a) and (b) of this section.

§ 425.21 Occupancy requirements.

(a) *Initial occupancy.* Initial occupancy of the project by tenants who are unable to pay the fair market rental shall be restricted to those determined by the mortgagor as meeting the income requirements established by the Secretary and who are one of the following:

(1) A family.

(2) An elderly person.

(3) A displacee.

(4) A handicapped person.

(5) A single person who is less than 62 years of age: *Provided,* That occupancy by this category of tenants or members shall be limited to 10 percent of the dwelling units in the project.

(b) *Projects designed for displacees, or elderly, or handicapped.* In a project designed for displacees, or elderly, or handicapped, occupancy may be restricted to that category of persons for whom the project was designed and who meet the income requirements established by the Secretary.

(c) *Preference for military personnel and displacees.* (1) Whenever the Secretary determines that a project, because of its location or other considerations, could ordinarily be expected to substantially serve the family needs of military personnel who are serving on active duty and meet the income requirements established by the Secretary, such preference for occupancy shall be afforded to the family of such military personnel as the Secretary determines is appropriate.

(2) In all projects preference or priority to occupy dwelling units shall be given to displacees provided that in a project designed for the handicapped or the elderly, preference for displacees shall be limited to those who are within the category for whom the project was designed.

§ 425.23 Form of lease and occupancy agreement.

A tenant who is to pay less than the fair market rental shall be required to execute a lease in a form approved by the Secretary. A cooperative member

shall be required to execute an occupancy agreement in a form approved by the Secretary regardless of the rent he is paying.

§ 425.25 Required recertification of income.

The mortgagor or project manager shall obtain from each tenant or cooperative member who is not paying the fair market rental, an annual recertification of family income. The recertification shall be on a form prescribed by the Secretary.

§ 425.27 Optional recertification of income.

Upon request of a tenant or cooperative member, the mortgagor or project manager shall accept recertification of family income whenever there is a change in tenant's or cooperative member's family income as reported in the most recent recertification. The recertification shall be on a form prescribed by the Secretary.

§ 425.29 Effect of amendments.

The regulations in this subpart may be amended by the Secretary at any time and from time to time, in whole or in part, but such amendment shall not adversely affect the interests of a mortgagee under the contract of insurance on any mortgage already insured and shall not adversely affect the interests of a mortgagee on any mortgage to be insured on which the Secretary has made a commitment to insure.

Effective date. This Part 425 shall be effective October 27, 1972.

G. RICHARD DUNNELLS,
Deputy Assistant Secretary for Housing Management.

[FR Doc.72-16583 Filed 9-28-72;8:46 am]

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

The following entry to the table in § 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations, which appeared erroneously in the table of communities being made eligible for the sale of flood insurance under the National Flood Insurance Program (See 37 F.R. 17703, August 31, 1972), is deleted and repealed:

§ 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
...	...	...	...	...	...	...
Vermont	Washington	Montpelier				Sept. 1, 1972. Emergency.
...	...	...	...	...	...	...

(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; Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: September 21, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72-16584 Filed 9-28-72;8:46 am]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Y]

PART 225—BANK HOLDING COMPANIES

Nonbanking Activities

The Board of Governors amends § 225.126 by revising paragraph (a) and adding new paragraphs (f), (g), and (h). In paragraph (a) the words "Equity funding" are changed to read "Insurance premium funding" to avoid confusion from the claimed right to a service mark by a company engaged in this activity. Paragraphs (b), (c), (d), and (e), as originally published May 4, 1972 (37 F.R. 9022), have not been changed.

As amended, § 225.126 reads as follows:

§ 225.126 Activities not closely related to banking.

Pursuant to section 4(c)(8) of the Bank Holding Company Act and § 225.4 (a) of Regulation Y, the Board of Governors has determined that the following activities are not so closely related to banking or managing or controlling banks as to be a proper incident thereto:

(a) Insurance premium funding—that is, the combined sale of mutual funds and insurance.

(b) Underwriting life insurance that is not sold in connection with a credit transaction by a bank holding company, or a subsidiary thereof.

(c) Real estate brokerage (see 1972 Fed. Res. Bulletin 428).

(d) Land development (see 1972 Fed. Res. Bulletin 429).

(e) Real estate syndication.

(f) Management consulting (see 1972 Fed. Res. Bulletin 571).

(g) Property management (see 1972 Fed. Res. Bulletin 652).

(h) Operation of savings and loan associations.[1] (See 1972 Fed. Res. Bulletin 177.)

Board of Governors of the Federal Reserve System, September 20, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-16683 Filed 9-28-72;9:23 am]

[1] As indicated in its statement announcing this action, published in the FEDERAL REGISTER of August 10, 1972 (37 F.R. 16133), this activity may be the subject of further consideration by the Board.

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 1, 301]

INCOME TAX

Election To Deduct Certain Disaster Losses for Taxable Year Immediately Preceding Taxable Year in Which Disaster Occurred

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by October 30, 1972. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner by October 30, 1972. In such case, a public hearing will be held and notice of time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

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

In order to conform the Income Tax Regulations (26 CFR Part 1) under section 165 (g), (h), and (i) of the Internal Revenue Code of 1954, and the Regulations on Procedure and Administration (26 CFR Part 301) under section 6405 of such Code, to section 301(h) of the Disaster Relief Act of 1970 (84 Stat. 1759), to section 1(a) of the Act of January 12, 1971 (Public Law 91–677, 84 Stat. 2061), to the Act of January 12, 1971 (Public Law 91–687, 84 Stat. 2071), to section 2 of the Act of July 1, 1972 (Public Law 92–336, 86 Stat. 406), and to section 2 of the Act of August 29, 1972 (Public Law 92–418, 86 Stat. 656), such regulations are amended as follows:

PARAGRAPH 1. Section 1.165 is amended by revising section 165 (g)(3), (h), and (i) and by revising the historical note to read as follows:

§ 1.165 Statutory provisions; losses.

* * * * *

(g) *Worthless securities.* * * *

(3) *Securities in affiliated corporation.* For purposes of paragraph (1), any security in a corporation affiliated with a taxpayer which is a domestic corporation shall not be treated as a capital asset. For purposes of the preceding sentence, a corporation shall be treated as affiliated with the taxpayer only if—

(A) Stock possessing at least 80 percent of the voting power of all classes of its stock and at least 80 percent of each class of its nonvoting stock is owned directly by the taxpayer, and

(B) More than 90 percent of the aggregate of its gross receipts for all taxable years has been from sources other than royalties, rents (except rents derived from rental of properties to employees of the corporation in the ordinary course of its operating business), dividends, interest (except interest received on deferred purchase price of operating assets sold), annuities, and gains from sales or exchanges of stocks and securities.

In computing gross receipts for purposes of the preceding sentence, gross receipts from sales or exchanges of stocks and securities shall be taken into account only to the extent of gains therefrom. As used in subparagraph (A), the term "stock" does not include nonvoting stock which is limited and preferred as to dividends.

(h) *Disaster losses.* Notwithstanding the provisions of subsection (a), any loss attributable to a disaster occurring in an area subsequently determined by the President of the United States to warrant assistance by the Federal Government under the Disaster Relief Act of 1970, may, at the election of the taxpayer, be deducted for the taxable year immediately preceding the taxable year in which the disaster occurred. Such deduction shall not be in excess of so much of the loss as would have been deductible in the taxable year in which the casualty occurred, based on facts existing at the date the taxpayer claims the loss. If an election is made under this subsection, the casualty resulting in the loss will be deemed to have occurred in the taxable year for which the deduction is claimed.

(i) *Certain property confiscated by the Government of Cuba*—(1) *Treatment as subsection (c)(3) loss.* For purposes of this chapter, in the case of an individual who was a citizen of the United States, or a resident alien, on December 31, 1958, any loss of property which—

(A) Was sustained by reason of the expropriation, intervention, seizure, or similar taking of the property, before January 1, 1964, by the Government of Cuba, any political subdivision thereof, or any agency or instrumentality of the foregoing, and

(B) Was not a loss described in paragraph (1) of subsection (c),

shall be treated as a loss to which paragraph (3) of subsection (c) applies. In the case of tangible property, the preceding sentence shall not apply unless the property was held by the taxpayer, and was located in Cuba, on one or more days in the period beginning on December 31, 1958, and ending on May 16, 1959.

(2) *Special rules.* (A) For purposes of subsection (a), any loss described in paragraph (1) shall be treated as having been sustained on October 14, 1960, unless it is established that the loss was sustained on some other day.

(B) For purposes of subsection (a), the fair market value of property held by the taxpayer on one or more days during the period beginning on December 31, 1958, and ending on May 16, 1959, to which paragraph (1) applies, on the day on which the loss of such property was sustained, shall be its fair market value on the first day in such period on which the property was held by the taxpayer.

(C) For purposes of section 172, a loss described in paragraph (1) shall not be treated as an expropriation loss within the meaning of section 172(k).

(D) For purposes of section 6601, the amount of any tax imposed by this title shall not be reduced by virtue of this subsection for any period prior to February 26, 1964.

* * * * *

(Sec. 165 as amended by secs. 7 and 57(c)(1), Technical Amendments Act 1958 (72 Stat. 1608, 1646); sec. 202(a), Small Business Tax Revision Act 1958 (72 Stat. 1676); sec. 2, Act of March 31, 1962 (Public Law 87–426, 76 Stat. 61); secs. 208 and 238, Rev. Act 1964 (78 Stat. 43, 128); sec. 3, Excise-Tax Rate Extension Act 1964 (78 Stat. 237); sec. 301(h), Disaster Relief Act 1970 (84 Stat. 1759); sec. 1(a), Act of January 12, 1971 (Public Law 91–677, 84 Stat. 2061); Act of January 12, 1971 (Public Law 91–687, 84 Stat. 2071); sec. 2, Act of July 1, 1972 (Public Law 92–336, 86 Stat. 406); sec. 2(a), Act of August 29, 1972 (Public Law 92–418, 86 Stat. 656)

PAR. 2. Section 1.165–5 is amended by revising so much of paragraph (d)(2) as precedes subdivision (ii) and by revising paragraph (i) to read as follows:

§ 1.165–5 Worthless securities.

* * * * *

(d) *Loss on worthless securities of an affiliated corporation.* * * *

(2) *Affiliated corporation defined.* For purposes of this paragraph, a corporation shall be treated as affiliated with the taxpayer owning the security if—

(i) (*a*) In the case of a taxable year beginning on or after January 1, 1970, the taxpayer owns directly—

(*1*) Stock possessing at least 80 percent of the voting power of all classes of such corporation's stock, and

(2) At least 80 percent of each class of such corporation's nonvoting stock

excluding for purposes of this subdivision (i)(*a*) nonvoting stock which is limited and preferred as to dividends (see section 1504(a)), or

(*b*) In the case of a taxable year beginning before January 1, 1970, the taxpayer owns directly at least 95 percent of each class of the stock of such corporation;

* * * * *

(i) *Examples.* The provisions of this section may be illustrated by the following examples:

Example (1). (i) X Corporation, a domestic manufacturing corporation which makes its return on the basis of the calendar year, owns 100 percent of each class of the stock of Y Corporation; and, in addition, 19 percent of the common stock (the only class of stock) of Z Corporation, which it acquired in 1948. Y Corporation, a domestic manufacturing corporation which makes its return on the basis of the calendar year, owns 81 percent of the common stock of Z Corporation, which it acquired in 1946. It is established that the stock of Z Corporation, which has from its inception derived all of its gross receipts from manufacturing operations, became worthless during 1971.

(ii) Since the stock of Z Corporation which is owned by X Corporation is a capital asset and since X Corporation does not directly own at least 80 percent of the stock of Z Corporation, any loss sustained by X Corporation upon the worthlessness of such stock shall be deducted under section 165(g)(1) and paragraph (c) of this section as a loss from a sale or exchange on December 31, 1971, of a capital asset. The loss so sustained by X Corporation shall be considered a long-term capital loss under the provisions of section 1222(4), since the stock was held by that corporation for more than 6 months.

(iii) Since Z Corporation is considered to be affiliated with Y Corporation under the provisions of paragraph (d)(2) of this section, any loss sustained by Y Corporation upon the worthlessness of the stock of Z Corporation shall be deducted in 1971 under section 165(g)(3) and paragraph (d)(1) of this section as an ordinary loss.

Example (2). (i) On January 1, 1971, X Corporation, a domestic manufacturing corporation which makes its return on the basis of the calendar year, owns 60 percent of each class of the stock of Y Corporation, a foreign corporation, which it acquired in 1950. Y Corporation has, from the date of its incorporation, derived all of its gross receipts from manufacturing operations. It is established that the stock of Y Corporation became worthless on June 30, 1971. On August 1, 1971, X Corporation acquires the balance of the stock of Y Corporation for the purpose of obtaining the benefit of section 165(g)(3) with respect to the loss it has sustained on the worthlessness of the stock of Y Corporation.

(ii) Since the stock of Y Corporation which is owned by X Corporation is a capital asset and since Y Corporation is not to be treated as affiliated with X Corporation under the provisions of paragraph (d)(2) of this section, notwithstanding the fact that, at the close of 1971, X Corporation owns 100 percent of each class of stock of Y Corporation, any loss sustained by X Corporation upon the worthlessness of such stock shall be deducted under the provisions of section 165(g)(1) and paragraph (c) of this section as a loss from a sale or exchange on December 31, 1971, of a capital asset.

Example (3). (i) X Corporation, a domestic manufacturing corporation which makes its return on the basis of the calendar year, owns 80 percent of each class of the stock of Y Corporation, which from its inception has derived all of its gross receipts from manufacturing operations. As one of its capital assets, X Corporation owns $100,000 in registered bonds issued by Y Corporation payable at maturity on December 31, 1974. It is established that these bonds became worthless during 1971.

(ii) Since Y Corporation is considered to be affiliated with X Corporation under the provisions of paragraph (d)(2) of this section, any loss sustained by X Corporation upon the worthlessness of these bonds may be deducted in 1971 under section 165(g)(3) and paragraph (d)(1) of this section as an ordinary loss. The loss may not be deducted under section 166 as a bad debt. See section 166(e).

PAR. 3. Section 1.165–11 is amended by revising paragraphs (b)(1) and (2) and (e) to read as follows:

§ 1.165–11 Election in respect of losses attributable to a disaster.

* * * * *

(b) *Loss subject to election.* The election provided by section 165(h) and paragraph (a) of this section applies only to a loss:

(1) Arising from a disaster resulting in a determination referred to in subparagraph (2) of this paragraph and occurring—

(i) After December 31, 1971, or

(ii) After December 31, 1961, and before January 1, 1972, and during the period following the close of a particular taxable year of the taxpayer and on or before the due date for filing the income tax return for that taxable year (determined without regard to any extension of time granted the taxpayer for filing such return);

(2) Occurring in an area subsequently determined by the President of the United States to warrant assistance by the Federal Government under the Disaster Relief Act of 1970, or, in the case of a casualty occurring before December 31, 1970, under sections 1855 through 1855(g) of title 42 of the United States Code; and

* * * * *

(e) *Time and manner of making election.* An election to claim a deduction with respect to a disaster loss described in paragraph (b) of this section for the taxable year immediately preceding the taxable year in which the disaster actually occurred must be made by filing a return, an amended return, or a claim for refund clearly showing that the election provided by section 165(h) has been made. In general, the return or claim should specify the date or dates of the disaster which gave rise to the loss, and the city, town, county, and State in which the property which was damaged or destroyed was located at the time of the disaster. An election in respect of a loss arising from a particular disaster occurring after December 31, 1971, must be made on or before the later of (1) the due date for filing the income tax return (determined without regard to any extension of time granted the taxpayer for filing such return) for the taxable year in which the disaster actually occurred, or (2) the due date for filing the income tax return (determined with regard to any extension of time granted the taxpayer for filing such return) for the taxable year immediately preceding the taxable year in which the disaster actually occurred. Such election shall be irrevocable after the later of (1) 90 days after the date on which the election was made, or (2) 90 days after the date of publication of final regulations conforming this section to section 2(a) of the Act of August 29, 1972 (Public Law 92–418, 86 Stat. 656). No revocation of such election shall be effective unless the amount of any credit or refund which resulted from such election is paid to the Internal Revenue Service within the revocation period described in the preceding sentence. However, in the case of a revocation made before receipt by the taxpayer of a refund claimed pursuant to such election, the revocation shall be effective if the refund is repaid within 30 calendar days after such receipt. An election in respect of a loss arising from a particular disaster occurring after December 31, 1961, and before January 1, 1972, must be made on or before the later of (1) the 15th day of the third month following the month in which falls the date prescribed for the filing of the income tax return (determined without regard to any extension of time granted the taxpayer for filing such return) for the taxable year immediately preceding the taxable year in which the disaster actually occurred, or, (2) the due date for filing the income tax return (determined with regard to any extension of time granted the taxpayer for filing such return) for the taxable year immediately preceding the taxable year in which the disaster actually occurred. Such election shall be irrevocable after the date by which it must be made.

PAR. 4. Section 301.6405 is amended by adding at the end of section 6405 a new subsection (d) and by adding a historical note to read as follows:

§ 301.6405 Statutory provisions; reports of refunds and credits.

SEC. 6405. *Reports of refunds and credits.* * * *

(d) *Refunds attributable to certain disaster losses.* If any refund or credit of income taxes is attributable to the taxpayer's election under section 165(h) to deduct a disaster loss for the taxable year immediately preceding the taxable year in which the disaster occurred, the Secretary or his delegate is authorized in his discretion to make the refund or credit, to the extent attributable to such election, without regard to the provisions of subsection (a) of this section. If such a refund or credit is made without regard to subsection (a), there shall thereafter be submitted to such Joint Committee a report containing the matter specified in subsection (a) as soon as the Secretary or his delegate shall determine the correct amount of the tax for the taxable year for which the refund or credit is made. [Sec. 6405 as amended by sec. 2(b), Act of August 29, 1972 (Public Law 92–418, 86 Stat. 656)]

PAR. 5. Section 301.6405–1 is amended to read as follows:

§ 301.6405–1 Reports of refunds and credits.

Section 6405 requires that a report be made to the Joint Committee on Internal Revenue Taxation of proposed refunds or credits of any income, war profits, excess profits, estate, or gift tax in excess of $100,000. An exception is provided under which refunds and credits made after July 1, 1972, and attributable to an election under section 165(h) to deduct a disaster loss for the taxable year immediately preceding the taxable year

in which the disaster occurred, may be made prior to the submission of such report to the Joint Committee on Internal Revenue Taxation.

[FR Doc.72-16628 Filed 9-28-72;8:50 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 944]

GRAPEFRUIT

Proposal Regarding Imports

Consideration is being given to the following proposal, as hereinafter set forth, which would limit the importation of any grapefruit into the United States, pursuant to Part 944—Fruits, Import Regulations (7 CFR Part 944). Section 608e–1 of the Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), provides, in part, that whenever a marketing order issued by the Secretary of Agriculture pursuant to section 608c of the aforesaid act contains any terms or conditions regulating the grade, size, quality, or maturity of grapefruit produced in the United States, the importation of grapefruit into the United States during the period of time such order is in effect shall be prohibited unless the fruit complies with the grade, size, quality, and maturity provisions of such order, or comparable restrictions, as promulgated under said § 608e–1. This proposed import regulation prescribes grade and size requirements, effective October 16, 1972, that are the same as the seasonal grade and size requirements proposed to become effective October 16, 1972, for domestic grapefruit pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida.

The proposal is as follows:

§ 944.109 Grapefruit Regulation 13.

(a) On and after October 16, 1972, the importation into the United States of any grapefruit is prohibited unless such grapefruit is inspected and meets the following requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 1 and be of a size not smaller than $3\frac{15}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the U.S. Standards for Florida Grapefruit; and

(2) Seedless grapefruit shall grade at least Improved No. 2 and be of a size not smaller than $3\frac{9}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the U.S. Standards for Florida Grapefruit ("Improved No. 2" shall mean grapefruit grading at least U.S. No. 2 and also meeting the requirements of the U.S. No. 1 grade as to shape (form) and color).

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of grapefruit that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of grapefruit, is required on all imports of grapefruit. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of grapefruit should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the grapefruit will be imported:

Ports	Office	Advance notice
All Texas points	L. M. Denbo, 506 South Nebraska St., San Juan, TX 78589 (Phone—512-787-4091), or	1 day.
	A. D. Mitchell, Room 516, U.S. Courthouse, El Paso, Tex. 79901 (Phone—915-533-5461).	Do.
All New York points.	Carmine J. Cavallo, Room 28A Hunts Point Market, Bronx, N.Y. 10474 (Phone—212-991-7668 and 7669), or	Do.
	Charles D. Renick, 176 Niagara Frontier Food Terminal, Room 8, Buffalo, N.Y. 14206 (Phone—716-824-1585).	Do.
All Arizona point.	B. O. Morgan, 225 Terrace Ave., Nogales, AZ 85621 (Phone—602-287-2902).	Do.
All Florida points.	Lloyd W. Boney, 1350 Northwest 12th Ave., Room 538, Miami, FL 33136 (Phone—305-371-2517), or	Do.
	Hubert S. Flynt, 775 Warner Lane, Orlando, FL 32814 (Phone—305-894-9511), or	Do.
	Kenneth C. McCourt, Unit 46, 3335 Bright Ave., Jacksonville, FL 32205 (Phone—904-354-5983).	Do.
All California points.	Daniel P. Thompson, 784 South Central Ave., Room 294, Los Angeles, CA 90021 (Phone—213-622-8756).	3 days.
All Louisiana points.	Pascal J. Lamarca, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, LA 70113 (Phone—504-527-6741 and 6742).	1 day.
All other points	D. S. Matheson, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250 (Phone—202-447-5870).	3 days.

(c) Inspection certificates shall cover only the quantity of grapefruit that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any grapefruit to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and

(7) The following statement if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provision of this regulation, any importation of grapefruit which, in the aggregate, does not exceed five standard nailed boxes, or equivalent quantity, may be imported without regard to the restrictions specified herein.

(g) It is hereby determined that imports of grapefruit, during the effective time of this regulation, are in most direct competition with grapefruit grown in the State of Florida. The requirements set forth in this section are the same as those being made effective for grapefruit grown in Florida.

(h) No provisions of this section shall supersede the restrictions or prohibitions on grapefruit under the Plant Quarantine Act of 1912.

(i) Nothing contained in this regulation shall be deemed to preclude any importer from reconditioning prior to importation any shipment of grapefruit for the purpose of making it eligible for importation.

(j) The terms used herein relating to grade, except Improved No. 2 grade which is defined in this regulation, diameter, standard pack, and standard box shall have the same meaning as when used in the revised U.S. Standards for Florida Grapefruit (7 CFR 51.750–51.783). Importation means release from custody of the U.S. Bureau of Customs.

Grapefruit Regulation 12 (§ 944.108, 36 F.R. 20883; 37 F.R. 7687, 9983, 13699) is hereby terminated at the effective time hereof.

All persons who desire to submit written data, views, or arguments in connection with the proposal should file the same with the Hearing Clerk, Room 112A, U.S. Department of Agriculture,

Washington, D.C. 20250, not later than the seventh day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the hearing clerk during regular business hours (7 CFR 1.27(b)).

Dated: September 22, 1972.

CHARLES R. BRADER,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.72-16633 Filed 9-28-72;8:50 am]

Agricultural Stabilization and Conservation Service

[7 CFR Part 729]

PEANUTS

Acreage Allotments and Marketing Quotas

Notice is hereby given that pursuant to applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1358, 1359, 1375), the Department proposes to amend the regulations for Determination of Acreage Allotments and Marketing Quotas for 1972 and Subsequent Crops of Peanuts (37 F.R. 2645 and 3629, as amended). The purpose of this amendment would be to make miscellaneous changes as follows:

(1) Section 729.6(b)(12) would be amended to correct a reference.

(2) Section 729.11 would be revised to provide that the final acreage for a farm include failed acreage and prevented planting credit.

(3) Section 729.19 would be restructured for uniformity and would provide that the spouse's farm and nonfarm income would also be used in computing the income requirement.

(4) Section 729.20 would be amended to provide for the same date for applying for a new farm peanut allotment.

(5) Section 729.22(a) would be amended to exclude the provision relative to eligibility for a new farm allotment when the allotment was permanently released since this provision is now covered by this notice in § 729.19.

(6) Section 729.27(a)(2) would be amended to exclude the reference to picked or threshed peanuts relative to the application of the erroneous notice allotment.

(7) Section 729.29 would be revoked since this section is now covered under Part 718 of this chapter.

(8) Section 729.69(e)(2) would be amended to provide for a correction.

(9) Section 729.69(f) would be amended to exclude the provision that two or more separately owned tracts be considered a farm for the purpose of applying the limitation on acreage transferred.

(10) Section 729.69(l) would be revoked since this provision is now covered by this notice in § 729.19.

(11) Section 729.69(o) would be amended to provide for an exception relative to the elimination on a transfer to and from a farm.

(12) Section 729.69(s) would be amended to provide for a transfer from federally owned land only when leased back with uninterrupted possession to the former owner after acquisition under right of eminent domain.

Prior to the issuance of the proposed change in the regulations, any data, views, or recomendations, pertaining thereto which are submitted in writing to the Director, Commodity Stabilization Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, will be given consideration. To be sure of consideration, such submissions should be postmarked not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER.

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

It is proposed that the regulations for Determination of Acreage Allotments and Marketing Quotas for 1972 and Subsequent Crops of Peanuts (37 F.R. 2645, 3629) be amended as follows:

1. Subparagraph (12) of paragraph (b) of § 729.6 is revised to read as follows:

§ 729.6 Definitions.

* * * * *

(b) *Peanut program terms.* * * *

(12) *Final acreage.* The acreage, including volunteer acreage, on the farm from which peanuts are picked or threshed as determined and adjusted under Part 718 of this chapter.

* * * * *

2. Paragraph (c) of § 729.11 is revised to read as follows:

§ 729.11 Determination of farm peanut history acreage.

* * * * *

(c) *Computation of history acreage.* If, for any year, the full allotment is not preserved as peanut history acreage under paragraph (b) of this section, the farm peanut history acreage for such year shall be the sum of the following but not in excess of the farm allotment for such year:

(1) The final peanut acreage (including failed acreage and acreage prevented from being planted because of a natural disaster) as determined under Part 718 of this chapter;

(2) The acreage regarded as planted under conservation program and conservation practices, determined under Part 718 of this chapter;

(3) The acreage transferred from the farm by lease or temporary transfer by owner (except increase for type);

(4) The acreage temporarily released to the county committee under provisions of § 729.22; and,

(5) The amount of any reduction in the current year allotment made pursuant to the provisions of § 729.21.

* * * * *

3. Section 729.19 is revised to read as follows:

§ 729.19 Conditions of eligibility for new farm allotment.

(a) *Written application.* The farm operator must file an application for a new farm allotment at the office of the county committee where the farm is administratively located on or before February 15 of the year for which the new farm allotment is requested.

(b) *Eligibility requirements for operator.* A new farm allotment may be established if each of the following conditions are met:

(1) *Owner and operator of the farm.* The operator shall be the sole owner of the farm. For the purpose of applying this subparagraph (1) a person who owns only part of a farm cannot be considered the owner of the farm except that both husband and wife shall be considered the owner of the farm if the farm is jointly owned by such husband and wife.

(2) *Interest in another farm.* The farm operator shall not own or operate any other farm in the United States for which a peanut allotment is established for the current year.

(3) *Availability of equipment and facilities.* The operator must own, or have readily available, adequate equipment and any other facilities of production (including irrigation water in irrigation areas) necessary to the production of peanuts on the farm.

(4) *Income requirement.* The operator must expect to obtain during the current year more than 50 percent of his income from the production of agricultural commodities or products.

(5) *Computing operator's income.* The following shall be considered in computing operator's income:

(i) *Income from farming.* Income from farming shall include the estimated return from home gardens, livestock, and livestock products, poultry, or other agricultural products produced for home consumption or other use on the farm(s). Do not include estimated return from the production of the requested new farm allotment.

(ii) *Income from nonfarming.* Nonfarming income shall include but shall not be limited to salaries, commissions, pensions, social security payments, and unemployment compensations.

(iii) *Spouse's income.* The spouse's farm and nonfarm income shall be used in the computation.

(iv) *Operator a partnership.* If the operator is a partnership, each partner must expect to obtain more than 50 percent of his current year income from farming.

(6) *Operator a corporation.* If the operator is a corporation, it must have no other major corporate purpose other than ownership or operation of the farm(s). Farming must provide its officers and general manager with more than 50 percent of their expected income.

Salaries and dividends from the corporation shall be considered as income from farming.

(7) *Special provision for low-income farmers.* The county committee may waive the income provisions in this section provided the county committee determines that the farm operator's income, from both farm and nonfarm sources, will not provide a reasonable standard of living for the operator and his family, and a State committee representative approves such action. In waiving the income provisions the county committee must exercise good judgment to see that such determination is reasonable in the light of all pertinent factors, and that this special provision is made applicable only to those who qualify. In making such determination, the county committee shall consider such factors as size and type of farming operations, estimated net worth, estimated gross family farm income, estimated family off-farm income, number of dependents, and other factors affecting the individual's ability to provide a reasonable standard of living for himself and his family.

(8) *Experience.* Operator must have had experience in producing, harvesting, and marketing peanuts. Such experience must have been gained: (i) By being a sharecropper, tenant, or farm operator. (Bona fide peanut production experience gained by a person as a member of a partnership shall be accepted as experience gained in meeting this requirement.) (ii) During at least 2 of the 5 years immediately preceding the year for which the new farm allotment is requested. If the operator was in the armed services during the 5-year period, extend the period 1 year for each year of military service. (iii) On a farm having a peanut allotment for such years. Experience in growing peanuts on a farm having a farm allotment by temporary transfer shall be given credit.

(c) *Eligibility requirements for the farm.* A new farm allotment may be established if each of the following conditions are met:

(1) *Available land, type of soil, and topography.* The available land, type of soil, and topography of the land on the farm must be suitable for peanut production. Also continuous production of peanuts must not result in an undue erosion hazard.

(2) *Entire allotment permanently transferred by sale or owner.* A farm which includes land from which the entire peanut allotment was permanently transferred by sale or owner shall not be eligible for a new farm allotment for a period of 5 years beginning with the year in which the transfer became effective.

(3) *Entire allotment permanently released.* A farm which includes land from which the entire peanut allotment was permanently released shall not be eligible for a new farm allotment for a period of (3) years beginning with the year the release was effective.

(4) *Entire allotment designated by owner for a reconstitution.* A farm which includes land which has no peanut allotment because the owner did not designate a peanut allotment for such land when the parent farm was reconstituted pursuant to Part 719 of this chapter shall not be eligible for a new farm peanut allotment for a period of (3) years beginning with the year in which the reconstitution became effective.

(5) *Eminent domain.* A farm which includes land acquired by an agency having the right of eminent domain for which the entire peanut allotment was pooled pursuant to Part 719 of this chapter, which is subsequently returned to agricultural production, shall not be eligible for a new farm allotment for a period of (3) years from the date the former owner was displaced.

4. Section 729.20 is revised to read as follows:

§ 729.20 Establishing new farm allotments for eligible applicants lacking experience.

If the total of the acreage required to establish allotments for all new farms in the State which are eligible under § 729.19, is less than the acreage available in the State reserve under § 729.16, for establishing such allotments, the balance, upon approval by the State committee, shall be available for establishing new farm allotments for farms for which a written application is filed by the farm operator at the office of the county committee on or before February 15 of the year for which the allotment is requested and the conditions of eligibility of § 729.19 are met. Such farm operators are not required to meet the peanut experience requirement of § 729.19(b)(5).

§ 729.22 [Amended]

5. The fourth sentence of paragraph (a) of § 729.22 is revoked.

6. Paragraph (a) of § 729.27 is revised to read as follows:

§ 729.27 Erroneous notice of allotment.

(a) If the county committee determines with the approval of the State executive director that (1) the official written notice of the farm acreage allotment issued by the State or county office for any farm erroneously stated the acreage allotment to be larger than the final effective allotment for the farm, and (2) the error was not so gross that the operator, relying upon such notice and acting in good faith materially changes his position to enable him to produce the allotment crop (for example obligated expenditures of funds for land preparation, additional equipment and labor), the acreage allotment shown on the erroneous notice shall be considered the effective farm allotment.

* * * * *

§ 729.29 [Revoked]

7. Section 729.29 is revoked.

8. Section 729.69 is amended by correcting subparagraph (2) of paragraph (e); by revising paragraph (f); by revoking paragraph (l); by revising paragraph (o); and by revising paragraph (s) to read as follows:

§ 729.69 Terms and conditions applicable to transfers under section 358a of the Act.

* * * * *

(e) *Productivity adjustments.* * * *

(2) *Downward allotment adjustment because of irrigation.* If the county committee so determines, in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within 5 years subsequent to such transfer is placed under irrigation, it shall make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the actual yield per acre for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred.

* * * * *

(f) *Sale or lease transfers—limit on amount of acreage transferred.* The total peanut allotment transferred by sale or lease, or both, to any farm shall not exceed the smaller of:

(1) The cropland on the farm minus the peanut allotment; or

(2) Fifty acres.

The cropland on the farm for the current year for purposes of such transfers shall be the total cropland as defined in Part 719 of this chapter.

* * * * *

(l) [Revoked]

(o) *Limitation on transfers to and from a farm.* No transfer of allotment for any year shall be made (1) from a farm receiving allotment by transfer for such year, or (2) to a farm which had allotment transferred from it for such year. Where an allotment is transferred temporarily from a farm for 1 or more years (and the transfer remains in effect) and the farm is subsequently combined with another farm that is otherwise eligible to receive allotment by transfer, such earlier temporary transfer from the parent farm shall be disregarded for the purpose of applying this provision.

* * * * *

(s) *Federally owned land.* No transfer under section 358a of the Act shall be made from any land owned by the United States, or any agency or instrumentality wholly owned by the United States, except that the transfer may be approved in cases where the land is leased back with uninterrupted possession to the former owner after acquisition under right of eminent domain. For such transfers, the Government agency or instrumentality is not required to sign the record of transfer.

* * * * *

Signed at Washington, D.C., on September 22, 1972.

E. J. PERSON,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.72-16593 Filed 9-28-72;8:47 am]

Farmers Home Administration

[7 CFR Part 1864]

[FHA Instruction 456.1]

DEBT SETTLEMENT

Proposed Compromise and Adjustments

Notice is hereby given that the Farmers Home Administration has under consideration a proposed amendment of Part 1864, Title 7, Code of Federal Regulations (36 F.R. 17833) as follows:

1. Section 1864.3(b) has been revised by deleting the requirement that collection cannot be made without suit in effecting compromises and adjustments of debts of $20,000 or less.

2. Section 1864.3(b)(1) and subdivisions (i) and (ii) have been added to provide factors for consideration in determining inability to collect a debt in full and to provide appropriate language under the debtor's offer and certification under Part V, paragraph D of Form FHA 456–1.

3. Section 1864.3 (b)(1) and (b)(2) are renumbered to (b)(2) and (b)(3), respectively.

As amended, § 1864.3 (b)(1), (b)(2), and (b)(3) will read as follows:

§ 1864.3 Compromise and adjustments.

* * * * *

(b) Debts of $20,000 or less, exclusive of interest, which cannot be compromised or adjusted under the provisions of paragraph (a) of this section may be compromised or adjusted in the following instances, even though the debtor may have the ability to pay in full, unless there is an indication of fraud or misrepresentation on the part of the debtor. (Where there is an indication of fraud or misrepresentation, see § 1864.2(j) for handling.)

(1) *Inability to collect.* Inability to collect is when the full amount cannot be collected because of the refusal of the debtor to pay the debt in full and the OGC advises that the Government is unable to enforce collection in full within a reasonable time by enforced collection proceedings.

(i) In determining inability to collect, the following factors will be considered:

(*a*) Availability of assets or income which may be realized upon by enforced collection proceedings, considering the applicable exemptions available to the debtor under State and Federal law.

(*b*) Inheritance prospect within a reasonable time.

(*c*) Likelihood of debtors obtaining nonexempt income within a reasonable time out of which there could be collected a substantially larger sum than the amount of the present offer.

(ii) For this type of settlement an asterisk (*) will be inserted in Part V of Form FHA 456–1 after "(D)" and before the word "I." In the blank space below Part V (E) of Form FHA 456–1 the following will be inserted:

*With knowledge of the penalties for false statements provided by 18 U.S.C. 1001 ($10,000 fine and/or 5 years imprisonment) and with knowledge that this financial statement is submitted by me (us) to affect action by the Department of Agriculture.

(2) *Litigative probabilities.* When the OGC has advised in writing that:

(i) There is a real doubt concerning the Government's ability to prove its case in court for the full amount of the debt, and

(ii) The amount offered represents a reasonable settlement considering:

(*a*) The probability of prevailing on the legal issues involved.

(*b*) The probability of proving facts to establish full or partial recovery, having due regard to the availability of witnesses and other pertinent factors.

(*c*) The probable amount of court costs which may be assessed against the Government if it is unsuccessful in litigation.

(3) *Costs of collecting debt.* When the cost of collecting the debt does not justify enforced collection of the full amount, the amount accepted in compromise or adjustment may reflect an appropriate discount for administrative and litigative costs of collection. Such discount will not exceed $250 unless the OGC advises that in the particular case a larger discount is appropriate. Costs of collecting may be a substantial factor in settling small debts but normally will not carry great weight in settling large debts.

* * * * *

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed amendment to the Deputy Administrator Comptroller, Farmers Home Administration, U.S. Department of Agriculture, Room 5007, South Building, Washington, D.C. 20250, within 30 days after date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection in the office of the Deputy Administrator Comptroller during regular business hours (8:15 a.m.–4:45 p.m.).

(Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; sec. 510, 63 Stat. 437, 42 U.S.C. 1480; sec. 4, 64 Stat. 100, 40 U.S.C. 442; sec. 602, 78 Stat. 528, 42 U.S.C. 2942; sec. 301, 80 Stat. 379, 5 U.S.C. 301; order of Acting Secretary of Agriculture, 36 F.R. 21529; order of Assistant Secretary of Agriculture for Rural Development and Conservation, 36 F.R. 21529; order of Director, OEO, 29 F.R. 14764)

Dated: September 12, 1972.

DENTON E. SPRAGUE,
Acting Administrator,
Farmers Home Administration.

[FR Doc.72-16590 Filed 9-28-72;8:50 am]

SELECTIVE SERVICE SYSTEM

[32 CFR Parts 1622, 1632]

SELECTIVE SERVICE REGULATIONS

Notice of Proposed Rule Making

Pursuant to the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.), and Executive Order 11623 dated October 12, 1971, the Director of Selective Service hereby gives public notice that consideration is being given to the following proposed amendments to the selective service regulations constituting a portion of Chapter XVI of the Code of Federal Regulations. These regulations implement the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.).

All persons who desire to submit views to the Director on the proposals should prepare them in writing and mail them to the General Counsel, National Headquarters, Selective Service System, 1724 F Street NW., Washington, DC 20435, within 30 days following the publication of this notice in the FEDERAL REGISTER.

The proposed amendments follow:

Section 1622.22(a) is amended to read as follows:

§ 1622.22 Class 2–A: Registrant deferred because of civilian occupation (except agriculture) or nondegree study.

(a) In Class 2–A shall be placed any registrant whose continued service is found to be necessary to the maintenance of the national health, safety, or interest in an activity identified as essential by the Director of Selective Service upon the advice of the National Security Council: *Provided,* That any request for classification in Class 2–A submitted to a local board prior to April 23, 1970, shall be considered on the basis of the provisions of this paragraph in effect prior to such date: *Provided further,* That any registrant classified in Class 2–A under the provisions of this paragraph in effect prior to April 23, 1970, may be retained in such class so long as he occupies the same position and qualifies under those provisions.

* * * * *

Section 1632.2(e) is amended to read as follows:

§ 1632.2 Postponement of induction; general.

* * * * *

(e) A postponement authorized in paragraph (b) or (c) of this section in excess of 60 days or without limit may be terminated when the issuing authority so directs and upon not less than 30 days nor more than 60 days notice to the registrant. The registrant shall then report for induction at such time and place as may be fixed by the local board.

* * * * *

BYRON V. PEPITONE,
Acting Director.

SEPTEMBER 12, 1972.

[FR Doc.72-16636 Filed 9-28-72;8:50 am]

VETERANS ADMINISTRATION

[38 CFR Part 3]

VENEREAL DISEASE, ALCOHOLISM, AND DRUG USAGE

Notice of Proposed Regulatory Development

The Administrator of Veterans' Affairs proposes regulatory revisions to conform

with changes in the policies and practices of the Department of Defense, brought about by a major change in medical and military facts, which heretofore required personnel to report promptly for venereal disease therapy. He also proposes promulgation of an existing administrative decision regarding alcoholism in regulatory form to assure greater public availability and proposes extension of its principles to drug use.

In order to cope with the staggering loss of manpower in the military services due to the long periods of incapacity resulting from venereal infections and to encourage prompt reporting for treatment, Public Law 439, 78th Congress (38 U.S.C. 105) provided that the incurrence of such a disease would not be presumed to be the result of the person's willful misconduct if he complied with the regulations requiring him to report and receive treatment. In implementation, § 3.301(c) listed the factors which must be met in order that, for disability and death benefits purposes, the residuals of a venereal infection could be deemed not due to the veteran's willful misconduct.

The advent and general use of penicillin for treatment in the military service, as it provides an immediate and positive cure, has virtually eliminated the problem of lost manpower. As a consequence, the military services have eliminated the requirements for prompt reporting for treatment and the penalties for failing to promptly report. The result is that many of the individuals concerned are placed in an untenable position with respect to their eligibility for benefits from the Veterans Administration in light of the provision precluding a finding of willful misconduct only in the event it is established that the serviceman complied with such service department directive. The revision set forth below is proposed in order to rectify this situation.

There is also incorporated in this revision principles of an existing administrative issue, promulgated August 13, 1964, in order that it may be more readily available to the general public. These principles remove the imputation of a willful misconduct origin for the long-term secondary results of alcoholism. It is proposed to extend this to drug usage.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans' Affairs (232H), Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420. All relevant material received not later than 30 days after publication of this notice in the FEDERAL REGISTER will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in Room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is also given that it is proposed to make paragraph (c) (1) and (3), when adopted, effective the date of final approval by the Administrator and paragraph (c)(2) effective August 13, 1964.

It is proposed to amend paragraph (c) of § 3.301 to read as follows:

§ 3.301 Line of duty and misconduct.

* * * * *

(c) *Specific applications.* For the purpose of determining entitlement to service-connected and nonservice-connected benefits the definitions in § 3.1 (m) and (n) apply except as modified within the following subparagraphs. The provisions of subparagraphs (2) and (3) of this paragraph are subject to the provisions of § 3.302 where applicable.

(1) *Veneral disease.* The residuals of venereal disease are not to be considered the result of willful misconduct. Consideration of service connection for residuals of venereal disease as having been incurred in service requires that the initial infection must have occurred during active service. Increase in service of manifestations of venereal disease will usually be held due to natural progress unless the facts of record indicate the increase in manifestations was precipitated by trauma or by the conditions of the veteran's service, in which event service connection may be established by aggravation. Medical principles pertaining to the incubation period and its relation to the course of the disease; i.e., initial or acute manifestation, or period and course of secondary and late residuals manifested, will be considered when time of incurrence of veneral disease prior to or after entry into service is at issue. In the issue of service connection, whether the veteran complied with service regulations and directives for reporting the disease and undergoing treatment is immaterial after _____ 1972, and the service department characterization of acquisition of the disease as "willful misconduct" or as "not in line of duty" will not govern.

(2) *Alcoholism.* The simple drinking of alcoholic beverage is not of itself willful misconduct. The deliberate drinking of a known poisonous substance or under conditions which would raise a presumption to that effect will be considered willful misconduct. If, in the drinking of a beverage to enjoy its intoxicating effects, intoxication results proximately and immediately in disability or death, the disability or death will be considered the result of the person's willful misconduct. Organic diseases and disabilities which are a secondary result of the chronic use of alcohol as a beverage, whether out of compulsion or otherwise, will not be considered of willful misconduct origin.

(3) *Drug usage.* The isolated and infrequent use of drugs by itself will not be considered willful misconduct; however, the progressive and frequent use of drugs to the point of addiction will be considered willful misconduct. Where drugs are used to enjoy or experience their effects and the effects result proximately and immediately in disability or death, such disability or death will be considered the result of the person's willful misconduct. Organic diseases and disabilities which are a secondary result of the chronic use of drugs and infections coinciding with the injection of drugs will not be considered of willful misconduct origin. Similarly, where drugs are used for therapeutic purposes or where use of drugs or addiction thereto, results from a service-connected disability, it will not be considered of misconduct origin. (38 U.S.C. 105, 310, 321, 331, 401, and 521(a))

Approved: September 20, 1972.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

[FR Doc.72-16612 Filed 9-28-72;8:50 am]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

KANEKALON WIGS FROM HONG KONG

Determination of Sales at Less Than Fair Value

SEPTEMBER 27, 1972.

Information was received on June 14, 1971, that wigs imported from Hong Kong composed, in whole or in part, of a modacrylic fiber presently sold under the trade name "Kanekalon," were 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").

A "Withholding of Appraisement Notice" issued by the Commissioner of Customs was published in the FEDERAL REGISTER of June 28, 1972, and an amendment thereto was published on August 10, 1972.

I hereby determine that for the reasons stated below, wigs imported from Hong Kong composed, in whole or in part, of a modacrylic fiber presently sold under the trade name "Kanekalon" are being, or are 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 DETERMINATION IS BASED

Information currently before the Bureau indicates that there are no significant sales in the home market. As a result, sales to third countries were used as the basis for fair value comparisons. The proper basis of comparison is between purchase price or exporter's sales price, as applicable, and the weighted average third country rice of such or similar merchandise.

Purchase price was calculated on the basis of a packed, ex-factory price.

Exporter's sales price was calculated by deducting from the packed, resale price of the related U.S. firms to unrelated purchasers in the United States, U.S. inland freight and handling charges, U.S. duty, brokerage fees, air freight, and insurance. In addition, deductions were made, as appropriate, for discounts and selling expenses.

Third country price was based on the weighted average packed, ex-factory price of such or similar merchandise with adjustments, as appropriate, for differences in the merchandise.

Using the above criteria, purchase price or exporter's sales price, as appropriate, was found to be lower than the weighted average third country price of such or similar merchandise.

The U.S. Tariff Commission is being advised of this determination.

This determination is being published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

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

[FR Doc.72-16743 Filed 9-28-72;9:35 am]

DEPARTMENT OF JUSTICE

Bureau of Narcotics and Dangerous Drugs

[No. 72-3]

DR. BRUCE E. HODGES

Revocation of Registration

On March 31, 1972, the Director of the Bureau of Narcotics and Dangerous Drugs issued an order to show cause to Dr. Bruce E. Hodges, Lenexa, Kans., as to why the BNDD registration (No. AH-1292159) issued to him should not be revoked by reason of Dr. Hodges' felony conviction under former section 331(q)(2) of title 21, United States Code.

Thereafter, Dr. Hodges requested a hearing in the matter and, on June 26, 1972, that hearing was held before Hearing Examiner H. Stephan Gordon. Following the hearing, proposed findings of fact and conclusions of law were submitted to Mr. Gordon by counsel for Dr. Hodges and by the Bureau of Narcotics and Dangerous Drugs. On September 14, 1972, Mr. Gordon filed the following recommendation with the Bureau of Narcotics and Dangerous Drugs:

> Upon all the evidence, the undersigned finds that respondent has been convicted of a felony under a law of the United States relating to controlled substances as defined in the Act, that no sufficient grounds have been shown for either limiting the revocation of respondent's registration and that said registration should be revoked * * *.

After reviewing the transcript of testimony of the hearing, the exhibits introduced, the findings of fact and conclusions of law proposed by counsel for the parties the Director adopts the Recommendation of the Hearing Examiner.

Therefore, under the authority vested in the Attorney General by section 304 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 824), and redelegated to the Director, Bureau of Narcotics and Dangerous Drugs by § 0.100 of Title 28 of the Code of Federal Regulations, the Director hereby orders that Dr. Bruce E. Hodges' registration be revoked effective upon publication of this order in the FEDERAL REGISTER (9-29-72).

Dated: September 21, 1972.

JOHN E. INGERSOLL,
Director, Bureau of Narcotics and Dangerous Drugs.

[FR Doc.72-16599 Filed 9-28-72;8:47 am]

DEPARTMENT OF THE INTERIOR

Office of Hearings and Appeals

[Docket No. M73-6]

EASTERN ASSOCIATED COAL CORP.

Notice Regarding Petition for Modification of a Mandatory Safety Standard

In the matter of Eastern Associated Coal Corp. (30 U.S.C. 868(c); 30 CFR 75.801), Docket No. M73-6, petition for modification of a mandatory safety standard.

Notice is hereby given that, pursuant to section 301(c) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 801, et seq.) (Act), Eastern Associated Coal Corp., whose address is 1728 Koppers Building, Pittsburgh, Pa. 15219 (Petitioner) has filed a petition to modify the application to it of the safety standard set out in section 308(c) of the Act and 75.801 of the implementing standards (30 CFR 75.801).

Said section 308(c) and § 75.801 set forth the safety standard as follows:

> The grounding resistor, where required, shall be of the proper ohmic value to limit the voltage drop in the grounding circuit external to the resistor to not more than 100 volts under fault conditions. The grounding resistor shall be rated for maximum fault current continuously and insulated from ground for a voltage equal to the phase-to-phase voltage of the system.

Petitioner requests that the application to it of said section be modified to allow the use at its Kopperston No. 1 Mine "of a neutral at the neutral deriving or Zig-Zag transformer, which is the source of the neutral in a derived AC system"; and petitioner "respectfully submits that the neutral grounding system it is using at its Kopperston No. 1 Mine will at all times guarantee no less than the same measure of protection afforded the miners at the mine. On the other hand, following (the standard) will result in a diminution of safety because the addition of another wire on the power poles raises the likelihood of shorting and breakage in remote and almost inaccessible areas."

Any party interested in this petition shall file his answer or comments, with request for a hearing if desired, within thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER, with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, Ballston Tower No. 3, 4015 Wilson Boulevard, Arlington, VA 22203. Copies of the petition are available for inspection at that address.

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

SEPTEMBER 21, 1972.

[FR Doc.72-16602 Filed 9-28-72;8:47 am]

Office of the Secretary

MEMORANDUM OF AGREEMENT

Notice is hereby given of the Memorandum of Agreement executed by the Secretary of the Interior and the Chairman of the Federal Power Commission on September 14, 1972, governing the kinds of assistance which the Commission will provide to assist the Secretary in carrying out his responsibilities for emergency planning and preparedness programs in electric power and natural gas.

Dated: September 21, 1972.

JAMES R. SMITH,
Assistant Secretary of the Interior.

MEMORANDUM OF AGREEMENT EXECUTED BY THE SECRETARY OF THE INTERIOR AND THE CHAIRMAN OF THE FEDERAL POWER COMMISSION ON SEPTEMBER 14, 1972

The Secretary of the Interior and the Federal Power Commission, in discharging their respective duties and responsibilities, have agreed upon the following procedures to implement Parts 7 and 19 of Executive Order No. 11490, dated October 28, 1969, 34 F.R. 17567.

Executive Order No. 11490 assigns to the Secretary of the Interior responsibility for preparing national emergency plans and developing preparedness programs for natural gas and electric power. Executive Order No. 10480 dated August 14, 1953, 18 F.R. 4939 places in the Department certain responsibilities for carrying out such programs during an emergency. Executive Order No. 11490 contemplates that the Secretary shall utilize to the maximum those capabilities of other agencies qualified to perform or assist in the performance of assigned functions by contractual or other agreements. The Department and the Commission each have their respective essential functions to be performed within the meaning of Executive Order No. 11490.

This agreement sets forth areas of responsibility of the Commission in assisting the Secretary to carry out the responsibilities of the Department under these Executive orders.

The Secretary and the Commission are agreed that by means of these procedures the economic regulatory and other functions exercised by the Commission over electric power systems or natural gas systems, by reason of the provisions of the Federal Power Act, 16 U.S.C. 791a et seq., the Natural Gas Act, 15 U.S.C. 717(a) et seq., and Executive Order No. 10485, dated September 3, 1953, 18 F.R. 5397, will be coordinated with, and in support of the emergency preparedness functions of the Department.

Actions of the Commission in assisting the Department shall include, but not be limited to, the furnishing of data, information, judgments and conclusions to the Department on (1) supply and requirements for electric power and gas resources, (2) fuel requirements for electric systems, (3) critical electric power and gas facilities, (4) critical material needs of extant or new electric power and natural gas facilities, (5) damage assessment, (6) financial requirements and economic conditions affecting the various components of the electric and gas industries; and such other supporting data, information, judgments, and conclusions of the Commission and staff services as may be mutually agreed upon by the parties hereto.

It is anticipated that the supporting data, information, judgments, conclusions, advice, and counsel of the Commission which will be of major assistance to the Department in preparedness programs and under emergency conditions are those which involve:

(1) Assessment of the adequacy and reliability of available electric power and natural gas resources in pre-determined areas under preemergency, emergency and post-emergency conditions;

(2) Evaluation as to needed development of additional electric power and natural gas resources, including further interconnections and uses of electric generating and transmission facilities and natural gas facilities to serve various local, State or regional energy requirements throughout the United States, or to limit the national exportation or importation of electric power or natural gas;

(3) Identification of specific electric power or natural gas facilities to serve particular priority usages for defense mobilization, production and civilian survival;

(4) Assistance in ascertaining and evaluating data regarding physical damages sustained by electric power and natural gas facilities under emergency conditions, and the need of affected systems for critical materials to repair, replace or further develop such facilities; and

(5) Evaluation as to needed operating revenues or financial requirements of the various electric power and natural gas suppliers under defense mobilization, production or postattack emergency conditions, together with appropriate amounts of compensation for any nongovernmental facilities taken over and used by supervening governmental authority under these conditions.

This Memorandum of Agreement supersedes the Memorandum of Agreement dated August 9, 1962, as referred to in section 1901 Executive Order No. 11490, and may be modified from time-to-time by mutual agreement.

Dated this 14th day of September 1972, Washington, D.C.

ROGERS C. B. MORTON,
Secretary of the Interior.

JOHN N. NASSIKAS,
Chairman,
Federal Power Commission.

[FR Doc.72-16601 Filed 9-28-72;8:47 am]

[INT FES 72-34]

PROPOSED O'NEILL UNIT, PICK-SLOAN MISSOURI BASIN PROGRAM, NEBRASKA

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental statement for legislative authorization to construct the O'Neill Unit, Nebr.

The environmental statement concerns a proposed water supply storage and distribution system for the purpose of furnishing irrigation water, flood control, fish and wildlife enhancement, and water-oriented recreation for the water-deficient areas of north-central Nebraska.

Copies are available for inspection at the following locations:

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, Building 20, Denver Federal Center, Denver, Colo. 80225, Telephone 303—234-4441.

Niobrara-Lower Platte Development Office, Bureau of Reclamation, Second and Locust, Grand Island, Nebr. 68801, Telephone 308—382-3660.

Single copies of the final environmental statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. In addition, copies may be purchased from the National Technical Information Service, Department of Commerce, Springfield, Va. 22151. Please refer to the statement number above.

Dated: September 22, 1972.

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

[FR Doc.72-16600 Filed 9-28-72;8:47 am]

National Park Service

DEVILS TOWER NATIONAL MONUMENT, DEVILS TOWER, WYO.

[Order No. 3]

Administrative Officer et al.; Delegation of Authority Regarding Purchasing Authority

SECTION 1 *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Sec. 2 *Chief Interpretation and Resource Management, Maintenance Foreman.* The Chief Interpretation and Resource Management and Maintenance Foreman may issue purchase orders not in excess of $300 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Sec. 3 *Revocation.* This order supersedes Order No. 2, Devils Tower National Monument, dated May 10, 1972, and published June 28, 1972 (37 F.R. 12732).

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated February 25, 1972. Midwest Region Order Nos. 37 F.R. 6324 and 6875.)

Dated: September 1, 1972.

HOMER A. ROBINSON,
Superintendent,
Devils Tower National Monument.

[FR Doc.72-16579 Filed 9-28-72;8:46 am]

WILSON'S CREEK NATIONAL BATTLEFIELD, MO.

Establishment

The Act of April 22, 1960 (74 Stat. 76; 16 U.S.C. 430kk), as amended by the Act of December 16, 1970 (84 Stat. 1441; 16 U.S.C. 430ll), requires the acquisition of the lands (and improvements thereon), comprising the Wilson's Creek Battlefield

site near Springfield, Mo., and any adjacent lands which are necessary or desirable to carry out the purposes of the acts. Further, the legislation, as amended, provides that the lands acquired shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Wilson's Creek National Battlefield.

Notice is given that (1) the Wilson's Creek Battlefield site and adjacent lands necessary to carry out the purposes of the above acts have been acquired and consistent with these acts, (2) the acquired lands are hereby set aside as the Wilson's Creek National Battlefield.

Dated: September 22, 1972.

GEORGE B. HARTZOG, Jr.,
Director, National Park Service.

[FR Doc.72-16580 Filed 9-28-72;8:46 am]

DEPARTMENT OF AGRICULTURE

Packers and Stockyards Administration

FARMERS LIVESTOCK EXCHANGE, LEIGHTON, ALA., ET AL.

Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. et seq.), it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, as amended (7 U.S.C. 202), and notice was given to the owners and to the public by posting notices at the stockyards as required by said section 302, on the respective dates specified below.

Facility No., name, and location of stockyard, and date of posting

ALABAMA

AL-153 Farmers Livestock Exchange, Leighton, Aug. 25, 1972.

GEORGIA

GA-174 Sam Simmons Livestock Commission Company, Cartersville, Aug. 26, 1972.

MISSOURI

MO-225 MFA Livestock Ass'n., Inc., Cassville Concentration Point, Cassville, Aug. 24, 1972.

MO-226 MFA Livestock Ass'n., Inc., Doniphan Concentration Point, Doniphan, Aug. 21, 1972.

OKLAHOMA

OK-189 Purcell Livestock Auction, Purcell, Aug. 18, 1972.

TENNESSEE

TN-170 Dickson Livestock Center, Inc., Dickson, Aug. 25, 1972.

TEXAS

TX-296 Morris County Livestock Commission, Omaha, Sept. 7, 1972.

Done at Washington, D.C., this 25th day of September 1972.

G. H. HOPPER,
Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[FR Doc.72-16635 Filed 9-28-72;8:50 am]

Soil Conservation Service

OLIVER BOTTOMS FLOOD PREVENTION PROJECT MEASURE, ARKANSAS RIVER VALLEY RC&D PROJECT, ARK.

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, Department of Agriculture has prepared a final environmental statement for the Oliver Bottoms Flood Prevention Project Measure, USDA-SCS-ES (Adm) 72-RD-1(F).

The environmental statement concerns plans for reducing floodwater damages in the Oliver Bottoms area, Sebastian County, Ark. The planned works of improvement include conservation land treatment, supplemented by approximately 1.4 miles of channel improvement for flood prevention. A significant part of that work will be appurtenant structures and erosion control devices which will be installed for water control and protection of the channels.

The final environmental statement was filed with CEQ on September 19, 1972.

Copies are available for inspection during regular working hours at the following locations:

USDA, Soil Conservation Service, Washington Office, South Agriculture Building, Room 5105A, 12th Street and Independence Avenue SW., Washington, D.C. 20250.

USDA, Soil Conservation Service, 5401 Federal Office Building, Post Office Box 2323, Little Rock, AR 72203.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151, for $3 each. Please refer to the name and number of statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

NORMAN A. BERG,
Acting Administrator, Soil Conservation Service.

SEPTEMBER 19, 1972.

[FR Doc.72-16634 Filed 9-28-72;8:49 am]

DEPARTMENT OF COMMERCE

Office of Import Programs

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION, CENTER FOR DISEASE CONTROL ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Ultramicrotomes

The following is a consolidated decision on applications for duty-free entry of ultramicrotomes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00563-33-46500. Applicant: DHEW, HSMHA, Center for Disease Control, 255 East Paces Ferry Road, Northeast, Atlanta, GA 30305. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for ultrathin sectioning of plastic embedded virologic materials, including infected tissues, tissue cultures, autopsy specimens, and the white blood cells of leukemia patients. Application received by Commissioner of Customs: May 19, 1972. Advice submitted by Department of Health, Education, and Welfare on: September 8, 1972.

Docket No. 72-00564-33-46500. Applicant: University of Florida, J. Hillis Miller Health Center, Gainesville, Fla. 32601. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in studies of biological materials during investigations to reveal at the ultrastructural level the structural basis of virus disease, graft rejection and many other ocular pathological states. Application received by Commissioner of Customs: May 19, 1972. Advice submitted by Department of Health, Education, and Welfare on: September 8, 1972.

Docket No. 72-00565-33-46500. Applicant: Michigan State University, School of Osteopathic Medicine, Department of Pathology, East Fee Hall, East Lansing, Mich. 48823. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used at the postgraduate and graduate level to enable students to achieve the aims of a special topics course in Pathology (PTH 800) which requires a high degree of competency. Each participant will design and carry out a self-contained project under one of several faculty members whose primary research interests encompass the areas of neuropathology, musculo-skeletal pathology, renal pathology, blood platelet morphology and amyloidosis. Application received by Commissioner of Customs: May 19, 1972. Advice submitted by Department of Health, Education, and Welfare on: September 8, 1972.

Docket No. 72-00589-33-46500. Applicant: U.S. Veterans Administration Hospital, G.P.O. Box 4867, San Juan, PR 00936. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: This article is intended to be used in electron microscopy studies of kidney,

liver, and jejunal biopsies from hospitalized patients done exclusively for diagnostic and educational purposes, the objectives of which are the identification and interpretation of ultrastructural changes in various disease processes of liver and kidneys. Application received by Commissioner. Customs: May 30, 1972. Advice submitted by Department of Health, Education, and Welfare on: September 8, 1972.

Docket No. 72-00596-33-46500. Applicant: Eastern Connecticut State College, Biology Department, High Street, Willimatic, Conn. 06226. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in various research projects which include the following:

1. An investigation of the stem cell of animal blood to determine, at the ultrastructural level, when such cells differentiate to leucocyte types,

2. In-depth series of studies of fish ultrastructure,

3. An investigation on the cause of a recent fish kill near a nuclear generating plant along the Connecticut River,

4. An ultrastructural cytochemical study of the enzymes of Mycoplasma,

5. A study of the pollen of various species of tomato to determine whether morphological differences can be detected at the ultrastructural level, particularly in the area of the cell wall, and

6. A study of the nerve endings in the adrenal medulla to determine how these nerve endings are constructed and whether they are structurally similar to presynaptic knobs. The article will also be used as a training tool for undergraduate students, graduate students, and technologists in teaching electron microscopy technicians. Application received by Commissioner of Customs: May 31, 1972. Advice submitted by Department of Health, Education, and Welfare on: September 8, 1972.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: Each of the foreign articles provides a range of cutting speeds from 0.1 to 20 millimeters per second. The most closely comparable domestic instrument is the Model MT-2B ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Model MT-2B has a range of cutting speeds from 0.09 to 3.2 millimeters per second. The conditions for obtaining high-quality sections that are uniform in thickness, depend to a large extent on the hardness, consistency, toughness, and other properties of the specimen materials, the properties of the embedding materials, and geometry of the block. In connection with a prior application (Docket No. 69-00665-33-46500), which relates to the duty-free entry of an article that is identical to those to which the foregoing applications relate, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with another prior application (Docket No. 70-00077-33-46500) which also relates to an article that is identical to those described above, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness, etc." requires a maximum range in cutting speed and, further, that the "production of ultrathin serial sections of specimens that have a great variation in physical properties is very difficult." Accordingly, HEW advises in its respectively cited memoranda, that cutting speeds in excess of 4 millimeters per second are pertinent to the satisfactory sectioning of the specimen materials and the relevant embedding materials that will be used by the applicants in their respective experiments.

For these reasons, we find that the Sorvall Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-16597 Filed 9-28-72;8:47 am]

UNIVERSITY OF CALIFORNIA ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the February 24, 1972, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 73-00143-00-46040. Applicant: University of California, Los Angeles, 405 Hilgard Avenue, Los Angeles, CA 90024. Article: Double tilt rotation equipment, objective pole piece, and accessory parts bit. Manufacturer: Siemens AG, West Germany. Intended use of article: The articles are components for an existing electron microscope being used for structural studies of purified bacterial viruses, intracellular viruses, and protein crystals. Application received by commissioner of customs: September 7, 1972.

Docket No. 73-00144-33-77040. Applicant: City of Philadelphia, Office of the Medical Examiner, 321 University Avenue, Philadelphia, PA 19104. Article: Mass spectrometer-gas chromatograph, CH-7. Manufacturer: Varian MAT, West Germany. Intended use of article: The article will be used to study all drugs, household and commercial chemicals which might in any way have contributed to any death in Philadelphia or which might shed light on the circumstances under which the death occurred. Experiments include these elements:

a. Sample post mortem tissue or artifact.

b. Separate by chemical or physical means, usually pH controlled.

c. Extraction, followed by concentration of separated aliquots and usually a repeat separation on gas chromatograph column followed by separation of carrier gas.

d. Scan m/e in mass spectrometer.

The article is also intended to be used in the toxicology trainee program for the teaching of toxicology techniques much of which is instrumental analysis. Application received by commissioner of customs: September 7, 1972.

Docket No. 73-00145-33-46500. Applicant: Rockefeller University, The Population Council, 66th Street and York Avenue, New York, N.Y. 10021. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werk AG, West Germany. Intended use of article: The article is intended to be used for serial sectioning of different tissues such as endometrium, ovary, fallopian tube, testis, and accessory glands. The ultrathin sections will be used in high resolution studies of the mechanisms of action of steroid hormones, at the subcellular level in target cells, study of macromolecules and nucleic acids, cellular organelles such as lysosomes, endoplasmic reticulum, golgi apparatus, nuclear and cell membranes. Application received by Commissioner of Customs: September 5, 1972.

Docket No. 73-00146-65-46040. Applicant: University of Illinois at Urbana-Champaign, Department of Metallurgy and Mining Engineering, 203 Metallurgy and Mining Building, Urbana, Ill.

61801. Article: Electron microscope, Model HU–12. Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: The article is intended to be used to conduct research on:

A. Solid state phase transformations and thin films, employing high resolution transmission electron microscopy;

B. Nucleation and growth characteristics of evaporated and sputtered thin metal and alloy films;

C. Martensitic transformation in ferrous and nonferrous alloys;

D. Defects in thin films;

E. Phase transformation in-site as observed in thin films in the electron microscope. Also, materials having superior strengths shape-memory effects, or other unusual and unique properties will be investigated. Also, high resolution transmission electron microscopy and diffraction at room temperature, low temperatures, and high temperatures, thus, attempting to understand fundamentals leading to superior materials.

Is addition, the article is to be used by graduate and postdoctoral students in "Metallurgical Engineering Course 499—Thesis Research." Application received by Commissioner of Customs: August 28, 1972.

Docket No. 73–00147–33–46040. Applicant: Washington University, School of Medicine, Department of Psychiatry, 4949 Audubon Avenue, St. Louis, MO 63110. Article: Electron microscope, Model JEM 100B. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used to study experimentally induced neuropathological conditions in brains of fetal and infant animals. The article will also be used to evaluate serial sections to permit a three-dimensional reconstruction of intracellular organelle systems, synaptic connections, and other intercellular relationships. In addition, the article will be used for teaching residents and postgraduate research fellows the techniques involved in the research cited above. Application received by Commissioner of Customs: September 7, 1972.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72–16596 Filed 9–28–72;8:47 am]

UNIVERSITY OF MICHIGAN

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72–00523–33–10550. Applicant: University of Michigan, 162 Research Administration Building, Ann Arbor, Mich. 48105. Article: Small animal radiochromatogram scanner. Manufacturer: Vertriebs-G.m.b.H. Fur Messtechnik, West Germany. Intended use of article: The article is intended to be used in research dealing with the synthesis of radiopharmaceuticals for diagnosis and treatment of cancer.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The applicant's use in evaluating the synthesis of radiopharmaceuticals requires the capability for small animal scanning with suitable probe and holding table which the foreign article provides. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated September 8, 1972 that the capability described above is pertinent to the purposes for which the article is intended to be used. HEW further advises that it knows of no comparable domestic instrument of equivalent scientific value to the article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72–16594 Filed 9–28–72;8:47 am]

UNIVERSITY OF MISSOURI-ST. LOUIS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72–00562–00–46500. Applicant: University of Missouri-St. Louis, Biology Department, 8001 Natural Bridge, St. Louis, MO 63121. Article: LKB 14800 Cryokit consisting of: 14801—Cryo specimen head, 14802—Cryo knife holder, 14804—Cryo specimen preparation chamber, 14805—Two coolant reservoirs, 14806—Temperature control unit. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is an accessory attachment to an existing ultramicrotome which will be used in the course Biology 362: Electron Microscopy Laboratory. Students will develop skill in techniques associated with transmission and scanning electron microscopy and learn instrument operation and minor servicing in the course Biology 290: Research. Students will pursue research problems in biology under the direction of a supervisor.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The application relates to a compatible accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72–16595 Filed 9–28–72;8:47 am]

WEST VIRGINIA UNIVERSITY SCHOOL OF MEDICINE ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 73–00125–33–46040. Applicant: West Virginia University, School of Medicine, Morgantown, W. Va. 26506. Article: Electron microscope, Model Corinth 275. Manufacturer: AEI Scientific Apparatus, Ltd., United Kingdom.

Intended use of article: The article is intended to be used for screening studies on human brain tissues in which viral infections can be suspected. The brain tissue to be studied include both biopsy and autopsy materials. Also brain tissue from experimental animals, inoculated with virus from human brains or filtrate from human brains, will be studied in parallel. The article will also be used in an elective course in the neuropathology division for interns, residents and graduate students. Application received by Commissioner of Customs: August 22, 1972.

Docket No. 73-00127-33-46040. Applicant: The University of Rochester, River Station, Rochester, N.Y. 14627. Article: Electron microscope, Model JEM 100B and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used to study:

i. The ultrastructure of normal and pathologic spleen and bone marrow from animals and humans.

ii. The three-dimensional structure of normal and pathologic blood cells both in suspension and within the hemopoietic tissues.

iii. The ultrastructural fine detail of the cell membranes at high resolution.

Experiments to be conducted include control of release of precursor cells from the bone marrow and RBC membrane surface changes. The article will also be used in the Hematology Training Program for research training of academic hematologists. Application received by Commissioner of Customs: August 29, 1972.

Docket No. 72-00128-65-40070. Applicant: University of Maryland, Department of Mechanical Engineering, College Park, Md. 20742. Article: Scanning Electron microscope, Model SEM-IIA-68, and Accessories. Manufacturer: Cambridge Scientific Instruments Ltd., United Kingdom. Intended use of article: The article will be used for research on the nature of the brittleness and fracture of a number of minerals and rocks including concrete, observation of details of the fracture of ordered alloys and determination of the orientation of grain boundaries along the fracture surfaces and paths after fracture is produced in such alloys. In-depth exposure to electron microscopy as it pertains to engineering materials, will be taught in four courses. Application received by Commissioner of Customs: August 18, 1972.

Docket No. 73-00131-33-90000. Applicant: College of Physicians and Surgeons of Columbia University, 630 West 168th Street, New York, NY 10032. Article: Rotating anode X-Ray generator, Model GX-6 and accessories. Manufacturer: Elliott Automation Radar Systems, Ltd., United Kingdom. Intended use of article: The article is intended to be used in studies involving X-ray diffraction of living single muscle fibers (filament lattice) to clarify the physical-chemical nature of muscle tissue and to define the state of the crystalline lattice of the myofilaments during rest and contraction. The article will also be used in training graduate students in methods and techniques of X-ray diffraction of biological tissues in two anatomy courses. Application received by Commissioner of Customs: August 24, 1972.

Docket No. 73-00133-33-46595. Applicant: The Jackson Laboratory, Bar Harbor, Maine 04609. Article: Pyramitome, Model LKB 11800. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in studies concerning the ultrastructural changes in specific portions of the central and peripheral nervous systems in hereditary demyelinating and dysmyelinating disorders, and the neuromuscular junctions to skeletal musculature. Application received by Commissioner of Customs: August 30, 1972.

Docket No. 73-00134-33-46500. Applicant: Mercy Catholic Medical Center, Lansdowne Avenue and Baily Road, Darby, Pa. 19023. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to study normal and abnormal mammalian tissues for the degree of anisotropism and properties involved in transport processes of macromolecules. The experiments are directed at the distribution of edema fluids in dog lung, and the transport rate of macromolecules from lung interstitial space into capillaries to permit detailed analysis of the role of fibrin in the evolution of pulmonary edema: fluid distribution, protein absorption. Application received by Commissioner of Customs: August 30, 1972.

Docket No. 73-00135-33-46040. Applicant: Michigan State University, Department of Pathology, 350 Giltner Hall, East Lansing, Mich. 48823. Article: Electron microscope, Model EM 9S-2, with spare parts. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for teaching and training of Ph. D. candidates, medical students and inexperienced faculty members, as well as for research on a wide variety of animal and human tissues. Specific experiments to be conducted include:

(1) The anatomy of the normal, developing canine kidney (in utero, postuterine, young, and adult) and the ultrastructural renal pathology of dogs treated with penicillin.

(2) The differentiating cerebellum and its response to injury, including the ultrastructure of the developing cerebellum and morphologic changes in synapses following MAM-induced granule cell destruction.

(3) The ultrastructure pathology of Mycoplasma infections in turkey sinuses, lungs and air sacs.

(4) Surface changes in the intestines of baby pigs with several bacterial and viral infections.

(5) Ultrastructural pathology of heart, liver, and kidneys in selenium toxicosis.

The article will be used as a training microscope for graduate students and residents in the Department of Pathology. Application received by Commissioner of Customs: September 1, 1972.

Docket No. 73-00137-33-46040. Applicant: University of Iowa, Iowa City, Iowa 52240. Article: Electron microscope, Model JEM 100B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used by the Department of Microbiology in a wide variety of investigations in the areas of genetics, virology, immunology, medical mycology, bacteriology, and physiology. Some of the experiments to be conducted involve:

(i) The genetic control of virus structure and virus morphogenesis.

(ii) Studies to develop chemically defined, simple antigens with which the presumed structural change associated with the allosteric transition suspected in the binding of antigen-antibody complex with the first component of complement can be examined in detail.

(iii) The mechanism of neutralization of small DNA tumor Viruses (polyoma).

(iv) Studies of the effects of Allescheria boydii on the brain tissue of mice.

(v) Comparing the normal and aberrant cell types of the yeast, Trigonopsis variabilis to determine the cell wall structure of these organisms. Application received by Commissioner of Customs: September 1, 1972.

Docket No. 73-00138-60-80300. Applicant: Institute of Northern Forestry, USDA-Forest Service, Fairbanks, Alaska 99701. Article: Two Miniature Temperature Recorders, Model D, and accessories. Manufacturer: Grant Instruments (Developments) Ltd., United Kingdom. Intended use of article: The articles will be to monitor diurnal and seasonal soil and air temperatures in burned and unburned forests in experiments designed to quantify differences in soil and air temperatures caused by burning or other natural causes and man-made site modification. Application received by Commissioner of Customs: September 1, 1972.

Docket No. 73-00140-01-77040. Applicant: Brooklyn College of The City, University of New York, Chemistry Department, Bedford Avenue and Avenue H., Brooklyn, N.Y. 11210. Article: Mass spectrometer, Model CH-7. Manufacturer: Varian MAT G.m.b.H., West Germany. Intended use of article: The article will be used as a teaching and research instrument in undergraduate and graduate programs involving problems of analysis of organic, and inorganic materials. Proposed applications include structure studies of complex organic polymers, polynuclear aromatic hydrocarbons, biopolymers such as peptides and model organic qualitative analysis unknowns. Application received by Commissioner of Customs: September 1, 1972.

Docket No. 73-00141-33-46040. Applicant: City of Hope Medical Center, 1500 East Duarte Road, Duarte, CA 91010. Article: Electron microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in research studies on biological materials, the most important of which are experimental obesity and diabetes in mice (with electron microscope studies of pancreases), and experimental arteriosclerosis (hardening of the arteries). The article will also be used in training research fellows

residents, physicians and scientists in the City of Hope Medical Center. Application received by Commissioner of Customs: September 6, 1972.

Docket No. 73-00142-01-77040. Applicant: University of Utah, Purchasing Department, Salt Lake City, Utah 84112. Article: Mass spectrometer, Model CH-7. Manufacturer: Varian MAT, G.m.b.H., West Germany. Intended use of article: The article will be used as an integral component of new instrumentation being constructed for the specific purpose of analysis of peptides, peptide derivatives and other molecules of biological interest. It will undergo extensive modifications for incorporation into a combined gas chromatograph/chemical ionization ion source/mass spectrometer/dedicated computer package. Application received by Commissioner of Customs: August 16, 1972.

Docket No. 73-00103-33-40670. Applicant: University of California, Department of Botany, Davis, Calif. 95616. Article: Scanning electron Miscroscope, Model S4. Manufacturer: Cambridge Scientific Instrument Ltd., United Kingdom.

Intended use of article: The article is intended to be used to examine biological materials, viz: pollen, leaf tissue, thin sections of plastic embedded cells, lung tissue, bone, herbidice dispersal patterns on leaves, algal morphology, shoot tip developmental patterns, fungal micromorphology, insects. The article will also be used in several courses designed to acquaint students with the basic concepts concerning plant and animal cell and tissue morphology. Application received by Commissioner of Customs: August 8, 1972.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-16598 Filed 9-28-72;8:47 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 10493; Docket No. FDC-D-336; NDA 10-999 etc.]

CERTAIN STEROID COMBINATION PREPARATIONS FOR ORAL USE

Notice of Withdrawal of Approval of New Drug Applications

On March 31, 1971, and May 27, 1971, there were published in the FEDERAL REGISTER (36 F.R. 5928 and 9670) notices of opportunity for hearing (DESI 10493) in which the Commissioner of Food and Drugs proposed to issue orders under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the new drug applications for the subject drugs in the absence of substantial evidence that these drugs will have the effect they purport or are represented to have under the conditions of use prescribed, recommend, or suggested, in the labeling. The initial Drug Efficacy Study Implementation announcement (DESI 10493) had been published in the FEDERAL REGISTER of August 29, 1970 (35 F.R. 13803).

On June 24, 1971, Lederle Laboratories, holder of NDA 11-686 for Aristomin Capsules, and on June 30, 1971, Schering Corp., holder of NDA 10-493 for Metreton Tablets, elected to avail themselves of the opportunity for a hearing. These requests for hearing are under review and will be subjects of future publications in the FEDERAL REGISTER.

None of the holders for the following new drug applications or any other interested person have filed a written appearance of election as provided by the above notices. The failure to file such an appearance is construed as an election by such persons not to avail themselves of the opportunity for a hearing.

1. NDA 10-999; Triaminic HC Tablets containing hydrocortisone, phenylpropanolamine hydrochloride, pheniramine maleate and pyrilamine maleate; Dorsey Laboratories, Div. Sandoz-Wander Inc., Northeast U.S. 6 and Interstate 80, Lincoln, Nebr. 68501.

2. NDA 12-735; Toldex Tablets containing dexamethasone and phenyltoloxamine citrate; Dow Pharmaceuticals, Div. Dow Chemical Co., Post Office Box 1656, Indianapolis, Ind. 46206 (formerly Pitman-Moore Co.).

3. NDA 12-040; Medrol with Orthoxine Tablets containing methylprednisolone and methoxyphenamine; The Upjohn Co., 7171 Fortage Road, Kalamazoo, Mich. 49001.

4. NDA 11-988; Polanil Tablets containing dexamethasone, dexchlorpheniramine maleate, and ascorbic acid; Schering Corp., 60 Orange Street, Bloomfield, N.J. 07003.

5. NDA 11-729; Prednaman Tablets containing prednisone, chlorpheniramine maleate and ascorbic acid; Dome Laboratories, Div. of Miles Laboratories, Inc., 125 West End Avenue, New York, N.Y. 10023.

The Commissioner of Food and Drugs, 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 him (21 CFR 2.120), finds on the basis of new information before him with respect to said drugs, evaluated together with the evidence available to him when the applications were approved, that there is a lack of substantial evidence that the drugs will have the effects they purport or are represented to have under the conditions of use prescribed, recommended, or suggested, in the labeling thereof. The Commissioner further concludes that these drugs are not appropriate for administration as fixed-dose combinations within the guidelines set forth in the Statement of General Policy or Interpretation § 3.86 Fixed-Combination Prescription Drugs for Humans, published in the FEDERAL REGISTER of October 15, 1971 (36 F.R. 20037).

Therefore, pursuant to the foregoing finding, approval of the above new drug applications, and all amendments and supplements applying thereto are withdrawn effective on the date of publication hereof in the FEDERAL REGISTER (9-29-72).

Dated: September 22, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-16577 Filed 9-28-72;8:46 am]

[DESI 12451; Docket No. FDC-D-447; NDA 12-451]

USV PHARMACEUTICAL CORP.

Ethamivan for Oral Use; Notice of Withdrawal of Approval of New Drug Application

On June 14, 1972, there was published in the FEDERAL REGISTER (37 F.R. 11794) a notice of opportunity for hearing (DESI 12451) in which the Commissioner of Food and Drugs proposed to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the new drug application for the following drug in the absence of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling.

NDA 12-451, Emivan Tablets containing ethamivan; formerly marketed by USV Pharmaceutical Corp., 1 Scarsdale Road, Tuckahoe, N.Y. 10707.

Neither USV Pharmaceuticals nor any other interested person has filed a written appearance of election as provided by said notice. The failure to file such an appearance is construed as an election by such persons not to avail themselves of the opportunity for a hearing.

The Commissioner of Food and Drugs, 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 him (21 CFR 2.120), finds on the basis of new information before him with respect to said drug, evaluated together with the evidence available to him when the application was approved, that there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof.

Therefore, pursuant to the foregoing finding, approval of the above new drug application, and all amendments and supplements applying thereto is withdrawn effective on the date of publication hereof in the FEDERAL REGISTER.

Dated: September 22, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-16578 Filed 9-27-72;8:46 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D–72–204]

DEPUTY REGIONAL ADMINISTRATOR ET AL.

Designation as Acting Administrator for Region IV

The officers appointed to the following positions in Region IV (Atlanta) are hereby designated to serve as Acting Regional Administrator, Region IV, during the absence of the Regional Administrator, with all the powers, functions, and duties redelegated or assigned to the Regional Administrator, provided that no officer is authorized to serve as Acting Regional Administrator unless all other officers whose titles precede his in this designation are unable to serve by reason of absence:

1. Deputy Regional Administrator.
2. Director, Program Planning.
3. Regional Counsel.
4. Assistant Regional Administrator for Administration.

This designation supersedes the designation effective September 27, 1971 (37 F.R. 409–410, January 11, 1972).

(Delegation of Authority effective May 4, 1962 (27 F.R. 4319, May 4, 1962); Dept. Interim Order II (31 F.R. 815, January 21, 1966)).

Effective as of the 29th day of August 1972.

EDWARD H. BAXTER,
Regional Administrator, Region IV (Atlanta).

[FR Doc.72–16616 Filed 9–28–72;8:48 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50–368]

ARKANSAS POWER & LIGHT CO.

Notice of Availability of Final Environmental Statement

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that the "Final Environmental Statement Related to Arkansas Nuclear One, Unit 2, Arkansas Power and Light Company, Docket No 50–368," prepared by the Directorate of Licensing, U.S. Atomic Energy Commission, is being placed in the following locations where it will be available for inspection by members of the public: The Commission's Public Document Room at 1717 H Street NW., Washington, DC 20545, and at the Arkansas River Valley Regional Library, Dardanelle, Ark. 72834. The report is also being made available at the Arkansas Planning Commission, Room 300, Game and Fish Commission Building, Little Rock, Ark. 72201, and the West Central Arkansas Planning and Development District, Municipal Building, Box "R", Hot Springs, Ark. 71901.

The notice of availability of the draft environmental statement for the Arkansas Nuclear One, Unit 2 facility, and requests for comments from interested persons was published in the FEDERAL REGISTER on July 22, 1972 (37 F.R. 14734). The comments received from Federal, State, local officials and interested members of the public have been included as appendixes to the final statement.

Single copies of the final statement may be obtained by writing the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 25th day of September 1972.

For the Atomic Energy Commission.

R. C. DEYOUNG,
Assistant Director for Pressurized Water Reactors, Directorate of Licensing.

[FR Doc.72–16587 Filed 9–28–72;8:46 am]

[Dockets Nos. 50–400, 50–401, 50–402, and 50–403]

CAROLINA POWER & LIGHT CO.

Notice of Hearing on Application for Construction Permits

In the matter of the Carolina Power & Light Co. (Shearon Harris Nuclear Power Plant, Units 1, 2, 3, and 4).

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and Part 2, "Rules of Practice," notice is hereby given that a hearing will be held, at a time and place to be set in the future by an Atomic Safety and Licensing Board (Board), to consider the application filed under the Act by the Carolina Power & Light Co. (the Applicant), for construction permits for four pressurized water nuclear reactors designated as the Shearon Harris Nuclear Power Plant, Units 1, 2, 3, and 4 (the Facilities), each of which is designed for initial operation at approximately 2,775 thermal megawatts with a net electrical output of approximately 915 megawatts. The proposed faciliies are to be located on the applicant's site southwest of Raleigh, in Wake and Chatham Counties, N.C. The hearing will be scheduled to begin in the vicinity of the site of the proposed facilities.

The Board will be designated by the Atomic Energy Commission (Commission). Notice as to its membership will be published in the FEDERAL REGISTER.

Upon receipt of a report by the Advisory Committee on Reactor Safeguards and upon completion by the Commission's regulatory staff of a favorable safety evaluation of the application and an environmental review, the Director of Regulation will consider making affirmative findings on Items 1–3, a negative finding on Item 4, and an affirmative finding on Item 5 specified below as a basis for the issuance of construction permits to the applicant:

ISSUES PURSUANT TO THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

1. Whether in accordance with the provisions of 10 CFR 50.35(a):

(a) The applicant has described the proposed design of the facilities including, but not limited to, the principal architectural and engineering criteria for the design, and has identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;

(c) Safety features or components, if any, which require research and development have been described by the applicant and the applicant has identified, and there will be conducted a research and development program reasonably designed to resolve any safety questions associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facilities, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facilities can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

2. Whether the applicant is technically qualified to design and construct the proposed facilities;

3. Whether the applicant is financially qualified to design and construct the proposed facilities; and

4. Whether the issuance of permits for construction of the facilities will be inimical to the common defense and security or to the health and safety of the public.

ISSUE PURSUANT TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (NEPA)

5. Whether, in accordance with the requirements of Appendix D of 10 CFR Part 50, the construction permits should be issued as proposed.

In the event that this proceeding is not a contested proceeding, as defined by 10 CFR 2.4(n), the Board will determine (1) without conducting a de novo evaluation of the application, whether the application and the record of the proceeding contain sufficient information, and the review of the application by the Commission's regulatory staff has been adequate, to support the findings proposed to be made by the Director of Regulation on Items 1–4 above, and to support, insofar as the Commission's licensing requirements under the Act are concerned, the issuance of the construction permits proposed by the Director of Regulation; and (2) determine whether the review conducted by the Commission pursuant to NEPA has been adequate. In

the event that this proceeding is not contested, the Board will convene a prehearing conference of the parties within sixty (60) days after this notice of hearing or such time as may be appropriate, at a time and place to be set by the Board. It will also set the schedule for the evidentiary hearing. Notice of the prehearing conference and the hearing will be published in the FEDERAL REGISTER.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as issues in this proceeding, Items 1–5 above as a basis for determining whether the construction permits should be issued to the applicant.

The Board will convene a special prehearing conference of the parties to the proceeding and persons who have filed petitions for leave to intervene, or their counsel, to be held within sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, or within such other time as may be appropriate, at a place to be set by the Board for the purpose of dealing with the matters specified in 10 CFR 2.751a.

The Board will convene a prehearing conference of the parties, or their counsel, to be held subsequent to any special prehearing conference and within sixty (60) days after discovery has been completed, or within such other time as may be appropriate, at a place to be set by the Board for the purpose of dealing with the matters specified in 10 CFR 2.752.

Notices of the dates and places of the special prehearing conference, the prehearing conference and the hearing will be published in the FEDERAL REGISTER.

With respect to the Commission's responsibilities under NEPA, and regardless of whether the proceeding is contested or uncontested, the Board will, in accordance with § A.11 of Appendix D of 10 CFR Part 50, (1) determine whether the requirements of section 102(2) (C) and (D) of NEPA and Appendix D of 10 CFR Part 50 have been complied with in this proceeding; (2) independently consider the final balance among conflicting factors contained in the record of the proceeding with a view to determining the appropriate action to be taken; and (3) determine whether the construction permits should be issued, denied, or appropriately conditioned to protect environmental values.

For further details, see the application for construction permits dated June 1, 1971, and amendments thereto, and the applicant's environmental report dated September 7, 1971, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., between the hours of 8:30 a.m. and 5 p.m. on weekdays. Copies of those documents will also be made available at the Wake County Public Library, 104 Fayetteville Street, Raleigh, NC 27601, for inspection by members of the public between the hours of 9 a.m. and 9 p.m. Tuesday through Friday, 9 a.m. and 5:30 p.m. on Saturday and 1:30 p.m. and 5:30 p.m. on Sunday. As they become available, a copy of the report of the Advisory Committee on Reactor Safeguards (ACRS), the safety evaluation by the Commission's Directorate of Licensing, the Commission's draft and final detailed statements on environmental considerations, the proposed construction permits, other relevant documents, and the transcripts of the prehearing conferences and of the hearing will also be available at the above locations. Copies of the proposed construction permits, the ACRS report, the Directorate of Licensing's safety evaluation and the Commission's draft and final detailed statement on environmental considerations may be obtained, when available, by request to the Deputy Director for Reactor Projects, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Any person who does not wish to, or is not qualified to become a party to this proceeding may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715. A person making a limited appearance may only make an oral or written statement on the record, and may not participate in the proceeding in any other way. Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, not later than thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER.

A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set out above.

Any person whose interest may be affected by the proceeding, who does not wish to make a limited appearance and who wishes to participate as a party in the proceeding must file a written petition under oath or affirmation for leave to intervene in accordance with the provisions of 10 CFR 2.714.

A petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A petition for leave to intervene must be filed with the Office of the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., not later than thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER. A petition for leave to intervene which is not timely will not be granted unless the Board determines that the petitioner has made a substantial showing of good cause for failure to file on time and after the Board has considered those factors specified in 10 CFR 2.714(a).

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have all the rights of the applicant to participate fully in the conduct of the hearing, such as the examination and cross-examination of witnesses, with respect to their contentions related to the matters at issue in the proceeding.

An answer to this notice, pursuant to the provisions of 10 CFR 2.705, must be filed by the applicant not later than twenty (20) days from the date of publication of this notice in the FEDERAL REGISTER.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

Pending further order of the Board, parties are required to file, pursuant to the provisions of 10 CFR 2.708, an original and twenty (20) conformed copies of each such paper with the Commission.

With respect to this proceeding, the Commission will delegate to the Atomic Safety and Licensing Appeal Board the authority and the review function which would otherwise be exercised and performed by the Commission. The Commission will establish the Appeal Board pursuant to 10 CFR 2.785 and will make the delegation pursuant to subparagraph (a)(1) of that section. The Appeal Board will be composed of a Chairman, and two other members to be designated by the Commission. Notice as to the membership of the Appeal Board will be published in the FEDERAL REGISTER.

Dated at Germantown, Md., this 21st day of September 1972.

UNITED STATES ATOMIC ENERGY COMMISSION,
PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.72-16472 Filed 9-28-72;8:45 am]

[Docket No. 50-247]

CONSOLIDATED EDISON CO. OF NEW YORK, INC.

Notice of Availability of Final Environmental Statement for the Indian Point Nuclear Generating Unit 2

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 the "Final Environmental Statement Related to the Operation of the Indian Point Nuclear Generating Unit 2, Consolidated Edison Company of New York, Inc., Docket No. 50-247", prepared by the Directorate of Licensing, U.S. Atomic Energy Commission, is being placed in the following locations where it will be available for inspection by members of the public: The Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545, and at the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, NY 10548.

The report is also being made available at the New York State Office of Planning Services, 488 Broadway, Albany, NY 12207, and the Tri-State Regional Planning Commission, 100 Church Street, New York, NY 10007.

The notice of availability of the Draft Detailed Statement for the Indian Point Nuclear Generating Unit 2 and request for comments from interested persons was published in the FEDERAL REGISTER on April 20, 1972 (37 F.R. 7828). A supplemental notice of availability was published in the FEDERAL REGISTER on May 2, 1972 (37 F.R. 8897). The comments received from Federal, State, local officials and interested members of the public have been included as appendices to the Final Environmental Statement.

Single copies of the Final Environmental Statement may be obtained by writing to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 22d day of September 1972.

For the Atomic Energy Commission.

R. C. DEYOUNG,

Assistant Director for Pressurized Water Reactors, Directorate of Licensing.

[FR Doc.72-16617 Filed 9-28-72;8:48 am]

SAFETY GUIDES

Notice of Issuance and Availability

The Atomic Energy Commission has issued three new safety guides and one revised safety guide which have been developed to provide guidance on acceptable methods of implementing the requirements of Commission regulations relating to water cooled nuclear power plants.

A total of 32 of these guides has been completed since the Commission, on November 13, 1970, announced development of a series of these guides.

The primary purpose of the safety guides is to make available to the industry positions that have been developed by the Regulatory Staff and the Commission's Advisory Committee on Reactor Safeguards on safety issues. Although the safety guides are not regulatory requirements, they do specifically identify safety issues that should be considered in the design and in the evaluation of water cooled nuclear power plants and describe a set of principles and specifications which will represent an acceptable solution to the Regulatory Staff and Advisory Committee on Reactor Safeguards on these issues. Their use by an applicant will expedite the licensing review process.

Titles of the new guides are:

Safety Guide No. 19 (Revision 1)—"Nondestructive Examination of Primary Containment Liner Welds."

Safety Guide No. 30—"Quality Assurance Requirements for the Installation, Inspection, and Testing of Instrumentation and Electric Equipment."

Safety Guide No. 31—"Control of Stainless Steel Welding."

Safety Guide No. 32—"Use of IEEE Std 308-1971, 'Criteria for Class IE Electric Systems for Nuclear Power Generating Stations'."

Comments and suggestions in connection with improvements in the guides are encouraged and should be sent to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff. Copies of issued guides may be obtained by request to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Director of Regulatory Standards.

Other safety guides curently being developed include the following:

1. Control of Electroslag Welding.
2. Design Phase Quality Assurance Requirements.
3. Quality Assurance Program Requirements (Operation).
4. Monitoring and Reporting of Environmental Levels.
5. Diesel Generator Protective Interlocks.
6. Availability of Emergency Power Sources.
7. Physical Independence of Safety Related Electric Systems.
8. Indication of Bypasses in Protection Systems.
9. Post-Accident and Incident Monitoring.
10. Flood Design Bases.
11. Inservice Surveilance of Ungrouted Prestressing Tendons.
11. Design Loading Combinations for Fluid System Components.
13. Isolating Low Pressure Systems Connected to the Reactor Coolant Pressure Boundary and that Penetrate Primary Reactor Containment.
14. Stainless Steel Overlay Welding.
15. Testing to Demonstrate Independence of Onsite Power Sources.
16. Packaging, Shipping, Receiving, Storage, and Handling of Items for Nuclear Power Plants.
17. Housekeeping During the Construction Phase of Nuclear Power Plants.
18. Requirements for Collection, Storage, and Maintenance of Quality Assurance Records for Nuclear Power Plants.
19. Reactor Coolant Pressure Boundary Leakage Detection.
20. Design Loading Combinations for Primary Metal Containment Systems.
21. Control of Lifting Equipment at Nuclear Power Plant Sites.
22. Control of the Use of Sensitized Stainless Steel.
23. Proof Tests of Continuous-Duty Motors Installed Inside Containment of Nuclear Power Plants.

(5 U.S.C. 552(a))

Dated at Bethesda, Md., this 21st day of September 1972.

For the Atomic Energy Commission.

L. MANNING MUNTZING,
Director of Regulation.

[FR Doc.72-16619 Filed 9-28-72;8:49 am]

FEDERAL MARITIME COMMISSION

PORT OF OAKLAND AND MATSON TERMINALS, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. J. Kerwin Rooney, Port Attorney, Port of Oakland, 66 Jack London Square, Post Office Box 2064, Oakland, CA 94607.

Agreement No. T–1953–2, between the Port of Oakland (Port) and Matson Terminals, Inc. (Matson), modifies the basic agreement which provides for the 20-year lease of certain terminal property and berthing area at Oakland, Calif. The purpose of the modification is to (1) redefine certain option areas; (2) add "Option Area B" to the premises; (3) temporarily suspend Matson's option rights in "Option Area C"; (4) provide for the construction of certain improvements by the Port; and (5) adjust the improvement rental. Among the improvements to be constructed by the Port are an extension of the existing wharf by approximately 250 lineal feet and dredging the berth area in front of the above wharf extension.

By Order of the Federal Maritime Commission.

Dated: September 25, 1972.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72–16626 Filed 9–28–72;8:49 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTON)

Notice of Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 11(p)(1) of the Federal Water Pollution Control Act, as amended, and, accordingly, have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	*Owner/operator and vessels*
01028---	Flensburger Schiffsparten-Vereinigung AG.:
	Stern Sirius.
	Stern Uranus.
01334---	American President Lines, Ltd.:
	President Polk.
01428---	The Ocean Steam Ship Co., Ltd.:
	Mano.
01758---	Chotin Transportation, Inc.:
	Chotin 1791X.
02037---	Shosen Mitsui Kyakusen K.K.:
	Shin Sakura Maru.
02039---	"Gryf" Deep Sea Fishing Co.:
	Kabryl.
02194---	Compagnie Generale Transatlantique:
	Barracuda.
02209---	Flota Mercante Grancolombiana S.A.:
	Rio Saldana.
02327---	Weser-Schiffahrts-Agentur G.m.b.H.:
	Weser Exporter.
02332---	Lykes Bros. Steamship Co., Inc.:
	LY–87.
	LY–88.
	LY–89.
	LY–90.
	LY–91.
	LY–92.
	LY–93.
	LY–802.
	LY–902.
	Almeria Lykes.
02492---	Interstate Oil Transport Co.:
	Interstate 70.
	Interstate 29.
	Argoil 175.
	IBC 16.
	IBC 17.
	IBC 18.
	IBC 19.
02507---	Union Navale:
	Agria.
02583---	Pacific Inland Navigation Co., Inc.:
	Inland Chief.
02862---	Ocean Shipping & Enterprises, Ltd.:
	Ocean Harvest.
03138---	Cunard Line, Ltd.:
	Cunard Ambassador.
03301---	Prudential Grace Lines, Inc.:
	Lash Pacifico.
03422---	Daiwa Kaiun Kabushiki Kaisha:
	Samoa Maru No. 2.
03428---	Hachiuma Kisen K.K.:
	Hoyo Maru.
03432---	Hinode Kisen K.K.:
	Tomiwaka Maru No. 8.
03434---	Hoko Suisan K.K.:
	Hoko Maru No. 18.
03438---	Inui Kisen Kabushiki Kaisha:
	Evergreen.
03577---	Taiyo Kaiun Sangyo Kabushiki Kaisha:
	Toyota Maru No. 20.
03633---	Penlatex Barge Line, Inc.:
	U M 79 B.
03968---	Zim Israel Navigation Co. Ltd.:
	Opal.
04004---	Koninklijke Java-China-Paketvaart Lijuen N.V.:
	Straat Nassau.
04007---	Egon Oldendorff:
	Hille Oldendorff.
04008---	The Cleveland-Cliffs Iron Co.:
	Raymond H. Reiss.
04113---	Mon River Towing, Inc.:
	MRT 16.
04163---	Cenac Towing Co., Inc.:
	CTCO 194.
	CTCO 195.
04196---	Otto Candies, Inc.:
	OC 252.
	OC 253.
04228---	Compagnie Maritime Belge (Lloyd Royal) S.A.:
	Mineral Ougree.
04276---	Rivtow Straits, Ltd.:
	Powell Carrier.
	Alberni Carrier.
	Rayonier No. 4.
	Crown Zellerbach No. 4.
	Rivtow Lion.
	Rivtow Viking.
04398---	Hapag-Lloyd Aktiengesellschaft:
	Munchen.
04568---	United Venture Navigation Co., Ltd.:
	Grand Holly.
04792---	Rederij H. & P. Holwerda:
	Elisabeth Holwerda.
04803---	Brent Towing Co., Inc.:
	B 2300.
	GWG 103.
	B 428
	B 431
	Wasson 2.
	B 524.
	B 127.
	B 227.
	B 527.
	B 627.
	B 124.
	B 224.
	B 324.
	B 1700.
	B 1900.
	B 318.
	B 2100.
	Levi.
	Carole Brent.
	Margaret Brent.
	Liz Brent.
	Jesse Brent.
	Ruth Brent.
	Barbara Brent.
05033---	Connecticut Towing, Inc. & Gasland, Inc.:
	New Haven.
	Eileen T.
05046---	Magnolia Marine Transport Co.:
	IOT–101.
	IOT–102.
05048---	F. Laeisz:
	Pluvius.
05114---	N.V. Stoomvaart Maatschappij "De Maas":
	Holendrecht.
05437---	The Dow Chemical Co.:
	ETT–114.
	ETT–119.
	CBC–125.
	T–200.
05577---	Far-Eastern Shipping Co.:
	Amburskles.
	Uralles.
	Vilujles.
	Taishet.
	Argun.
	Volgograd.
05580---	Kamchatka Shipping Co.:
	Floating Crane No. 98.
05761---	Canaan Marine, Inc.:
	Kian An.
06384---	Mercury Shipping Co., Ltd.:
	Mercury Sea.
06388---	T. C. Trading Co., Ltd.:
	Lilika.
06435---	Dampskibsaktieselskabet Den Norske Afrika-Og Australielinie Wilhelmsens Dampskibsaktieselskab, A/S Tonsberg, A/S Tankfart I, A/S Tankfart IV, A/S Tankfart V, A/S Tankfart VI:
	Tartar.
06583---	M.I.L. Tug & Salvage, Ltd.:
	Foundation Vigilant.
06594---	Chemical Marketing International, Ltd.:
	EIDC 51.
06821---	Anglo-Eastern Bulkships, Ltd.:
	Naess Ambassador.
06934---	Chevron Navigation Corp.:
	Chevron London.
	Paul L. Fahrney.
06940---	Nitrogen Oil Well Service Co., Division of Big Three Industries, Inc.:
	Stacy I.
07002---	Kabushiki Kaisha Tokushima Shokai:
	Tokuho Maru.
07123---	Prilam Shipping Co., Ltd.:
	Lorna P.
07133---	Margala Shipping & Trading Corp., Monrovia:
	Kola.
07135---	Nautilous IV Compania Naviera S.A.:
	Emilia G.
07139---	Transworld Enterprises, Inc.:
	Navitrader.
07160---	Zenith Obo Shipping Corp.:
	Ranger.
07186---	Esperanza Maritima Co., Ltd.:
	Naftilos.
07208---	Iraqi Maritime Transport Co., Ltd.:
	Sinbad.
07227---	Anavis Shipping Co. S.A. Panama:
	Angi.

Certificate No.	Owner/operator and vessels
07228---	Caribbean Cement Carriers Corp.: Cemento Ponce.
07230---	Hassel Trading Corp.: Seatransport. Silver Clipper. Silver Zephyr. Federal Bulker.
07233---	MCL No. I Ltd.: Maritime Ace.
07238---	Astra Carriers, Inc., Panama: Maritime Union.
07239---	Aspis Shipping Co.: Aegis Honor.
07241---	Bacanamar Compania Nav. S.A.: Nafsika.
07242---	Erato Compania Nav. S.A.: Erato.
07243---	Cappadocia Maritime Co., Ltd., Nicosia: Vassilis.
47706—Jess—No. 31 (day-lino)—Sept. '72	
07245---	Argonaut Shipping Inc.: Argo Leader.
07246---	Anca Shipping, Inc.: Sankomoon.
07248---	Dynamic Mariners Corp.: Tarpona.
07257---	Sea Ploutos Shipping Co. S.A.: Sea Gull.
07259---	Brilliant Transport Co.: Conastoga.
07260---	Apollonian Spirit Co. S.A.: Apollonian Spirit.
07262---	Pacific Union Lines, Ltd.: Hongkong Beauty.
07264---	Reederei D. Oltmann KG: Lindo.
07298---	Iraqi Maritime Transport Co., Ltd., Baghdad: Sinbad.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-16625 Filed 9-28-72;8:49 am]

FEDERAL POWER COMMISSION

MEMORANDUM OF AGREEMENT

CROSS REFERENCE: For a document relating to the memorandum of agreement executed by the Secretary of the Interior and the Chairman of the Federal Power Commission on September 14, 1972, see F.R. Doc. 72-16601, Department of the Interior, Office of the Secretary, *supra*.

[Dockets Nos. CS72-792, et al.]

ALBUQUERQUE NATIONAL BANK, EXECUTOR, ET AL.

Notice of Applications for "Small Producer" Certificates [1]

SEPTEMBER 21, 1972.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should, on or before October 16, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

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 all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No.	Date filed	Name of applicant
CS72-792 et al.	9-12-72	Albuquerque National Bank, Executor (successor to Lee W. Kilgore), 123 Central Ave. NW., Albuquerque, NM 87101.
CS73-170...	9- 6-72	Morton Brother, Inc., 254 North Center St., Casper, WY 82601.
CS73-171...	9- 6-72	J. P. Johnson, 1906 Main St., Miles City, MT 59303.
CS73-172...	9- 6-72	Winston L. Stokes, Post Office Box 52432, Lafayette, LA 70501.
CS73-173...	9- 6-72	Peso Oil & Gas Corp., Box 182, Ardmore, OK 73401.
CS73-174...	9- 5-72	B. Weinstein, 910 Hillcrest Dr., Longview, TX 75601.
CS73-175...	9- 5-72	Abel & Bancroft, E-102 Petroleum Center, San Antonio, Tex. 78209.
CS73-176...	9- 6-72	Harold J. Reedy, 700 First National Bank Bldg., Enid, Okla. 73701.
CS73-177...	9- 5-72	Northwest Properties, Inc., 850 Denver Club Bldg., Denver, Colo. 80202.
CS73-178...	9- 5-72	Donald W. Murphrey, Route 1, Box 194, West Monroe, LA 71291.
CS73-179...	9- 5-72	Pend Oreille Oil & Gas Co., Vinson, Elkins, Searls, Connally & Smith, 2100 First City National Bank Bldg., Houston, Tex. 77001.
CS73-180...	9- 8-72	Estate of Dolly Bell Key, Post Office Box 862, Marshall, TX 75670.
CS73-181...	9- 7-72	Equity Service Corp., 725 Barclay Bldg., Bala Cynwyd, Pa. 19004.
CS73-182...	9-11-72	Edmund M. Key, Post Office Box 1177, Marshall, TX 75670.
CS73-183...	9-11-72	Nancy Lee Qualls d.b.a. Central Production Co., Post Office Box 655, El Paso, TX 79944.
CS73-184...	9-11-72	Elliott A. Riggs, Post Office Box 711, Farmington, NM 87401.
CS73-185...	9-11-72	Riggs Oil & Gas Co., Post Office Box 711, Farmington, NM 87401.
CS73-186...	9-11-72	Eastern Gas Systems, Inc., 2 Greenway Plaza East, Suite 500, Houston, TX 77046.
CS73-187...	9-11-72	Republic Mineral Corp., 2 Greenway Plaza East, Suite 500, Houston, TX 77046.
CS73-188...	9-11-72	Robert Cargill, Post Office Box 1166, Longview, TX 75601.
CS73-189...	9-11-72	B & T Oil Co., Box 6121, Corpus Christi, TX 78411.
CS73-190...	9-11-72	The Oklahoma Oil Co., 2420 1 Main Pl., Dallas, TX 75250.
CS73-191...	9-11-72	W. F. Lynch, Box 82, Midland, TX 79701.
CS73-192...	9- 7-72	Keesee & Thomas, Post Office Box 2026, Farmington, NM 87401.
CS73-193...	9- 7-72	H. H. Elder & Son, Cairo, W. Va. 26337.
CS73-194...	9- 6-72	Emerald Producing Corp., Post Office Box 51325, Lafayette, LA 70501.
CS73-195...	8-30-72	La Jolla Properties, Inc., 1400 Vickers-KSB&T Bldg., Wichita, Kans. 67202.
CS73-196...	9- 8-72	W. G. Cook, Post Office Box 8466, Jackson, MS 39204.
CS73-197...	9- 5-72	D.S. Crawford, et al., Post Office Box 51629, O.C.S., Lafayette, LA 70501.
CS73-198...	9- 5-72	Herman Van Os., Post Office Box 1567, 2901 Linwood Ave., Shreveport, LA 71103.
CS73-199...	9- 5-72	Albert Katzenstein, 2901 Linwood Ave., Post Office Box 1567, Shreveport, LA 71103.
CS73-200...	9- 5-72	Frank Katzenstein, 2901 Linwood Ave., Post Office Box 1567, Shreveport, LA 71103.
CS73-201...	9- 5-72	Donald J. Zadeck, 2901 Linwood Ave., Post Office Box 1567, Shreveport, LA 71103.

[FR Doc.72-16390 Filed 9-28-72;8:45 am]

[Docket No. CP70-216]

EAST TENNESSEE NATURAL GAS CO.

Notice of Petition to Amend

SEPTEMBER 22, 1972.

Take notice that on September 13, 1972, East Tennessee Natural Gas Co. (Petitioner), Post Office Box 10245, Knoxville, TN 37919, filed in Docket No. CP70-216 a petition to amend the order of the Commission issued in said docket pursuant to section 7(c) of the Natural Gas Act by authorizing reallocation of presently authorized contract quantities of natural gas delivered by Petitioner to service areas of Middle Tennessee Gas Utility District (Middle Tennessee), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By order of the Commission issued in said docket on July 22, 1970 (44 FPC 146), as amended, Petitioner was authorized, among other things, to make additional sales of natural gas to certain of its existing customers commencing with the 1970-71 winter season. Pursuant to Middle Tennessee's request, Petitioner now proposes to reallocate presently authorized contract quantities of natural gas

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

between two of Middle Tennessee's service areas by delivering 3,546 Mcf per day in lieu of 4,046 Mcf per day to the Alto service area and 4,546 Mcf per day in lieu of 4,046 Mcf per day to the Monterey service area. The reallocation would be effective between November 1, 1972, and October 31, 1974.

Petitioner states that the subject reallocation provides for the transfer of authorized contract quantities from one service area to another for the aforesaid 2-year period, at the end of which the contract quantities would revert to the presently authorized contract status. Petitioner states further that the proposed reallocation would not increase the total quantity of gas available to Middle Tennessee's service areas nor would it impose additional capacity requirements on Petitioner.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before October 16, 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-16620 Filed 9-28-72;8:49 am]

[Docket No. CI73-209]

EMERALD EXPLORATION ET AL.

Notice of Application

SEPTEMBER 26, 1972.

Take notice that on September 21, 1972, Emerald Exploration et al. (Applicants), Post Office Box 51325 O.C.S., Lafayette, LA 70501, filed in Docket No. CI73-209 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Trunkline Gas Co. from the East Fields Field, Beauregard Parish, La., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants state that they commenced the sale of natural gas on September 1, 1972, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and that they propose to continue said sale for 1 year from the end of the 60-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicants propose to sell approximately 30,000 Mcf of gas per month at 35 cents per Mcf at 15.025 p.s.i.a.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before October 10, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this publication if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-16603 Filed 9-28-72;8:48 am]

[Dockets Nos. G-2629, G-8324, G-9724, etc.]

PHILLIPS PETROLEUM CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

SEPTEMBER 19, 1972.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should, on or before October 12, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

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 all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

MARY B. KIDD,
Acting Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G–2629 G–8324, G–9724, C 8–28–72	Phillips Petroleum Co., Bartlesville, Okla. 74004.	Northern Natural Gas Co., Spraberry, Benedum, and Andrews Plants, Permian Basin Area, Midland, Upton, and Andrews Counties, Tex.	[1] 30.0	14.65
G–3072 D 8–24–72	Humble Oil & Refining Co., Post Office Box 2180, Houston, TX 77001.	Tennessee Gas Pipeline Co., District 4 Area, Texas.	19.0	14.65
G–10665 D 8–28–72	Champlin Petroleum Co., Post Office Box 9365, Fort Worth, TX 76107.	Cities Service Gas Co., Grant County, Okla.	[2]	
G–17836 D 8–28–72	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221.	Northern Natural Gas Co., John Creek Field, Hutchinson County, Tex.	[3]	
G–19085 D 8–30–72	do	Cities Service Gas Co., Northeast Woodward Field, Woodward County, Okla.	[4]	
CI61–291 B 8–30–72	do	Transwestern Pipeline Co., Northeast Elmwood Field, Beaver County, Okla.	Depleted	
CI65–21 B 7–27–72	Texaco, Inc., Post Office Box 3109, Midland, TX 79701.	Northern Natural Gas Co., Ozona Field, Crockett County, Tex.	Non-productive [5]	
CI66–93 D 8–17–72	do	Lone Star Gas Co., Handy Field, Cooke County, Tex.		
CI66–230 E 8–10–72	Texaco, Inc. (successor to Southwest Gas Producing Co.), Post Office Box 60252, New Orleans, LA 70160.	United Gas Pipeline Co., Arnaudville Field, St. Martin Parish, La.	15.0	15.025
CI67–1076 CI69–927 E 7–17–72	Case-Pomeroy Oil Corp. (successor to Essex Royalty Corp.), Post Office Box 1511, Midland, TX 79701.	Transcontinental Gas Pipe Line Corp., Ship Shoal Block 230 Field, Offshore Terrebonne Parish, La.	26.0	15.02
CI69–1227 D C 7–31–72 [6]	Marathon Oil Co., 539 South Main St., Findlay, OH 45840.	Kansas-Nebraska Natural Gas Co., Inc., West Sidney Gas Plant, West Sidney Area, Cheyenne County, Nebr.	18.6989	15.025
CI71–894 A 8–4–72	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	Pioneer Gas Products Co., Northwest Madill Field, Marshall County, Okla.	10.0	14.65
CI72–25 C 7–3–72 [7]	T. R. Miller Mill Co., Inc., Brewton, Ala. 36426.	Florida Gas Transmission Co., Flomaton Field, Escambia County, Ala.	32.5	14.65
CI72–25 C 7–3–72 [7]	R. H. Boteler et al., Post Office Box 605, Laurel, MS 39440.	do	32.5	14.65
CI72–147 CI66–470 F 7–24–72 [8]	Atlantic Richfield Co. (successor to Sun Oil Co. (Operator) et al.), Post Office Box 2819, Dallas, TX 75221.	Arkansas Louisiana Gas Co., Arkoma Area, Government 1–27 Unit, Pittsburg County, Okla.	16.255	14.65
CI72–440 C 5–11–72	Amoco Production Co., Security Life Bldg., Denver, Colo. 80202.	Panhandle Eastern Pipe Line Co., acreage in Weld County, Colo., and Laramie County, Wyo.	[9] 23.4995	
CI72–440 C 7–27–72	do	Panhandle Eastern Pipe Line Co., Weld, Arapahoe, and Adams Counties, Colo.	[10] 22.913	
CI72–519 C 8–23–72 [1]	Cities Service Oil Co., Post Office Box 300, Tulsa, OK 74102.	El Paso Natural Gas Co., Black River Corp.-Cities Federal No. 1 Well, W½ section 34–25 S.–24 E., Eddy County, N. Mex.	30.30	14.65
CI72–747 C 8–7–72	Stephens Production Co., 115 North 12th St., Fort Smith, AR 72901.	Arkansas Louisiana Gas Co., Slaytonville Area, Sebastian County, Ark. and Leflore County, Okla.	21.5	14.65
CI72–756 C 6–26–72	Warren Petroleum Co., a division of Gulf Oil Corp., Post Office Box 1589, Tulsa, OK 74102.	El Paso Natural Gas Co., Caliche Gasoline Plant, Lea County, N. Mex.	[11] 27.0	14.65
CI72–757 C 6–26–72	do	El Paso Natural Gas Co., Monument Gasoline Plant, Lea County, N. Mex.	[11] 27.0	14.65
CI73–64 F 8–25–72	Houston Oil & Minerals Corp. (successor to Union Texas Petroleum, a division of Allied Chemical Corp.), 242 The Main Bldg., 1212 Main St., Houston, TX 77002.	Spraberry Trend Area, Reagan, Upton, and Glasscock Counties, Tex.	19.32775	14.65
CI73–131 B 8–24–72	Ashland Oil, Inc., (Operator) et al., Post Office Box 61431, Houston, TX 77061.	Lone Star Gas Co., Golden Trend Field, Garvin County, Okla.	Depleted	
CI73–135 A 8–25–72	Amoco Production Co., Post Office Box 591, Tulsa, OK 74102.	Columbia Gas Transmission Corp., East Cameron Block 33 Field, Offshore Louisiana.	[1] 35.0	15.025
CI73–136 A 8–25–72	Cities Service Oil Co., Post Office Box 300, Tulsa, OK 74102.	Tennessee Gas Pipeline Co., East Cameron Block 77, Offshore Louisiana.	[1] 35.0	15.025
CI73–137 A 8–25–72	The Superior Oil Co., Post Office Box 1521, Houston, TX 77001.	McCulloch Interstate Gas Corp., NW¼ of sec. 26, T. 38. N., R. 75W, Converse County, Wyo.	22.75	15.025
CI73–142 F 8–25–72	Texas Pacific Oil Co., Inc. (successor to Exploration Resources, Inc.), 1700 1 Main Pl., Dallas, TX 75250.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Waveland Field, Hancock County, Miss.	19.0	15.025
CI73–146 B 8–28–72	Tenneco Oil Co., Post Office Box 2511, Houston, TX 77001.	Lone Star Gas Co., Sholem Alechem Field, Carter County, Okla.	[12]	
CI73–147 A 8–29–72	LVO Corp., Post Office Box 2848, Tulsa, OK 74101.	Florida Gas Transmission Co., Northwest Bayou Choctaw Field, Iberville Parish, La.	26.5652	15.025
CI73–149 B 8–30–72	Atlantic Richfield Co., Post Office Box 2819, Dallas TX 75221.	Cities Service Gas Co., Northeast Woodward Field, Woodward County, Okla.	Depleted	
CI73–151 B 8–28–72	Ferguson Oil Co., Inc., Suite 504, 120 South Market, Wichita, KS 67202.	Cities Service Gas Co., Deerhead North; Barber County, Kans.	[13]	
CI73–152 A 8–30–72	Coastal States Gas Producing Co., Post Office Drawer 521, Corpus Christi, TX 78403.	Florida Gas Transmission Co., Northwest Bayou Choctaw Field, Iberville Parish, La.	26.5652	15.025
CI73–153 B 8–30–72	Texas Oil & Gas Corp., 2700 Fidelity Union Tower Bldg., Dallas, Tex. 75201.	El Paso Natural Gas Co., University AA Lease, North Cox Field, Crockett County, Tex.	[14]	
CI73–154 A 8–30–72	Tenneco Oil Co., Post Office Box 2511, Houston, TX 77001.	El Paso Natural Gas Co., Pah No. 1 and Gallegos Canyon No. 1, Gallegos Canyon Area, San Juan County, N. Mex.	[1] 28.0	15.025
CI73–156 A 8–31–72	Getty Oil Co., Post Office Box 1404, Houston, TX 77001.	Tennessee Gas Pipeline Co., East Cameron Block 77, East Cameron area, Offshore Cameron Parish, La.	[1] 35.0	15.025

[1] Subject to upward and downward B.t.u. adjustment.
[2] Pressure of gas insufficient to enable gas to enter buyer's gathering line.
[3] Expiration of lease and acreage has been released from contract.
[4] Gas supply has been depleted and well has been plugged and abandoned. (Rate Schedule No. 426 only.)
[5] Acreage unproductive and the oil and gas lease terminated.
[6] Pursuant to Amendment dated June 1, 1972, the acreage commitment and descriptions have been correct to delete acreage from which production has ceased, and to include acreage which has become productive.
[7] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI72–25 to be made pursuant to Humble Oil & Refining Co. FPC Gas Rate Schedule No. 504.
[8] Add acreage acquired from Sun Oil Co.
[9] Converted from its rate of 22.913 cents at 14.65 to area pressure measurement base of 15.025.
[10] Plus 2.591 cents per Mcf upward B.t.u. adjustment.
[11] Applicant is willing to accept a certificate at an initial rate of 27 cents subject to B.t.u. adjustment; however, the contract price is 30 cents.
[12] No longer gas productive; well plugged and abandoned.
[13] Gas contains 30 grains of sulphur per cubic foot, and volume per day had declined to an uneconomical rate to operate the well and sweetner.
[14] Expiration of lease; well plugged and abandoned.

[FR Doc.72–16424 Filed 9–28–72;8:48 am]

[Docket No. CP72–269]

SOUTH GEORGIA NATURAL GAS CO.

Order Setting Date for Formal Hearing, Prescribing Procedures, and Permitting Intervention

SEPTEMBER 22, 1972.

On May 22, 1972, South Georgia Natural Gas Co. (South Georgia) filed in Docket No. CP72–269 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(c) of the Commission's regulations under the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction during the 12-month period commencing July 1, 1972, and operation of natural gas facilities for the

transportation of natural gas in interstate commerce.

Specifically, South Georgia requests authorization to construct five segments of 6.625-inch O.D. loop line totaling about 2 miles along its existing 12.750-inch O.D. pipeline. South Georgia states that such facilities will be constructed in order to provide adequate service to existing customers while the existing segments of the 12.750-inch O.D. pipeline are being hydrostatically tested in accordance with the minimum Federal safety standards. Upon the completion of the hydrostatic tests, South Georgia proposes to return the segments of 12.750-inch O.D. pipe to service and leave the 6.625-inch O.D. loop line in service.

South Georgia states that the total estimated cost is $184,210 which it can finance with cash on hand or cash which will be available from current operations.

Notice of this application was issued on June 12, 1972, and published in the FEDERAL REGISTER on June 20, 1972 (37 F.R. 12186).

On July 3, 1972, Atlanta Gas Light Co. (Atlanta) filed a petition for leave to intervene pursuant to section 15 of the Natural Gas Act and § 1.8 of the Commission's rules of practice and procedure. In support thereof, Atlanta stated that it presently purchases substantial volumes of gas from South Georgia and it therefore has a direct and substantial interest in this proceeding. Atlanta requested that a hearing be held in this proceeding to determine whether the proposed rearrangement of facilities is required by the public convenience and necessity.

The Commission finds:

(1) It is desirable and in the public interest to enter upon a hearing concerning the above-mentioned matters.

(2) It is desirable to allow Atlanta to intervene in this proceeding in order that it may establish the facts and law from which the nature and validity of its alleged rights and interests may be determined and show what further action may be appropriate under circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) Atlanta Gas Light Co. is permitted to intervene in these proceedings subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenor shall be limited to matters affecting rights and interests expressly asserted in the petition to intervene: *And provided further,* That the admission of such intervenor shall not be construed as recognition by the Commission that it may be aggrieved because of any order or orders entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7, 15, and 16 thereof, the Commission's rules of practice and procedure, and regulations under the Natural Gas Act [18 CFR, Ch. 1], a public hearing on the issues presented by South Georgia Natural Gas Co.'s application in Docket No. CP72-269 will be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, commencing at 10 a.m., on October 19, 1972.

(C) On or before October 2, 1972, South Georgia Natural Gas Co. shall file its direct testimony and evidence in support of its application. All testimony and evidence filed herein shall be served upon the Presiding Administrative Law Judge, Commission Staff, and all other parties.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-16622 Filed 9-28-72;8:49 am]

[Docket No. CP73-72]

SOUTHERN NATURAL GAS CO.

Notice of Application

SEPTEMBER 22, 1972.

Take notice that on September 13, 1972, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, AL 35202, filed in Docket No. CP73-72 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to United Gas Pipe Line Co. from the Garden City Field Area, St. Mary Parish, La., at a total initial rate, including tax reimbursement, of 30.425 cents per Mcf at 15.025 p.s.i.a., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 16, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-16621 Filed 9-28-72;8:49 am]

[Docket No. CI73-157]

WESTLAND OIL DEVELOPMENT CORP.

Notice of Petition for Declaratory Order

SEPTEMBER 22, 1972.

Take notice that on August 28, 1972, Westland Oil Development Corp. (Petitioner), 6060 Hillcroft, Houston, TX 77036, filed in Docket No. CI73-157 a petition for a declaratory order stating that a sale of natural gas to Natural Gas Pipeline Co. of America (Natural) from acreage in the Fair Play Area, Panola County, Tex., does not involve the sale of natural gas from gas reserves which were acquired by the purchase of developed reserves in place from a large producer, Amoco Production Co. (Amoco), all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Petitioner states that it began the sale of natural gas on March 2, 1972, under its small producer certificate issued in Docket No. CS71-987, to Natural from the Fair Play Area pursuant to a gas purchase contract dated December 15, 1971, which covers the sale of natural gas from certain leases then under lease by Petitioner as well as any additional interest thereafter acquired by applicant in such leases. Petitioner states that Natural has raised a question as to whether Petitioner is entitled to its contract rate for all gas sold thereunder or is limited to the applicable area rate on that portion of the gas produced from an undivided interest in certain leases previously held by Amoco.

Petitioner states that by Joint Development Agreement dated May 24, 1971, assignment executed July 30, 1971, and assignment executed August 12, 1971, in the Fair Play Area, Amoco acquired a one-fourth interest in 22 leases of Petitioner and Petitioner obtained a three-fourths interest in eight leases of Amoco. These eight leases originally controlled by Amoco, together with 10 of Petitioner's 22 originally controlled leases, formed a gas unit on which a wildcat well was spudded on June 6, 1971, at Petitioner's own expense pursuant to a unit declaration with Amoco executed on May 27 and 28, 1971. On March 12, 1972, Amoco executed an assignment of its one-fourth interest in the 30 leases covered by the July 30 and August 12, 1971, assignments, which was made effective December 1, 1971, the date on which Petitioner claims it made its initial offer to buy Amoco's interest.

Section 157.40(c) of the Commission's regulations under the Natural Gas Act

provides in part that sales of natural gas may not be made pursuant to a small producer certificate from reserves acquired by a small producer by purchase of developed reserves in place from a large producer. Applicant asserts that at the time of purchase of Amoco's interest in the 30 leases, the subject properties were not developed reserves in place. Applicant alleges that under industry standards reserves are not considered developed until an area and location of a reservoir or reservoirs is fairly well defined and the recoverable quantity of gas subject to reasonable estimation. Applicant also submits that as Amoco took no steps to market any of the subject gas, did not sign any contract, and has not participated in money received under any contract, the instant situation does not fall in the category contemplated by § 157.40(c).

Any person desiring to be heard or to make any protest with reference to said petition should on or before October 18, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-16623 Filed 9-28-72;8:49 am]

OFFICE OF EMERGENCY PREPAREDNESS

NEW MEXICO

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on September 20, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of New Mexico from heavy rains and flooding, beginning about August 31, 1972, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of New Mexico. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended), I hereby appoint Mr. George E. Hastings, Regional Director, OEP Region 6, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of New Mexico to have been adversely affected by this declared major disaster:

The counties of	
Dona Ana.	Sierra.

Dated: September 26, 1972.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[FR Doc.72-16611 Filed 9-28-72;8:50 am]

SECURITIES AND EXCHANGE COMMISSION

[811-1475]

BROOKS INDUSTRIES, INC.

Notice of Filing of Application for an Order Declaring That Company Has Ceased To Be an Investment Company

SEPTEMBER 25, 1972.

Notice is hereby given that Brooks Industries, Inc. (Applicant), 1880 Century Park East, Los Angeles, CA 90067, a registered, closed-end, nondiversified management investment company, has filed an application pursuant to section 8(f) of the Investment Company Act of 1940 (Act) for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application, as amended, on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant was incorporated in Colorado in June 1955 as Denver-Golden Oil and Uranium Co. Its name was changed to Denver-Golden in August 1959 and to its present name in August 1970. From the date of its incorporation until May 1966, Applicant engaged actively in the exploration of mineral properties. By the summer of 1966, Applicant has ceased all direct operating activity and had sold substantially all of its assets except 371,232 shares of the common stock of Wej-It Expansion Products, Inc. (Wej-It). These shares represented approximately 27.7 percent of the outstanding stock of Wej-It and substantially all of the assets of the Applicant at that time.

Because the Wej-It securities which Applicant then owned represented more than 40 percent of its total assets (exclusive of Government securities and cash items) on an unconsolidated basis and it engaged in no operations, Applicant was deemed to be an investment company as defined in section 3(a)(3) of the Act. Accordingly Applicant registered as a nondiversified, closed-end management investment company under the Act in 1967. Applicant states that from May 1966 to August 1970, Applicant engaged in no material activities, existing primarily as a caretaker of the Wej-It common stock.

On November 27, 1970, Applicant filed a registration statement on Form S-4 of the Securities Act of 1933. The Commission's records show that Applicant's registration statement was withdrawn on July 10, 1972.

At a special meeting of Applicant's shareholders held August 3, 1970, the shareholders approved a plan of reorganization, whereby Applicant acquired for 600,000 shares of its common stock all the assets of Brooks Industries, Inc. (Brooks), a company engaged in the design, manufacture, and sale of children's wearing apparel, and at the same meeting approved new fundamental policies to enable the Applicant to again commence operations as an operating company. Also, at this meeting shareholders, among other things, authorized the Board to apply for the deregistration of Applicant under the Act, and approved a change of name of Applicant from Denver-Golden Corp. to Brooks Industries, Inc. As a part of the reorganization, the 600,000 shares of Applicant's common stock were distributed among the 14 shareholders of the original Brooks Industries, Inc., upon its dissolution. These 14 shareholders thus became the major shareholders of Brooks. Applicant states that new management was subsequently brought in and Brooks began active operation. In September 1970, Applicant purchased all the outstanding stock of Tex-Son, Inc., a Texas corporation engaged in the manufacture and distribution of a line of children's western clothing.

At a special meeting of shareholders held on March 21, 1972, Applicant presented a proposal that it dispose of all of its operating assets and securities of controlled companies and reinvest the proceeds thereof in a diversified portfolio of securities, and that Applicant thereafter conduct its business as a registered closed-end investment company under the Act. Applicant's shareholders voted against this proposal. The proxy statement disclosed that a vote against the proposal constituted a vote in favor of deregistration of the Company under the Act.

Applicant represents that it is primarily an operating company engaged in the manufacture and distribution of children's clothing. All of Applicant's employees, including officers, are engaged exclusively in the operation of Applicant's business as a clothing manufacturer. Applicant employs no persons to provide investment research, portfolio management, or other activities concerning investment securities. All of Applicant's gross income is derived from its manufacture and sale of children's clothing and gym wear, and no income is derived from investment securities.

Table I presents Applicant's assets on an unconsolidated basis as of May 31, 1972, at value as determined in good faith by the Board of Directors.

TABLE I

OPERATING ASSETS	
Receivables	$70,608
Inventory	605,649
Prepaid expenses	21,583
Leasehold improvements	3,886
Machinery, equipment	250,000
Other assets (net)	50,793
Real estate	43,928
Securities of Tex-Son, Inc., a wholly owned subsidiary	853,993
INVESTMENT SECURITIES	
Wej-It stock	533,460
Total assets	[1] $2,433,900

[1] Cash and cash equivalents of $206,342 and excess costs over net assets acquired of $750,000 have been omitted.

Section 3(a)(1) of the Act defines as an investment company any issuer which is or holds itself out as being engaged primarily, or proposes to engage primarily, in the business of investing, reinvesting, or trading in securities. Investment securities as defined in section 3 of the Act include all securities except, among others, securities issued by majority-owned subsidiaries of the owner which are not investment companies.

Section 3(a)(3) of the Act defines as an investment company any issuer which is engaged, or proposes to engage in the business of investing, reinvesting, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 percent of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis. Table I indicates that Applicants' investment securities are $533,460, representing 21.92 percent of its total assets (exclusive of Government securities and cash items) on an unconsolidated basis.

Applicant represents that it is primarily an operating company engaged in the manufacture and distribution of children's clothing and that it does not propose to engage in the business of investing, reinvesting, or trading in securities in the future. Applicant also states that its present fundamental policy, as approved by its shareholders, reserves freedom of action to acquire assets and to borrow funds necessary to acquire operating, manufacturing, and sales companies and that Applicant proposes to aggressively pursue those objectives at such time as it ceases to be an investment company under the Act.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than October 16, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be converted, or he may request that he be notified if the Commission shall order a hearing thereof. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in the case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Company Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-16605 Filed 9-28-72;8:48 am]

[70-5239]

GEORGIA POWER CO.

Notice of Proposed Issue and Sale of Preferred Stock at Competitive Bidding

SEPTEMBER 22, 1972.

Notice is hereby given that Georgia Power Co., 270 Peachtree Street NW., Atlanta, GA 30303 (Georgia), an electric utility subsidiary company of The Southern Co. (Southern), a registered holding company, has filed an application with the Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Georgia proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 750,000 shares of its authorized but unissued preferred stock, without par value. The dividend rate of the preferred stock (which will be a multiple of 4 cents) and the price to be paid to Georgia (which will be not less than $100 nor more than $102.75 per share) will be determined by the competitive bidding. Georgia's charter will be amended to allow for and to establish the terms of the preferred stock, which terms will include a prohibition against redeeming the preferred stock prior to November 1, 1977, if such redemption is for the purpose or anticipation of refunding such stock through funds borrowed at a lower cost of money.

Georgia proposes to use the proceeds from the sale of the preferred stock; the proceeds from the sale of $75 million principal amount of First Mortgage Bonds issued in July 1972 (see Holding Company Act Release No. 17615, June 19, 1972); the proceeds from borrowings of up to $150 million evidenced by 2-year promissory notes (see Holding Company Act Release No. 17645, July 13, 1972, which authorized an initial borrowing of $100 million); and cash contributions to capital of $100 million by The Southern Co. (File No. 70–5115: Holding Company Act Releases Nos. 17399 and 17579, December 14, 1971, and May 23, 1972, respectively); and cash on hand in excess of operating requirements, interest, and dividends to finance its 1972 construction program (estimated at $465,683,000), to pay short-term promissory notes in the form of bank notes and commercial paper notes incurred for such purpose and for other lawful purposes.

Georgia states that later in 1972 it plans to issue $150 million of additional securities of a type yet to be determined which will be the subject of future filings with the Commission. Georgia anticipates that no additional financing will be required for construction purposes during 1972 except for the issuance and sale of commercial paper notes and short-term bank notes to be made pursuant to the Commission's order in File No. 70–5115 after each sale of long-term securities. It is estimated that $16,200,000 of such short-term notes payable will be outstanding at December 31, 1972.

The issuance and sale of the preferred stock has been expressly authorized by the Georgia Public Service Commission, the State commission of the State in which Georgia is organized and doing business. The application states that no other State commission and that no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. Estimates of fees and expenses to be incurred in connection with the proposed transaction are to be filed by amendment.

Notice is further given that any interested person may, not later than October 11, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules

and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-16606 Filed 9-28-72;8:48 am]

[File No. 500-1]

EFM FINANCIAL CORP.

Order Suspending Trading

SEPTEMBER 25, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $0.0003⅓ par value, and all other securities of EFM Financial 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 10:45 a.m. e.d.t. on September 25, 1972 through October 4, 1972.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-16607 Filed 9-28-72;8:48 am]

[File No. 500-1]

TOPPER CORP.

Order Suspending Trading

SEPTEMBER 25, 1972.

The common stock, $1 par value of Topper Corp. being traded on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Topper Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from September 26, 1972, through October 5, 1972.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-16608 Filed 9-28-72;8:48 am]

TARIFF COMMISSION

[TEA-W-155]

GENESCO INC.

Notice of Investigation of Workers' Petition for a Determination

On the basis of petitions filed under gas from certain leases then under lease section 301 (a)(2) of the Trade Expansion Act of 1962, on behalf of the former risburg, Pa., plants of Genesco, Inc., producer, Amoco Production Co. (Amworkers of the Carrollton, Ga., and Haroco), all as more fully set forth in the the U.S. Tariff Commission on September 25, 1972, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for women (of the types provided for in items 700.20, 700.43, 700.45, and 700.55 of the Tariff Schedules of the United States) produced by the aforementioned firm, are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, DC, and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

By order of the Commission:

Issued: September 26, 1972.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.72-16614 Filed 9-28-72;8:48 am]

[AA1921-103]

KRAFT WRAPPING PAPER FROM CANADA

Notice of Investigation and Hearing

Having received advice from the Treasury Department on September 19, 1972, that 30-pound MF (machine finish) kraft wrapping paper from Canada is being, or is likely to be, sold at less than fair value, the U.S. Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160 (a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Hearing. A public hearing in connection with the investigation will be held in the Tariff Commission's Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, DC, beginning at 10 a.m., e.s.t., on November 8, 1972. All parties will be given an opportunity to be present, to produce evidence, and to be heard at such hearing. Requests to appear at the public hearing should be received by the Secretary of the Tariff Commission, in writing, at its offices in Washington, D.C., not later than noon, Thursday, November 2, 1972.

By order of the Commission:

Issued: September 26, 1972.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.72-16613 Filed 9-28-72;8:48 am]

INTERSTATE COMMERCE COMMISSION

[Notice 87]

ASSIGNMENT OF HEARINGS

SEPTEMBER 26, 1972.

Cases asigned 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. No amendment will be entertained after the date of this publication.

I&S No. 8762, Transit on edible oils in the southwest, now assigned October 16, 1972 at Washington, D.C., is postponed to November 15, 1972 same time and place.

No. 35617, Lo Shippers Action Committee et al., V. Aberdeen and Rockfish Railroad Co. et al., now being assigned prehearing conference, November 8, 1972, at Washington, D.C., in a hearing room to be later designated.

MC 121082 Sub 3, Allied Delivery System, Inc., hearing continued to November 13, 1972, will be held in Room 410, Law Building, 525 West Ottawa Street, Lansing, MI.

MC 80428 Sub 74, McBride Transportation, Inc., MC 114123 Sub 36 and Sub 38, Herman R. Ewell, Inc., MC 126427 Sub 9, Palmer Transportation, Inc., continued to November 13, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 97394 Sub 11, Bowling Green Express, Inc., now assigned October 2, 1972, at Cave City, Ky., postponed to November 20, 1972 (3 days), at the Holiday Inn, Interstate 65 Interchange, Cave City, Ky.

MC 115826 Sub 215, W. J. Digby, Inc., now assigned November 13, 1972, at Atlanta, Ga., hearing is canceled transferred to modified procedure.

MC 5623 Sub 12, Arrow Trucking Co., MC 23618 Sub 16, McAlister Trucking Co., MC 43867 Sub 22, Alton Leander McAlister, MC 54847 Sub 9, Intracoastal Truck Line, Inc., MC 60157 Sub 16, C. A. White Trucking Co., MC 74321 Sub 51, B. F. Walker, Inc., MC 79999 Sub 11, E. Jack Walton Trucking Co., MC 93318 Sub 17, Joe D. Hughes, Inc., MC 97068 Sub 14, H. S. Anderson Trucking Co., MC 99776 Sub 7, Buckner Trucking, Inc., MC 103066 Sub 29, Stone Trucking Co., MC 106407 Sub 27, T. E. Mercer Trucking Co., MC 106509 Sub 22, Younger Transportation, Inc., MC 106775 Sub 29, Atlas Truck Line, Inc., MC 107678 Sub 43, Hill & Hill Truck Line, Inc., MC 108942 Sub 5, C. G. Todd Trucking Co., MC 109064 Sub 25, Tex-O-Kan Transportation Co., MC 110817 Sub 16, E. L. Farmer & Co., MC 115603 Sub 11, Turner Bros. Trucking Co., Inc., MC 119176 Sub 10, The Squaw Transit Co., MC 119774 Sub 27, Mary Ellen Stidham, N. M. Stidham, Inez Mankins & James E. Mankins, Sr., doing business as Eagle Trucking Co., MC 119897 Sub 12, A–1 Transportation Co., MC 120257 Subs 1 and 12, K. L. Breeden & Sons, Inc., continued to October 30, 1972 (2 weeks), at the Texas State Hotel, 720 Fannin Street, Houston, TX.

MC 121499 Sub 4, William Hayes Lines, Inc., now assigned October 16, 1972, at Nashville, Tenn., will be held in Room 143, Floor C–1, Cordell Hull Building, Department of Labor.

MC 130139, Leisure, Inc., now assigned October 24, 1972, at Boston, Mass., will be held in Room 2211B, John Fitzgerald Kennedy Building, Government Center.

MC 107515 Sub 804, Refrigerated Transport Co., Inc., now being assigned November 13, 1972 (1 week), at Atlanta, Ga., in a hearing room to be later designated.

I&S No. M–25996, General increase, July 1972, Middle Atlantic Conference, now assigned October 3, 1972, at Washington, D.C., is postponed to November 7, 1972, same time and place.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72–16631 Filed 9–28–72;8:49 am]

[No. MC–C–7599]

TRAVENOL LABORATORIES, INC.

Notice of Filing of Petition for Institution of Rule Making Proceeding Regarding Investigation of Protective Service; Extension of Time for Filing Comments

SEPTEMBER 20, 1972.

At the request of the Bureau of Enforcement, Interstate Commerce Commission, Washington, D.C., the time for filing initial statements in the above-entitled proceeding [1] has been extended from September 26, 1972, to November 6, 1972, and reply statements are now due November 27, 1972.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72–16632 Filed 9–28–72;8:49 am]

[1] Initial notice of filing of petition in this matter published at 36 F.R. 21240 (November 4, 1972).

CUMULATIVE LIST OF PARTS AFFECTED—SEPTEMBER

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during September.

3 CFR

Page

PROCLAMATIONS:

3279 (amended by Proc. 4156) 19115
4149 18281
4150 18283, 18441
4151 18439
4152 18689
4153 18691
4154 18889
4155 18891
4156 19115
4157 19337
4158 20151
4159 20153

EXECUTIVE ORDERS:

July 2, 1910 (revoked in part by PLO 5262) 20167
March 23, 1912 (revoked in part by PLO 5262) 20167
10973 (amended by EO 11685 20155
11501 (amended by EO 11685 20155
11533 (see EO 11683) 17813
11554 (amended by EO 11684) 17959
11677 (revoked by EO 11683) 17813
11683 17813
11684 17959
11685 20155

5 CFR

213 17815, 17816, 18071, 18515, 18893, 19797, 20021, 20103, 20247, 20248
550 20248

6 CFR

Page

101 19797
200 18081
300 18082, 18548, 18893, 19377, 20169, 20170, 20248, 20250
301 18443, 19619, 20251
305 20170
401 19619
Rulings 18029, 18179, 18180, 18337, 18339, 18549, 18611, 19620, 20103, 20104

PROPOSED RULES:

300 18745

7 CFR

51 18515
55 17816
61 17817, 20157
301 17961, 18896, 20157, 20158, 20223
319 19799
401 18611, 19339, 19340, 20021
409 18611
411 19340
718 20104
719 19340
811 19117
865 19341
892 18693
896 19345
905 18897
908 17817, 17961, 18071, 18285, 18612, 19118, 19620, 20105, 20223
910 17961, 18285, 18898, 20021

7 CFR—Continued

Page

915 18899, 20315
918 17818
926 18072
927 19350
931 18181
932 17818, 19118
944 19351
948 18899, 20315
966 19118
967 19800
981 18072, 18443
989 19621, 20022
991 17962
993 18286
1108 19351
1133 18699
1421 19352, 20223
1446 18029, 18900
1475 18181
1801 20105
1815 20106
1822 18700
1823 20107, 20108
1832 19119
1890m 18709

PROPOSED RULES:

52 17851,
56 19145
58 18556, 18559
271 18469
722 18039, 18923, 20119, 20254, 20255
726 18218
729 20333

7 CFR—Continued

PROPOSED RULES—Continued

905 ... 20036
906 ... 20037, 20253
944 ... 20332
948 ... 18742
966 ... 18039, 19819
987 ... 19379, 20178
989 ... 20037
1007 ... 18984, 19380
1040 ... 17852, 19639
1042 ... 17852, 19639
1049 ... 20182
1060 ... 19380, 19482
1061 ... 19380, 19482
1063 ... 19380, 19482
1064 ... 19380, 19482
1065 ... 18203, 19380, 19482
1068 ... 19380, 19482
1069 ... 19380, 19482
1070 ... 19380, 19482
1071 ... 18340, 18984, 19380
1073 ... 18340, 18984, 19380
1076 ... 19380, 19482
1078 ... 19380, 19482
1079 ... 19380, 19482
1090 ... 18984, 19380
1094 ... 18994, 19380
1096 ... 18984, 19380
1097 ... 18340, 18984, 19380
1098 ... 18984, 19380
1102 ... 18340, 18984, 19380
1103 ... 18984, 19380
1104 ... 18340, 19210, 19380
1106 ... 18216, 18340, 19210, 19380
1108 ... 18340, 18984, 19380
1120 ... 18340, 19210, 19380
1126 ... 18340, 19210, 19380
1127 ... 18340, 19210, 19380
1128 ... 18340, 19210, 19380
1129 ... 18340, 19210, 19380
1130 ... 18340, 19210, 19380
1131 ... 19210, 19380
1132 ... 18340, 19380
1133 ... 17855, 18372
1138 ... 18340, 19210, 19380
1421 ... 20182
1464 ... 20256
1488 ... 20038
1701 ... 18222, 20119, 20182
1864 ... 20335

8 CFR

212 ... 20176

9 CFR

72 ... 19801
76 ... 17819, 18182, 18517–18519, 18612, 18613, 18903, 19119, 19352, 19802, 20108, 20228–20230
77 ... 17962
82 ... 18072, 18286, 20159

10 CFR

1 ... 18520
115 ... 18073

12 CFR

204 ... 19802
210 ... 19802
220 ... 18711
221 ... 18711
225 ... 18520, 20329
500 ... 17962
522 ... 18287
524 ... 18287
526 ... 17820

12 CFR—Continued

531 ... 18030
543 ... 17821
545 ... 18288
555 ... 19607
556 ... 19607, 20230
582b ... 20230
584 ... 18073
589 ... 18074
710 ... 17821
721 ... 19353

PROPOSED RULES:

7 ... 18556
204 ... 19386
213 ... 19386
338 ... 19385
541 ... 18473, 18571
545 ... 18473, 18571
584 ... 18473
615 ... 18630
741 ... 18202
749 ... 19387

13 CFR

305 ... 17963
309 ... 19607

PROPOSED RULES:

115 ... 17980

14 CFR

11 ... 19354
13 ... 18614
23 ... 20023
25 ... 19607
27 ... 20023
39 ... 17823, 17963, 18030, 18288, 18444, 18521, 18522, 18713, 19120, 19802, 19803, 20159, 20231
71 ... 17824, 18031, 18182, 18183, 18289, 18614, 18615, 18714, 18715, 18903, 18904, 19121, 19355, 20024, 20109, 20110, 20160, 20233, 20234
73 ... 18184, 20160
75 ... 18074, 18184, 18615, 18715, 18904, 19355
91 ... 20024
95 ... 17824, 18904
97 ... 18074, 18523, 19803, 20234
121 ... 18716, 19607, 20024
127 ... 20024
Ch. II ... 18908
212 ... 19121
214 ... 19121
221 ... 19804
241 ... 19726
298 ... 19609
372 ... 19122
384 ... 18909

PROPOSED RULES:

39 ... 17856, 18448, 18564
71 ... 17857, 17979, 18396, 18565, 18743, 19146, 19820, 20040, 20041, 20120, 20121, 20183, 20184, 20257, 20258
75 ... 17857, 18397
91 ... 19821
93 ... 18744
121 ... 19380, 19821
123 ... 19821
129 ... 17979
135 ... 19821
221 ... 18926
225 ... 19382
252 ... 19146

15 CFR

390 ... 17977
1000 ... 18035, 18294

16 CFR

13 ... 18184, 18185, 18187–18191, 18444–18447, 20110–20113
118 ... 18448

17 CFR

210 ... 20235
231 ... 20317
240 ... 18716, 18717, 18719, 18909
249 ... 18717, 18719

PROPOSED RULES:

1 ... 20257
230 ... 18928
231 ... 18928
239 ... 18928
240 ... 18928, 19148, 20260
249 ... 18928

18 CFR

1 ... 18192
2 ... 18192, 18721, 20114
3 ... 18192, 18524
141 ... 18032
260 ... 18032, 18524

PROPOSED RULES:

2 ... 19653, 20042, 20045
41 ... 18632
101 ... 18041
141 ... 18632
158 ... 18632
260 ... 18632, 20260

19 CFR

1 ... 19355
4 ... 20025, 20174, 20317
8 ... 20174
11 ... 20318
12 ... 18032, 18615, 20174
13 ... 20174
15 ... 20174
16 ... 18193
18 ... 20174
24 ... 20174
25 ... 18032, 18472, 18615, 18723
111 ... 19355
134 ... 20318
147 ... 20174
153 ... 20175
158 ... 20171
172 ... 20323

PROPOSED RULES:

1 ... 20253
6 ... 20253
8 ... 20253
10 ... 20253
13 ... 20253
14 ... 20253
16 ... 20253
18 ... 20253
141 ... 20253
142 ... 20253
143 ... 20253
144 ... 20253
151 ... 20253
152 ... 20253
159 ... 20253

20 CFR

Page

410 ... 18525
602 ... 18725
625 ... 20160
722 ... 18076

PROPOSED RULES:

401 ... 17978
404 ... 18471
410 ... 18002
422 ... 17978
715 ... 18152
717 ... 18084, 18169
718 ... 18152
720 ... 18152
725 ... 18152

21 CFR

3 ... 18525, 20160
16 ... 18525
19 ... 18193
37 ... 18193
51 ... 18527
121 ... 18195, 18528, 18529, 18615, 19122, 19804, 20324
135 ... 18529, 18530, 19357, 19610
135a ... 18530, 18910, 20164
135b ... 18448, 18529, 18910, 19122
135c ... 18530, 18531, 19611
135e ... 18615, 20114
135g ... 18531, 18615, 19122
141 ... 20114
141a ... 18532
141b ... 18532
141e ... 18534
145 ... 20116
146a ... 18532
146b ... 18533
146c ... 18534
146d ... 18534
146e ... 18534
147 ... 20116
148i ... 18534
148p ... 20324
148s ... 20325
148w ... 20325
149a ... 17825, 18531
149b ... 17826
151h ... 20116

PROPOSED RULES:

11 ... 20038
12 ... 18562
18 ... 18392
19 ... 18742, 18924, 20183
121 ... 18562, 19820
130 ... 18562
132 ... 18563
135a ... 19149
135c ... 19149
141 ... 18469
141a ... 18469
141b ... 19149
141c ... 18625
141d ... 19149
141e ... 19149
146a ... 18469
146c ... 18625
146d ... 19149
148 ... 19149
148n ... 19149
149k ... 18469
150b ... 18626
165 ... 18471
167 ... 20040
191 ... 18628
295 ... 18563, 18629
301 ... 20119
303 ... 20119
306 ... 20119

22 CFR

Page

6 ... 18616
11 ... 19356
41 ... 20176
201 ... 18192

24 CFR

201 ... 18032
236 ... 20326
425 ... 20327
1914 ... 18449, 18725, 20175, 20329
1915 ... 18450, 18726, 20176

PROPOSED RULES:

203 ... 17855

25 CFR

221 ... 18450, 18451
232 ... 18195

PROPOSED RULES:

162 ... 20177
221 ... 19379
233 ... 19634

26 CFR

1 ... 17826, 18535, 18617, 19358
142 ... 20025
201 ... 19805

PROPOSED RULES:

1 ... 17845, 18475, 18736, 19140, 19625, 20177, 20330
301 ... 20330

28 CFR

0 ... 20237

29 CFR

201 ... 18780
202 ... 18781
203 ... 18786
204 ... 18790
205 ... 18797
206 ... 18799
1601 ... 20165
1906 ... 19123
1910 ... 18196, 18617, 19806
2200 ... 20237

PROPOSED RULES:

570 ... 19653
1910 ... 18617
1918 ... 20120

31 CFR

315 ... 19358
328 ... 19611

32 CFR

166 ... 18727
730 ... 19124
809a ... 18728, 20243
1201 ... 18451
1202 ... 18455
1203 ... 18456
1206 ... 18457
1213 ... 18458
1214 ... 18459
1215 ... 18460
1216 ... 18460
1220 ... 18462
1221 ... 18462
1225 ... 18462
1250 ... 18462
1460 ... 19358
1499 ... 19358

32 CFR—Continued

Page

1602 ... 17963
1604 ... 17967
1605 ... 17968
1606 ... 17968
1607 ... 17968
1608 ... 17968
1609 ... 17968
1610 ... 17968
1611 ... 17964
1617 ... 17964
1621 ... 17964
1622 ... 17964
1623 ... 17965
1624 ... 17965
1625 ... 17965
1626 ... 17965
1628 ... 17966
1630 ... 17966
1631 ... 17966
1632 ... 17966
1641 ... 17966

PROPOSED RULES:

1604 ... 19652
1622 ... 20335
1631 ... 19652
1632 ... 20335

32A CFR

Ch. X:

OI Reg. 1 ... 18475

PROPOSED RULE:

Ch. X:

OI Reg. 1 ... 18475

33 CFR

1 ... 20166
82 ... 18465
117 ... 18076, 18911, 20114
204 ... 18729, 20026
209 ... 18289, 18911

PROPOSED RULES:

117 ... 18084, 18634

36 CFR

7 ... 20247

PROPOSED RULES:

7 ... 18623
311 ... 19632
326 ... 19632
327 ... 19632

37 CFR

PROPOSED RULES:

2 ... 18391

38 CFR

2 ... 19132
3 ... 19132
9 ... 19359

PROPOSED RULES:

2 ... 18475
3 ... 20335
36 ... 18634

39 CFR

114 ... 18535
124 ... 18618
131 ... 17827
132 ... 17827
133 ... 17828
134 ... 17828
135 ... 17829
136 ... 17829

39 CFR—Continued

Page

137 ... 17829
141 ... 17829
144 ... 17830, 18466
156 ... 18535
158 ... 17830
159 ... 17830
166 ... 17830, 18535
222 ... 20167

40 CFR

52 ... 19806, 19812, 20117
85 ... 18262
120 ... 20243
180 ... 18292, 19134, 20026

PROPOSED RULES:

52 ... 18041, 19829
180 ... 18084, 18400, 18565, 19383, 19650

41 CFR

1–1 ... 19815
3–7 ... 18192
5A–1 ... 17831, 19817, 20315
5A–2 ... 17831, 19818, 20316
5A–8 ... 20316
5A–16 ... 19818, 20316
5A–72 ... 17831
5A–73 ... 17832
5A–76 ... 17832
8–1 ... 18729
8–3 ... 18729
8–4 ... 18729
8–14 ... 18730
9–1 ... 17832
9–5 ... 20244
9–7 ... 20244
9–16 ... 17832
9–53 ... 20245
9–56 ... 17833
9–59 ... 17832
14–1 ... 20027
14–7 ... 18621
14–10 ... 20027
15–1 ... 20028
15–16 ... 19359
101–19 ... 18621
101–26 ... 18535
101–38 ... 18536
114–38 ... 19818

PROPOSED RULES:

3–3 ... 18924
15–3 ... 20258

42 CFR

51 ... 17833
78 ... 18537

PROPOSED RULES:

84 ... 19643

43 CFR

417 ... 18076
3850 ... 17836

PUBLIC LAND ORDERS:

1605 (see PLO 5262) ... 20167
1789 (revoked in part by PLO 5246) ... 18033
5150 (See PLO 5254) ... 18914
5151 (See PLO 5254) ... 18914
5169 (Amended by PLO 5256) ... 18916
5171 (Amended by PLO 5253) ... 18914
5173 (Amended by PLO 5252) ... 18913
5174 (Amended by PLO 5255) ... 18915
5176 (Amended by PLO 5252) ... 18913
5178:
Amended by PLO 5252 ... 18913
Amended by PLO 5257 ... 19370

43 CFR—Continued

Page

PUBLIC LAND ORDERS—Continued

5179:
Amended by PLO 5250 ... 18730
Amended by PLO 5251 ... 18911
Amended by PLO 5253 ... 18914
Amended by PLO 5254 ... 18914
Amended by PLO 5255 ... 18915
Amended by PLO 5256 ... 18916
Amended by PLO 5257 ... 19370
5180:
Amended by PLO 5250 ... 18730
Amended by PLO 5251 ... 18911
Amended by PLO 5254 ... 18914
Amended by PLO 5255 ... 18915
Amended by PLO 5256 ... 18916
Amended by PLO 5257 ... 19370
5182 (See PLO 5254) ... 18914
5186:
Amended by PLO 5254 ... 18914
Amended by PLO 5255 ... 18915
5191 (See PLO 5252) ... 18913
5192:
See PLO 5250 ... 18730
See PLO 5251 ... 18911
See PLO 5253 ... 18914
See PLO 5254 ... 18914
See PLO 5255 ... 18915
5193:
See PLO 5250 ... 18730
See PLO 5251 ... 18911
See PLO 5254 ... 18914
See PLO 5255 ... 18915
5213 (See PLO 5252) ... 18913
5214 (See PLO 5252) ... 18913
5246 ... 18033
5247 ... 18033
5248 ... 18033
5249 ... 18537
5250 ... 18730
5251 ... 18911
5252 ... 18913
5253 ... 18914
5254 ... 18914
5255 ... 18915
5256 ... 18916
5257 ... 19370
5258 ... 20030
5259 ... 19818
5260 ... 20030
5261 ... 20030
5262 ... 20167

PROPOSED RULES:

2650 ... 19634

45 CFR

233 ... 19371
416 ... 18424

PROPOSED RULES:

129 ... 19647
415 ... 18600

46 CFR

74 ... 18537
78 ... 18537
146 ... 17968, 20117
147 ... 20031
185 ... 18537
196 ... 18537
281 ... 18466
308 ... 20117
502 ... 19135

PROPOSED RULES:

146 ... 18039, 19380
Ch. IV ... 18474
547 ... 20184

47 CFR

Page

0 ... 18034, 19371, 19372, 20168
1 ... 19372
13 ... 19614
15 ... 19372
25 ... 17837, 19135, 19372
73 ... 18334, 18538, 19615, 20031, 20032
74 ... 18336, 18540, 19614, 20032
76 ... 19616
81 ... 20169
83 ... 18196
87 ... 20169
89 ... 17969, 18337
91 ... 17969, 18337, 20169
93 ... 17969, 18337
97 ... 18540, 19374

PROPOSED RULES:

1 ... 18632, 19384
2 ... 18201
25 ... 18201, 20041
73 ... 17858, 18041, 18201, 18402, 18403, 18566, 18567, 18632, 19651, 20184
74 ... 18569
76 ... 17858, 18401
78 ... 18569
89 ... 18570

49 CFR

1 ... 19137
171 ... 18918
172 ... 18918
173 ... 17969, 18918
174 ... 18918
175 ... 18918
177 ... 18918
192 ... 17970
195 ... 18733
390 ... 18079
394 ... 18080
397 ... 18081
571 ... 17837, 18567, 18632, 19651, 20184
1033 ... 17837, 18467, 18618, 19616, 19617
1056 ... 17838
1121 ... 18918
1300 ... 18550
1303 ... 18550
1304 ... 18551
1306 ... 18551
1307 ... 18552
1308 ... 18553
1309 ... 18554

PROPOSED RULES:

172 ... 19146
173 ... 20121
213 ... 18397, 18634, 20041
215 ... 19821
393 ... 18745, 19380
571 ... 17858, 18084, 19381
1064 ... 18403
1254 ... 18085

50 CFR

10 ... 17838, 18547, 19375, 20326
32 ... 17844, 18037, 18038, 18081, 18197–18200, 18547, 18548, 18619, 18734, 18735, 19138, 19375, 19376, 19618, 20035, 20118, 20164, 20245, 20247
242 ... 18916
260 ... 18293

PROPOSED RULES:

262 ... 18083

FEDERAL REGISTER PAGES AND DATES—SEPTEMBER

Pages	Date
17807–17951	Sept. 1
17953–18021	2
18023–18063	6
18065–18171	7
18173–18274	8
18275–18431	9
18433–18508	12
18509–18603	13
18605–18682	14
18683–18882	15
18883–19107	Sept. 16
19109–19329	19
19331–19600	20
19601–19791	21
19793–20014	22
20015–20096	23
20097–20144	26
20145–20215	27
20217–20307	28
20309–20518	29

federal register

FRIDAY, SEPTEMBER 29, 1972
WASHINGTON, D.C.

Volume 37 ■ Number 190

PART II

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 Supersedeas Decisions

Modifications and/or supersedeas decisions to area wage determination decisions for specified localities in the States of Alaska, Arkansas, California, Connecticut, Idaho, Indiana, Kansas, Louisiana, Massachusetts, Michigan, Mississippi, Pennsylvania, Rhode Island, Tennessee, Texas, Washington, and West Virginia.

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

Decision No.	*Date*
AM–1,603(AP–426); AM–1,604 (AP–428); AM–1,605(AP–427).	Aug. 6, 1971.
AM–365(AP–17); AM–366 (AP–18); AM–367(AP–19); AM–368(AP–20); AM–369 (AP–22); AM–370(AP–21).	Aug. 13, 1971.
AM–1,848(AP–421); AM–1,850 (AP–423); AM–1,851(AP–424); AM–1,853(AP–422); AM–1,856(AP–425); AM–1,855; AM–1,859.	Aug. 20, 1971.
AM–2,506; AM–2,507	Aug. 27, 1971.
AM–11,407(AP–343); AM–	Nov. 19, 1971.
AM–11,407(AP–343); AM–11,410(AP–351).	
AM–11,407(AP–343); AM–11,410(AP–351).	Mar. 31, 1972.
AM–6,708	Apr. 7, 1972.
AM–9,691(AP–419); AM–6,717.	Apr. 14, 1972.
AM–11,416	Apr. 28, 1972.
AM–6,726; AM–6,727; AM–8,608(AP–23); AM–11,418.	May 5, 1972.
AM–8,618; AM–11,422(AP–344).	June 2, 1972.
AM–8,622; AM–11,423	June 9, 1972.
AM–11,425(AP–342)	June 16, 1972.
AM–11,426(AP–345)	June 23, 1972.
AP–200(AP–244)	July 7, 1972.
AP–402	July 21, 1972.
AP–301; AP–405	July 28, 1972.
AP–305(AP–350)	Aug. 4, 1972.
AP–306; AP–307(AP–349); AP–500; AP–501.	Aug. 11, 1972.
AP–312	Aug. 18, 1972.
AP–224; AP–226; AP–227; AP–228; AP–313; AP–314; AP–315; AP–503.	Aug. 25, 1972.
AP–413; AP–414; AP–415; AP–416; AP–417; AP–418.	Sept. 1, 1972.

Are hereby modified and/or superseded as set forth below. Supersedeas decision numbers are in parentheses following the number of the decision being superseded.

These modifications and/or supersedeas decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since these determinations were issued.

The determinations of prevailing rates and fringe benefits made in these modifications and/or supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, and of Secretary of Labor's Orders 13–71 and 15–71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in the foregoing area wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

The modifications and/or supersedeas decisions are effective from their date of publication in the FEDERAL REGISTER until the end of the period for which the determinations being modified and/or superseded were issued and are to be used in accordance with the provisions of 29 CFR Part 5.

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 22d day of September 1972.

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

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-2,506 - Mod. #2 (36 FR 17168 - August 27, 1971) Area II, Alaska (South of the 63rd Parallel & West of the 141st Meridian)						
Change:						
PAINTERS:						
Brush; Hardwood floor sander and/ or finisher; Paperhangers; Sign	$9.55	.45	.75		.10	
Swing stage	9.80	.45	.75		.10	
Structural steel; Tapers/drywall sander	9.95	.45	.75		.10	
Pot tenders; Sandblasters; Spray	10.15	.45	.75		.10	
Steeplejack; Towers	11.35	.45	.75		.10	
DECISION #AM-2,507 - Mod. #2 (36 FR 17173 - August 27, 1971) Area III, Alaska (East of the 141st Meridian)						
Change:						
PAINTERS:						
Brush; Hardwood floor sander and/ or finisher; Paperhangers; Sign	9.55	.45	.75		.10	
Swing stage	9.80	.45	.75		.10	
Structural steel; Tapers/drywall sander	9.95	.45	.75		.10	
Pot tenders; Sandblasterers; Spray	10.15	.45	.75		.10	
Steeplejack; Towers	11.35	.45	.75		.10	
DECISION #AM-6,726 - Mod. #2 (36 FR 9157 - May 5, 1972) Area II, Alaska (South of the 63rd Parallel & West of the 141st Meridian)						
Change:						
PAINTERS:						
Brush; Hardwood floor sander and/ or finisher; Paperhangers; Sign	$9.55	.45	.75		.10	
Swing stage	9.80	.45	.75		.10	
Structural steel; Tapers/drywall sander	9.95	.45	.75		.10	
Pot tenders; Sandblasters; Spray	10.15	.45	.75		.10	
Steeplejack; Towers	11.35	.45	.75		.10	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-6,727 - Mod. #2 (36 FR 9160 - May 5, 1972) Area III, Alaska (East of the 141st Meridian)						
Change:						
PAINTERS:						
Brush; Hardwood floor sander and/ or finisher; Paperhangers; Sign	9.55	.45	.75		.10	
Swing stage	9.80	.45	.75		.10	
Structural steel; Tapers/drywall sander	9.95	.45	.75		.10	
Pot tenders; Sandblasters; Spray	10.15	.45	.75		.10	
Steeplejack; Towers	11.35	.45	.75		.10	
DECISION #AM-11,416 - Mod. #5 (37 FR 8621 - April 28, 1972) Pulaski County, Arkansas						
Change:						
Asbestos Workers	$7.05	.25			.02	
Carpenters:						
Carpenters, Floormen	6.05	.25	.15		.01	
Millwrights, Piledrivermen	6.30	.25	.15		.01	
Cement Masons	6.00	.15				
Laborers:						
Construction laborer, Carpenter helper, Concrete laborer	4.05	.10	.20			
Mechanical tool operator, Motorized Georgia Buggy, Tenders(Brick mason, Cement & Stone, Plasterer), Mortar mixer, Sanitary tile layer, Asphalt raker	4.30	.10	.20			
Powderman	4.95	.10	.20			
DECISION #AP-224 - Mod. #1 (37 FR 17321 - August 25, 1972) San Diego County, California						
Change:						
Ironworkers:						
Reinforcing	$8.34	.58	.625	.70		
Fence Erectors	8.24	.58	.625	.70		
Ornamental: Structural	8.38	.58	.625	.70		
Marble Setters	6.71	.30	.45	.60		
Terrazzo Workers	6.71	.30	.45	.60		
Tile Setters	6.71	.30	.45	.60		

DECISION #AP-226 - Mod. #1
(37 FR 17327 - August 25, 1972)
Bannock, Bear Lake, Bingham, Bonneville, Caribou, Clark, Franklin, Fremont, Jefferson, Madison, Oneida, Power and Teton Counties, Idaho

Change:

1-IDA-SIDA-TD-1-2-3-R (1-2)

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1 LEVERMAN Loading at Bunkers	5.73	.40	.30	.05	.10
Group 2 FLAT BED - 2 Axle and Pickup hauling material, Water Tank Truck (1800 gals and under), Fork Lift (3,000 and under)	5.79	.40	.30	.05	.10
Group 3 FLAT BED - 3 Axle, Fuel Truck (1,000 Gals. and under), Greaser, Tireman, Serviceman, Buggymobile, Man Haul (Shuttle Truck or Bus).	5.85	.40	.30	.05	.10
Group 4 TRANSIT MIX TRUCK - 3 Yds. and under, Warehouseman, Truck Helpers, Slurry or Concrete Pumping Truck	5.91	.40	.30	.05	.10
Group 5 FLAT BED using Power Takeoff, Water Tank Truck (over 1,800-4,000 gals.) Semi-Trailer - Low Boy - up to 96,000 lbs. GVW, Bulk Cement Tanker - up to 96,000 lbs GVW, Fork Lift - over 3,000 lbs. (Bull Lift, Hydro Lift), Ross, Hyster and similar Straddle Equipment, "A" Frame Truck (Swedish Crane, Iowa 3,000, Hydro-lift).	5.97	.40	.30	.05	.10
Group 6 TRANSIT MIX TRUCK, over 3 yds. - 6 yds	6.03	.40	.30	.05	.10
Group 7 WATER TANK TRUCK - over 4,000 gals., Fuel Truck - over 1,000 gals., Distributor or Spreader Truck, Field Tireman - Serviceman	6.09	.40	.30	.05	.10
Group 8 TRANSIT MIX TRUCK - over 6-8 yds., Dumptors	6.15	.40	.30	.05	.10
Group 9 TRANSIT MIX TRUCK - over 8 - 10 yds.	6.27	.40	.30	.05	.10

DECISION #AP-226 (Cont'd.)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 10 LOW BOY - 96,000 lbs. GVW and over, Bulk Cement Tanker - 96,000 lbs. GVW and over	6.33	.40	.30	.05	.10
Group 11 TRANSIT MIX TRUCK - over 10 yds.	6.39	.40	.30	.05	.10
Group 12 TURNAROCKER and similar equipment	6.45	.40	.30	.05	.10
Group 13 TRUCK - side, end and bottom dump (6 yds. and under)	5.91	.40	.30	.05	.10
TRUCK - side, end and bottom dump (over 6 yds. - including 12 yds.)	6.03	.40	.30	.05	.10
TRUCK - side, end and bottom dump (over 12 yds. - including 20 yds.)	6.27	.40	.30	.05	.10
TRUCK - side, end and bottom dump (over 20 yds. including 30 yds.)	6.45	.40	.30	.05	.10
TRUCK - side, end and bottom dump (over 30 yds. including 40 yds.)	6.58	.40	.30	.05	.10
TRUCK - side, end and bottom dump (over 40 yds. including 50 yds.)	6.70	.40	.30	.05	.10
TRUCK - side, end and bottom dump (over 50 yds. including 75 yds.)	6.94	.40	.30	.05	.10
TRUCK - side, end and bottom dump (over 75 yds. including 100 yds.)	7.18	.40	.30	.05	.10
TRUCK - side, end and bottom dump (over 100 yds.)	7.43	.40	.30	.05	.10
Group 14 TRUCK MECHANIC	6.81	.40	.30	.05	.10
Laborers: Group 8(Underground) Form Setter and Mover	5.12	.35	.30		.10

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-227 - Mod. #1						
(37 FR 17332 - August 25, 1972)						
Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone Counties, Idaho						
Change:						
Laborers:						
(That portion of Idaho County south of the 46th parallel)						
Group 8 (Underground)						
Form Setter and Mover	5.12	.35	.30		.10	
(Remainder of Counties and that portion of Idaho County north of the 46th parallel)						
GROUP I						
Carpenters tender; Concrete crewman; Concrete signalman; Crusher feeder; Demolition; Driller helper, Dumpman; Fence erector; General laborer; Grout machine header tender; Nipper; Riprap man; Scaleman; Stake jumber; Structural mover; Tailhoseman (water nozzle); Track laborer (RR); Truck loader; Timber bucker and faller; Window cleaner	5.00	.30	.50		.02	
GROUP II						
Cement finisher tender; Cement handler; Demolition torch; Dope pot fireman, nonmechanical; Form cleaning machine, feeder, stacker; Form setter, paving; Grade checker using level, optional; Nozzleman, water & air or steam; Pipe layer, corrugated metal culvert; Pipewrapper; Pot tender; Powderman helper; Power tool op.; gas, electric, pneumatic Railroad equipment, power driven; Rodder & spreader; Sandblast tailhoseman; Scaffold erector, wood or steel; Vibrator up to 4"; Wallpoint man; Wheelbarrow, power driven	5.15	.30	.50		.02	

DECISION # AP-227(Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP III						
Asphalt raker; Asphalt roller, walking; Chain saw op. w/attachments; Concrete saw, walking; Creosote material; High scaler; Jackhammer op.; Multi-section pipelayer; Nozzleman; Pavement breaker; Tamper; Trencher; shawnee; Vibrator, 4" & over; Wagon drills; Water pipe liner	5.25	.30	.50		.02	
GROUP IV						
Pipelayer (Caulker, collarman, jointer, mortarman, rigger, jacker, shorer & lagger)	5.30	.30	.50		.02	
GROUP V						
Concrete stack, Hod carriers; Mortar mixer	5.35	.30	.50		.02	
GROUP VI						
Caisson worker, free air	5.40	.30	.50		.02	
GROUP VII						
Brush machine; Drills, Gunnite; Monitor op., Air track or similar mounting; Nozzleman; Powderman	5.45	.30	.50		.02	
Truck Drivers:						
(That portion of Idaho County south of the 46th parallel)						
GROUP 13						
Truck - side, end and bottom dump (over 100 yds.)	7.43	.40	.30	.05	.10	

MODIFICATIONS P. 7

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-228 - Mod. #1 (37 FR 17343 - August 25, 1972) Ada, Adams, Blaine, Boise, Butte, Camas, Canyon, Cassia, Custer, Elmore, Gem, Gooding, Jerome, Lemhi, Lincoln, Minnedoka, Owyhee, Payette, Twin Falls, Valley and Washington Counties, Idaho						
Change:						
Laborers:						
Group 8 (underground)						
Form Setter and Mover	$5.12	.35	.30		.10	
Truck Drivers:						
Group 13						
Truck - side, end and bottom dump (over 100 yds.)	7.43	.40	.30	.05	.10	
DECISION #AM-8618 - Mod. #3 (37 FR 11140 - June 2, 1972) Hinds County, Mississippi						
Change:						
Laborers						
Sewer pipelayer	$3.45	.10	.10			
Wrecking & demolition	3.45	.10	.10			
Cement & stone masons tenders	3.60	.10	.10			
Unskilled	3.45	.10	.10			
Brickmason tender	3.60	.10	.10			
Mechanical tools, motorized (Georgia) buggy ops.	3.70	.10	.10			
Plasterers tenders	3.60	.10	.10			
Mortar mixers	3.70	.10	.10			
DECISION #AM-8,622 - Mod. #2 (37 FR 11632 - June 9, 1972) Davidson County, Tennessee						
Change:						
Building Construction:						
Roofers:						
Composition	$5.70		.10	d		
Slate and tile	5.95		.10	d		
Sprinkler fitters	8.05	.30	.40		.05	

MODIFICATIONS P. 8

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-6,708 - Mod. #2 (37 FR 7031 - April 7, 1972) Leavenworth County, Kansas						
Change: Line Construction Schedule (Southwest 2/3 of Leavenworth County)						
**See - Modifications P. 10						
DECISION #AM-6,717 - Mod. #2 (37 FR 7458 - April 14, 1972) Shawnee County, Kansas						
Change: Line Construction Schedule						
**See - Modifications P. 11						
DECISION #AP-500 - Mod. #2 (37 FR 16308 - August 11, 1972) Sedgwick County, Kansas						
Change: Line Construction Schedule						
**See - Modifications P. 11						
DECISION #AP-501 - Mod. #2 (37 FR 16312 - August 11, 1972) Shawnee County, Kansas						
Change: Line Construction Schedule						
**See - Modifications P. 11						

DECISION #AP-503 - Mod. #1
(37 FR 17349 - August 25, 1972)
Douglas, Jefferson, Leavenworth, Miami, and Shawnee Counties, Kansas

Change:
Line Construction Schedule (Douglas, Jefferson, Miami, Shawnee, and Southwest 2/3 of Leavenworth Counties)

**See - Modifications P. 12

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	1/ Others

Kansas Line Construction #1

Southwest 2/3 of Leavenworth County

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	1/ Others
LINE CONSTRUCTION:						
Lineman	$6.77	.25	1%		1/2%	
Cable splicers	7.11	.25	1%		1/2%	
Groundman, over 1 year	4.26	.25	1%		1/2%	
Groundman, 1st year	3.30	.25	1%		1/2%	
Powderman	5.64	.25	1%		1/2%	
Line truck & equipment operator:						
1st year	4.37	.25	1%		1/2%	
2nd year	5.19	.25	1%		1/2%	
Over 2 years experience	5.64	.25	1%		1/2%	

MODIFICATIONS P. 11

DECISION NOS. AM-6,717; AP-500; & AP-501 (contd.)

Kansas Line Construction #1

Shawnee & Sedgwick Counties	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	√Others
LINE CONSTRUCTION:						
Lineman	$6.77	.25	1%		1/2%	
Cable splicers	7.11	.25	1%		1/2%	
Groundman, over 1 year	4.26	.25	1%		1/2%	
Groundman, 1st year	3.30	.25	1%		1/2%	
Powderman	5.64	.25	1%		1/2%	
Line truck & equipment operator:						
1st year	4.37	.25	1%		1/2%	
2nd year	5.19	.25	1%		1/2%	
Over 2 years experience	5.64	.25	1%		1/2%	

DECISION #AP-503 (contd.)

MODIFICATIONS P. 12

Kansas Line Construction #1

"Douglas, Jefferson, Miami, Shawnee, &Southwest 2/3 of Leavenworth Counties"	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	√Others
LINE CONSTRUCTION:						
Lineman	$6.77	.25	1%		1/2%	
Cable splicers	7.11	.25	1%		1/2%	
Groundman, over 1 year	4.26	.25	1%		1/2%	
Groundman, 1st year	3.30	.25	1%		1/2%	
Powderman	5.64	.25	1%		1/2%	
Line truck & equipment operator:						
1st year	4.37	.25	1%		1/2%	
2nd year	5.19	.25	1%		1/2%	
Over 2 years experience	5.64	.25	1%		1/2%	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	√ Others
DECISION #AP-413 - Mod. #1						
(37 FR 17912 - September 1, 1972)						
Barnstable County, Massachusetts						
Change:						
Building, heavy & highway construction:						
Roofers:						
Roofers, kettlemen & waterproofers	$6.85	.25	.05			
Roofers' helpers, Class A	6.25	.25	.05			
Omit:						
Building, heavy & highway construction:						
Roofers:						
Roofers' helpers, Class B	3.30					
DECISION #AP-414 - Mod. #1						
(37 FR 17915 - September 1, 1972)						
Essex County, Massachusetts						
Change:						
Building, heavy & Highway construction:						
Plumbers; Steamfitters:						
Lynn, Lynnfield, Nahant, Saugus, & Swampscott						
Plumbers	9.35	.50	.60		.03	
Sheet metal workers	8.73	.46	.45		.02	
DECISION #AP-415 - Mod. #1						
(37 FR 17919 - September 1, 1972)						
Hampden County, Massachusetts						
Change:						
Building, heavy & highway construction:						
Power equipment operators' schedule (Building)						
Roofers:						
Composition, damp & waterproofing	7.875	.51	.31			
Slate, tile, precast concrete	8.53	.51	.31			

**See - Modifications Ps. 14 & 15

DECISION #AP-415 (CONT'D)

MASS-2-PEO-1-R 1 of 2

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	√ Others
Shovels, Cranes, Hydraulic Cranes 10 ton capacity or over, Draglines, Derricks, Elevators with Chicago Boom, Backhoes, Gradalls, Elevating Graders, Pile Driving Rigs, Concrete Road Pavers, three drum Hoisting and Trenching Machines, Belt-type Loaders, Front End Loaders-5½ yards or over, Dual Drum Paver, Automatic Grader (i. e. C.M.I.) Combination Back Hoe-Loader-3/4 yard hoe or over.	$7.75	.35	.50	a	.05	
Rotary Drill (with mounted compressor), Compressor house (3 to 6 compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Graders, Front End Loaders-4 yards to 5½ yards, two Drum Hoists, High Fork Lifts with capacity of 15 feet and over, Scrapers-21 yards and over (struck load), Sonic Hammer Console.	7.50	.35	.50	a	.05	
Combination Backhoe-Loader-up to 3/4 yard hoe, Bulldozers, Push Cats, Scrapers-up to 21 yards (struck Load)-self propelled or tractor drawn, Tireman, Front End Loaders-up to 4 yards, Asphalt Paver, Asphalt Roller-10 ton or over, Well Drillers, Mechanics, Welders, Pumpcrete Machines, Concrete Pumps, and similar type pumps, Engineer or Fireman on High Pressure Boiler (on job), Self-Loading Batch Plant, Well Point, Electric Pumps used in Well Point System, Pumps-12 inches and over (total discharge), Compressor (one or two) 900 cu. ft. and over, Powered Grease Truck, Automatic Elevators, (manually or remote controls), Grout Pumps, Boom Truck, Hydraulic Cranes-under 10 ton.	7.30	.35	.50	a	.05	
Asphalt Roller-under 10 ton.	7.08	.35	.50	a	.05	

DECISION #AP-415 (CONT'D)

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS (cont'd.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Single Drum Hoist, Self-Propelled Roller, Self-Propelled Compactors, Power Pavement Breakers, Concrete Pavement Finishing Machines, Two Bag Mixers with Skip, McCarthy and similar drills, Batch Plants (not self-loading) Bulk Cement Plants, Self-Propelled Material Spreaders, A Frame Trucks, Fork Lifts-up to 15 feet.	$6.68	.35	.50	a	.05	
Compressors (one or two) 315 cu. ft. to 900 cu. ft., Pumps-4 inches to 12 inches (total discharge), Tractor (without blade or bucket) Drawing Rollers, Rubber Tire Roller, Compactors or other machines used for pulverizing, Grading or Seeding.	6.35	.35	.50	a	.05	
Compressors (up to 315 cu. ft.), Small Mixers, Pumps (up to 4 inches), Power Heaters, Welding Machines, Conveyors, Oiler, Helpers on Grease Truck and Grease Trucks with hand greasing equipment.	5.75	.35	.50	a	.05	

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, Veterans' Day and Columbus Day.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-416 - Mod. #1 (37 FR 17922 - September 1, 1972) Middlesex County, Massachusetts						
Change: Building, heavy & highway construction:						
Painters:						
Bedford						
Brush	$7.27	.33	.20			
Spray	8.02	.33	.20			
Plumbers:						
Arlington, Cambridge, Everett, Malden, Medford, Melrose, & Woburn	9.35	.50	.60		.03	
Sheet metal workers	8.73	.46	.45		.02	
DECISION #AP-417 - Mod. #1 (37 FR 17926 - September 1, 1972) Suffolk County, Massachusetts						
Change: Building, heavy & highway construction:						
Plumbers	9.35	.50	.60		.03	
Sheet metal workers	8.73	.46	.45		.02	
DECISION #AP-418 - Mod. #1 (37 FR 17930 - September 1, 1972) Worcester County, Massachusetts						
Change: Building, heavy & highway construction:						
Asbestos workers	8.62	.47	.20		.01	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others/
DECISION #AM-1,855 - Mod. #7 (36 FR 16281 - August 20, 1971) Lackawanna County, Pennsylvania						
Change:						
Building Construction:						
Carpenters/soft floor layers	$7.05	.335	.35		.05	
Millwrights	7.63	.335	.35		.05	
Sprinkler Fitters	8.75	.30	.50		.05	
DECISION #AM-1,859 - Mod. #6 (36 FR 16299 - August 20, 1971) Mercer County, Pennsylvania						
Change:						
Building Construction:						
Cement masons	$8.24	6%	16%			
Electricians	9.00	.30	1%		.01	
Laborers:						
Laborers, carryable pumps west brick buggy or similar, vibrator operators, walk behind forklift or similar (non self-propelled) stripper and mover of forms, cement masons, footers, window cleaner, tool room man, all material conveyor (regardless of power used, including starting & stopping)	6.45	.30	.30			
West brick buggy or similar (self propelled), power wheelbarrows and buggies, walk behind forklift or similar, (self-propelled) wagon drill helper, drill runner, drill runners' helper, (including drill mounted on truck, track or similar), blaster's helper, all operators of compacting equipment, pipe layer, burner, jackhammerman-concrete buster	6.575	.30	.30			
Hod carrier, scaffold builder, ball & bottom man on furnaces & stacks, mortar mixer, mortar mixing machine (regardless of power used, including starting & stopping) grout machine feeder & pump operator	6.70	.30	.30			
Concrete saw operators	6.70	.30	.30			
Gunnite nozzleman	6.95	.30	.30			
Blaster, wagon drill operator	7.15	.30	.30			

HEAVY & HIGHWAY CONSTRUCTION

TRUCK DRIVERS:

PA-5-TD-2-3-F 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehouseman)	$5.45	6%	3.5%			
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.64	6%	3.5%			
Tri-axle trucks	5.75	6%	3.5%			
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.75	6%	3.5%			
Heavy off-the-road equipment (rated at forty-five tons or over)	5.85	6%	3.5%			
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	5.81	6%	3.5%			
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.49	6%	3.5%			
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.59	6%	3.5%			
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%			
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additional to respective size truck						
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.64	6%	3.5%			
Tar and Asphalt Trailer Trucks	5.75	6%	3.5%			
Trucks with Dolly or Trailer	5.60	6%	3.5%			
Bottom or Belly-Dump Trucks	5.85	6%	3.5%			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-11,418 - Mod. #5						
(37 FR 9163 - May 5, 1972)						
Cameron, Hidalgo, Starr & Willacy Counties, Texas						
Change:						
Incidental Paving & Utilities:						
Air Tool Man	$1.85					
Asphalt Heaterman	2.60					
Asphalt Raker	2.15					
Batterboard Setter	2.70					
Carpenter	3.00					
Carpenter Helper	2.25					
Concrete Finisher (Paving)	2.55					
Concrete Finisher Helper(Paving)	2.50					
Concrete Finisher (Structures)	2.75					
Concrete Finisher Helper (Structures)	2.35					
Electrician	5.50					
Fireman	2.75					
Form Builder (Structures)	3.15					
Form Builder Helper(Structures)	2.50					
Form Setter (Paving and Curb)	3.00					
Form Setter Helper(Paving and Curb)	2.50					
Form Setter (Structures)	3.15					
Form Setter Helper(Structures)	2.05					
Laborer, Common	1.85					
Laborer, Utility Man	2.30					
Mechanic	3.15					
Mechanic Helper	2.50					
Oiler	2.15					
Serviceman	2.35					
Piledriverman	3.35					
Pipelayer	2.50					
Reinforcing Steel Setter(Paving)	2.60					
Reinforcing Steel Setter (Structures)	3.00					
Reinforcing Steel Setter Helper	2.00					
Spreader Box Man	2.60					
Swamper	2.50					
Power Equipment Operators:						
Asphalt Distributor	2.60					
Asphalt Paving Machine	3.00					
Broom or Sweeper Operator	2.25					
Bulldozer, 150 H.P. and Less	3.00					
Bulldozer, over 150 H.P.	3.25					
Concrete Paving Curing Machine	3.15					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.00					

DECISION #AM-11,418 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	$3.50					
Front End Loader (2½ C.Y. and Less)	2.55					
Front End Loader (Over 2½ C.Y.)	3.05					
Motor Grader Operator, Fine Grade	3.50					
Motor Grader Operator	3.00					
Roller, Steel Wheel (Plant-Mix Pavements)	2.35					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.35					
Roller, Pneumatic (Self-Propelled)	2.10					
Scrapers (17 C.Y. and Less)	2.75					
Scrapers (Over 17 C.Y.)	3.00					
Tractor (Crawler Type) 150 H.P. and Less	2.35					
Tractor (Crawler Type) over 150 H.P.	2.55					
Tractor (Pneumatic) 80 H.P. and Less	2.25					
Tractor (Pneumatic) over 80 H.P.	2.40					
Traveling Mixer	2.85					
Trenching Machine, Light	2.60					
Truck Drivers:						
Single Axle, Light	1.85					
Single Axle, Heavy	2.50					
Tandem Axle or Semitrailer	1.85					
Welder	3.00					
DECISION #AM-11,423 - Mod. #1						
(37 FR 11617 - June 9, 1972)						
Tarrant County, Texas						
Change:						
Incidental Paving & Site Preparation:						
Air Tool Man	$2.55					
Asphalt Heaterman	2.75					
Asphalt Raker	3.25					
Asphalt Shoveler	2.60					

DECISION #AM-11,423 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others 1/
Batching Plant Scaleman	$3.00					
Carpenter	3.50					
Carpenter Helper	2.50					
Concrete Finisher (Paving)	3.50					
Concrete Finisher Helper (Paving)	2.85					
Concrete Finisher (Structures)	3.50					
Concrete Finisher Helper (Structures)	3.00					
Concrete Rubber	2.75					
Form Builder (Structures)	3.50					
Form Builder Helper(Structures)	2.50					
Form Liner (Paving and Curb)	3.50					
Form Setter (Paving and Curb)	3.25					
Form Setter Helper (Paving and Curb)	2.75					
Form Setter (Structures)	3.55					
Form Setter Helper (Structures)	2.75					
Laborer, Common	2.25					
Laborer, Utility Man	2.35					
Mechanic	3.50					
Mechanic Helper	2.75					
Oiler	3.00					
Serviceman	2.85					
Pipelayer	3.25					
Powderman	3.00					
Reinforcing Steel Setter (Paving)	2.25					
Reinforcing Steel Setter (Structures)	3.55					
Sign Erector	3.00					
Sign Erector Helper	2.50					
Spreader Box Man	3.25					
Power Equipment Operators:						
Asphalt Distributor	3.15					
Asphalt Paving Machine	3.50					
Bulldozer, 150 H.P. and Less	3.25					
Bulldozer, over 150 H.P.	3.50					
Concrete Paving Curing Machine	3.00					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.25					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	3.50					
Foundation Drill Operator (Truck Mounted)	4.05					

DECISION #AM-11,423 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Foundation Drill Helper	$3.00					
Front End Loader (2½ C.Y. and Less)	3.25					
Front End Loader (Over 2½ C.Y)	3.50					
Motor Grader Operator, Fine Grade	3.50					
Motor Grader Operator	3.25					
Roller, Steel Wheel (Plant-Mix Pavements)	3.25					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.50					
Roller, Pneumatic (Self-Propelled)	2.50					
Scrapers (17 C.Y. and Less)	3.25					
Scrapers (Over 17 C.Y.)	3.50					
Tractor (Crawler Type) 150 H.P. and Less	2.75					
Tractor (Crawler Type) over 150 H.P.	3.00					
Tractor (Pneumatic) 80 H.P. and Less	2.85					
Tractor (Pneumatic) over 80 H.P.	3.20					
Traveling Mixer	2.85					
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.00					
Truck Drivers:						
Single Axle, Light	2.50					
Single Axle, Heavy	2.50					
Tandem Axle or Semitrailer	3.00					
Welder	3.35					

DECISION #AP-301 - Mod. #1
(37 FR 15232 - July 28, 1972)
Hood, Johnson, Palo Pinto, Parker and Wise Counties, Texas

Change:

Incidental Paving & Utiltiies & Site Preparation:						
Air Tool Man	2.55					
Asphalt Heaterman	2.75					
Asphalt Raker	3.25					
Asphalt Shoveler	2.60					
Batching Plant Scaleman	3.00					
Carpenter	3.50					
Carpenter Helper	2.50					

MODIFICATIONS P. 23

DECISION #AP-301 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Concrete Finisher (Paving)	$3.50					
Concrete Finisher Helper (Paving)	2.85					
Concrete Finisher (Structures)	3.50					
Concrete Finisher Helper (Structures)	3.00					
Concrete Rubber	2.75					
Form Builder (Structures)	3.50					
Form Builder Helper(Structures)	2.50					
Form Liner (Paving and Curb)	3.50					
Form Setter (Paving and Curb)	3.25					
Form Setter Helper (Paving and Curb)	2.75					
Form Setter (Structures)	3.55					
Form Setter Helper(Structures)	2.75					
Laborer, Common	2.25					
Laborer, Utility Man	2.35					
Mechanic	3.50					
Mechanic Helper	2.75					
Oiler	3.00					
Serviceman	2.85					
Pipelayer	3.25					
Powderman	3.00					
Reinforcing Steel Setter(Paving)	2.25					
Reinforcing Steel Setter (Structures)	3.55					
Sign Erector	3.00					
Sign Erector Helper	2.50					
Spreader Box Man	3.25					
Power Equipment Operators:						
Asphalt Distributor	3.15					
Asphalt Paving Machine	3.50					
Bulldozer, 150 H.P. and Less	3.25					
Bulldozer, over 150 H.P.	3.50					
Concrete Paving Curing Machine	3.00					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.25					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	3.50					
Foundation Drill Operator (Truck Mounted)	4.05					
Foundation Drill Helper	3.00					
Front End Loader (2½ C.Y. and Less)	3.25					
Front End Loader (Over 2½ C.Y)	3.50					

MODIFICATIONS P. 24

DECISION #AP-301 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Motor Grader Operator, Fine Grade	$3.50					
Motor Grader Operator	3.25					
Roller, Steel Wheel (Plant-Mix Pavements)	3.25					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.50					
Roller, Pneumatic (Self-Propelled)	2.50					
Scrapers (17 C.Y. and Less)	3.25					
Scrapers (Over 17 C.Y.)	3.50					
Tractor (Crawler Type) 150 H.P. and Less	2.75					
Tractor (Crawler Type) over 150 H.P.	3.00					
Tractor (Pneumatic) 80 H.P. and Less	2.85					
Tractor (Pneumatic) over 80 H.P.	3.20					
Traveling Mixer	2.85					
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.00					
Truck Drivers:						
Single Axle, Light	2.50					
Single Axle, Heavy	2.50					
Tandem Axle or Semitrailer	3.00					
Welder	3.35					
DECISION #AP-306 - Mod. #3 (37 FR 16365 - August 11, 1972) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall, Tarrant & Wise Counties, Texas						
Change:						
Incidental Paving (Tarrant Co.), Incidental Paving & Utilities (Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall & Wise Cos.:						
Air Tool Man	2.55					
Asphalt Heaterman	2.75					
Asphalt Raker	3.25					
Asphalt Shoveler	2.60					
Batching Plant Scaleman	3.00					

DECISION #AP-306 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others 6/
Carpenter	$3.50					
Carpenter Helper	2.50					
Concrete Finisher (Paving)	3.50					
Concrete Finisher Helper(Paving)	2.85					
Concrete Finisher (Structures)	3.50					
Concrete Finisher Helper (Structures)	3.00					
Concrete Rubber	2.75					
Form Builder (Structures)	3.50					
Form Builder Helper(Structures)	2.50					
Form Liner (Paving and Curb)	3.50					
Form Setter (Paving and Curb)	3.25					
Form Setter Helper (Paving and Curb)	2.75					
Form Setter (Structures)	3.55					
Form Setter Helper(Structures)	2.75					
Laborer, Common	2.25					
Laborer, Utility Man	2.35					
Mechanic	3.50					
Mechanic Helper	2.75					
Oiler	3.00					
Serviceman	2.85					
Pipelayer	3.25					
Powderman	3.00					
Reinforcing Steel Setter (Paving)	2.25					
Reinforcing Steel Setter (Structures)	3.55					
Sign Erector	3.00					
Sign Erector Helper	2.50					
Spreader Box Man	3.25					
Power Equipment Operators:						
Asphalt Distributor	3.15					
Asphalt Paving Machine	3.50					
Bulldozer, 150 H.P. and Less	3.25					
Bulldozer, over 150 H.P.	3.50					
Concrete Paving Curing Machine	3.00					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.25					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	3.50					
Foundation Drill Operator (Truck Mounted)	4.05					
Foundation Drill Helper	3.00					
Front End Loader (2½ C.Y. and Less)	3.25					
Front End Loader (Over 2½ C.Y.)	3.50					

DECISION #AP-306 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others 6/
Power Equipment Operators (Cont'd):						
Motor Grader Operator, Fine Grade	$3.50					
Motor Grader Operator	3.25					
Roller, Steel Wheel (Plant-Mix Pavements)	3.25					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.50					
Roller, Pneumatic (Self-Propelled)	2.50					
Scrapers (17 C.Y. and Less)	3.25					
Scrapers (Over 17 C.Y.)	3.50					
Tractor (Crawler Type) 150 H.P. and Less	2.75					
Tractor (Crawler Type) over 150 H.P.	3.00					
Tractor (Pneumatic) 80 H.P. and Less	2.85					
Tractor (Pneumatic) over 80 H.P.	3.20					
Traveling Mixer	2.85					
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.00					
Truck Drivers:						
Single Axle, Light	2.50					
Single Axle, Heavy	2.50					
Tandem Axle or Semitrailer	3.00					
Welder	3.35					

DECISION #AP-312 - Mod. #3
(37 FR 16716 - August 18, 1972)
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 Counties, Texas

Change:

Incidental Paving & Utilities:						
Asphalt Heaterman	$3.20					
Asphalt Raker	3.50					
Batching Plant Scaleman	3.90					
Carpenter	3.25					
Carpenter Helper	2.25					

DECISION #AP-312 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others 1/
Concrete Finisher (Paving)	$3.75					
Concrete Finisher Helper(Paving)	3.30					
Concrete Finisher (Structures)	3.80					
Concrete Finisher Helper (Structures)	2.60					
Concrete Rubber	3.25					
Form Builder (Structures)	3.55					
Form Liner (Paving and Curb)	3.50					
Form Setter (Structures)	4.35					
Form Setter Helper (Structures)	3.20					
Laborer, Common	2.15					
Laborer, Utility Man	2.70					
Mechanic	3.50					
Mechanic Helper	3.25					
Oiler	3.00					
Serviceman	3.10					
Pipelayer	2.60					
Powderman	3.50					
Powderman Helper	2.70					
Reinforcing Steel Setter (Structures)	2.85					
Reinforcing Steel Setter Helper	2.35					
Sign Erector	2.85					
Sign Erector Helper	2.50					
Spreader Box Man	3.20					
Power Equipment Operators:						
Asphalt Distributor	3.30					
Asphalt Paving Machine	4.20					
Bulldozer, 150 H.P. and Less	3.25					
Bulldozer, over 150 H.P.	3.50					
Concrete Paving Finishing Machine	3.75					
Concrete Paving Spreader	3.75					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.65					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	4.35					
Crusher or Screening Plant Operator	3.75					
Foundation Drill Operator (Truck Mounted)	4.20					
Front End Loader (2½ C.Y. and Less)	3.25					
Front End Loader (Over 2½ C.Y.)	3.75					
Motor Grader Operator, Fine Grade	4.35					
Motor Grader Operator	3.75					
Roller, Steel Wheel (Plant-Mix Pavements)	3.30					

DECISION #AP-312 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others 1/
Power Equipment Operators (Cont'd):						
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	$3.00					
Roller, Pneumatic (Self-Propelled)	2.55					
Scrapers (17 C.Y. and Less)	3.00					
Scrapers (Over 17 C.Y.)	3.50					
Tractor (Crawler Type) 150 H.P. and Less	2.75					
Tractor (Crawler Type) over 150 H.P.	3.00					
Tractor (Pneumatic) 80 H.P, and Less	2.60					
Tractor (Pneumatic) over 80 H.P.	3.00					
Traveling Mixer	3.50					
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.00					
Truck Drivers:						
Single Axle, Light	2.50					
Single Axle, Heavy	2.90					
Tandem Axle or Semitrailer	2.25					
Weighman (Truck Scales)	2.25					
Welder	4.35					
DECISION #AP-313 - Mod. #2						
(37 FR 17361 - August 25, 1972)						
Lubbock County, Texas						
Change:						
Incidental Paving & Utilities:						
Air Tool Man	2.60					
Asphalt Heaterman	2.65					
Asphalt Raker	2.75					
Asphalt Shoveler	2.15					
Batching Plant Scaleman	2.95					
Carpenter	3.50					
Carpenter Helper	3.25					
Concrete Finisher (Paving)	3.50					
Concrete Finisher (Structures)	3.35					
Concrete Finisher Helper (Structures)	3.00					
Form Builder (Structures)	3.25					
Form Builder Helper(Structures)	2.50					
Form Setter (Paving and Curb)	2.35					
Form Setter (Structures)	3.75					
Form Setter Helper(Structures)	2.50					
Laborer, Common	2.00					
Laborer, Utility Man	2.50					

DECISION #AP-313 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others ✓
Mechanic	$3.05					
Oiler	2.80					
Serviceman	3.00					
Powderman	2.75					
Powderman Helper	2.50					
Spreader Box Man	2.80					
Swamper	2.50					
Power Equipment Operators:						
Asphalt Distributor	2.60					
Asphalt Paving Machine	3.00					
Broom or Sweeper Operator	2.10					
Bulldozer, 150 H.P. and Less	3.00					
Bulldozer, over 150 H.P.	3.50					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.40					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	3.75					
Crusher or Screening Plant Operator	3.00					
Foundation Drill Operator (Truck Mounted)	3.75					
Front End Loader (2½ C.Y. and Less)	3.00					
Front End Loader (Over 2½ C.Y.)	3.10					
Motor Grader Operator, Fine Grade	4.10					
Motor Grader Operator	3.50					
Roller, Steel Wheel (Plant-Mix Pavements)	2.50					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.60					
Roller, Pneumatic (Self-Propelled)	2.30					
Scrapers (17 C.Y. and Less)	3.00					
Scrapers (Over 17 C.Y.)	3.25					
Tractor (Crawler Type) 150 H.P. and Less	2.85					
Tractor (Crawler Type) over 150 H.P.	3.00					
Tractor (Pneumatic) 80 H.P. and Less	2.50					
Tractor (Pneumatic) over 80 H.P.	2.65					
Wagon Drill, Boring Machine or Post Hole Driller Operator	2.75					
Truck Drivers:						
Single Axle, Light	2.00					
Single Axle, Heavy	2.50					
Tandem Axle or Semitrailer	2.25					
Winch	2.60					
Weighman (Truck Scales)	2.30					
Welder	4.35					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-314 - Mod. #2 (37 FR 17364 - August 25, 1972) Jefferson & Orange Counties, Texas						
Change:						
Painters:						
Northern half of Jefferson Co.:						
Brush and glaziers	$6.525					
Canvas and paperhangers	6.775					
Brush, steel	6.70					
Spray	6.95					
DECISION #AP-315 - Mod. #2 (37 FR 17366 - August 25, 1972) Jefferson & Orange Counties, Texas						
Change:						
Painters:						
Northern half of Jefferson Co.:						
Brush and glazier	6.275					
Canvas and paperhangers	6.525					
Spray	6.70					

MODIFICATIONS P. 31

DECISION #AM-6,705 - Mod. #2
(37 FR 5188-March 10, 1972)
Adams-Asotin-Benton-Columbia-Ferry-Franklin-Garfield-Grant-Lincoln-Pend Oreille-Spokane-Stevens-Walla Walla and Whitman Counties, Washington

Change:
Laborers:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group I Carpenters tender; Concrete crewman; Concrete signalman; Crusher feeder; Demolition; Driller helper, Dumpman; Fence erector; General laborer; Grout machine header tender; Nipper; Riprap man; Scaleman; Stake jumper; Structural mover; Tailhoseman (water nozzle); Track laborer (RR); Truck loader; Timber bucker and faller; Window cleaner	$5.00	.30	.50		.02	
Group II Cement finisher tender; Cement handler; Demolition torch; Dope pot fireman, nonmechanical; Form cleaning machine, feeder, stacker; Form setter, paving; Grade checker using level, optional; Nozzleman, water & air or steam; Pipe layer, corrugated metal culvert; Pipewrapper; Pot tender; Powderman helper; Power tool op.; gas, electric, pneumatic Railroad equipment, power driven; Rodder & spreader; Sandblast tailhoseman; Scaffold erector, wood or steel; Vibrator up to 4"; Wallpoint man; Wheelbarrow, power driven	5.15	.30	.50		.02	

MODIFICATIONS P. 32-

DECISION #AM-6,705 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP III Asphalt raker; Asphalt roller, walking; Chain saw op. w/attachments; Concrete saw, walking; Creosote material; High scaler; Jackhammer op.; Multi-section pipelayer; Nozzleman; Pavement breaker; Tamper; Trencher; shawnee; Vibrator, 4" & over; Wagon drills; Water pipe liner	5.25	.30	.50		.02	
GROUP IV Pipelayer (Caulker, collarman, jointer, mortarman, rigger, jacker, shorer & lagger)	5.30	.30	.50		.02	
GROUP V Concrete stack, Hod carriers; Mortar mixer	5.35	.30	.50		.02	
GROUP VI Caisson worker, free air	5.40	.30	.50		.02	
GROUP VII Brush machine; Drills, Gunnite; Monitor op., Air track or similar mounting; Nozzleman; Powderman	5.45	.30	.50		.02	
Plumbers; Steamfitters	7.52	.25	.55	.47	.06	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others 1/
DECISION #AP-402 - Mod. #1 (37 FR 14659 - July 21, 1972) Kanawha County, West Virginia						
Change:						
Building Construction						
Electricians	$8.35	.30	1%+.07	.27	.04	
Cable splicer	9.185	.30	1%+.07	.27	.04	
Ironworkers	8.10	.50	.75		.05	
Lathers	7.40		.10		.01	
Marble setters	7.95	.35				
Roofers	8.33	.20	.10		.02+f	
Sprinkler fitters	8.75	.30	.50		.05	
Terrazzo workers	7.95	.35				
Tile setters	7.95	.35				
DECISION #AP-405 - Mod. #1 (37 FR 15236 - July 28, 1972) Kanawha County, West Virginia						
Change:						
Electricians	8.35	.30	1%+.07	.27	.04	
Cable splicer	9.185	.30	1%+.07	.27	.04	
Ironworkers	8.10	.50	.75		.05	
Lathers	7.40		.10		.01	
Marble setters	7.95	.35				
Roofers	8.33	.20	.10		.02+f	
Sprinkler fitters	8.75	.30	.50		.05	
Terrazzo workers	7.95	.35				
Tile setters	7.95	.35				
DECISION #AM-2,447 - Mod. #4 (36 FR 16793 - August 25, 1971) Black Hawk County (City of Waterloo and abutting municipalities), Iowa						
Change:						
Carpenters; Piledrivermen	$6.25	.25	.35		.01	
Millwrights	6.60	.25	.35		.01	
Cement masons	6.04	.25	.35			
Electricians	7.05	.20	1%		1%	
Cable splicers	7.50	.20	1%		1%	

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, & Ventura

DECISION NO.: AP-244

DATE: Date of Publication

Supersedes Decision No. AP-200 dated July 7, 1972 in 37 FR 13431

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction & dredging.

11-CAL-SCAL Counties-1-2-3 (1-7)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	9.77	.48	.35		.025	
BOILERMAKERS	7.45	.60	1.00	.50	.02	
BRICKLAYERS						
Imperial County	7.95	.58	.75		.05	
Inyo, Kern, & Mono Counties	7.80	.40	.40	.30	.05	
Los Angeles & Orange Counties	8.00	.40	.40		.05	
Riverside & San Bernardino Cos.	6.26	.29	.17			
Santa Barbara & San Luis Obispo Cos.	8.175	.40	.40			
BRICK TENDERS						
Imperial, Inyo, Mono, Riverside, & San Bernardino Counties	5.85	.45	.85	.30		
Kern, Los Angeles, & Orange Cos.	5.85	.45	.85	.30		
San Luis Obispo County	5.35	.45	.85	.30		
Santa Barbara County (except Santa Maria)	5.37	.45	.85	.475		
CARPENTERS						
Carpenters	6.75	.69	.85	.60	.01	
Saw filers	6.83	.69	.85	.60	.01	
Table power saw operators	6.85	.69	.85	.60	.01	
Shinglers	6.88	.69	.85	.60	.01	
Hardwood floor layers; Millwrights	6.95	.69	.85	.60	.01	
Pneumatic nailer	7.00	.69	.85	.60	.01	
Piledrivermen:						
Rock slinger	6.86	.69	.85	.60	.01	
Bridge, dock carpenters; Derrick bargemen	6.88	.69	.85	.60	.01	
Head rock slingers	6.98	.69	.85	.60	.01	
CEMENT MASONS:						
Cement masons	6.16	.90	.95	.70	.0325	
Cement floating & finishing operators	6.28	.90	.95	.70	.0325	
DRYWALL INSTALLERS	7.80	.61	.75	.50	.04	
ELECTRICIANS:						
Imperial County						
Electricians	8.20	.40	1% + .75			
Cable Splicers	8.48	.40	1% + .75			
Kern (China Lake Naval Ordnance Test Station, Edwards AFB)						
Electricians; Technicians	9.95	.70	1% + .90		.10	
Cable splicers	10.945	.70	1% + .90		.10	
Kern County (Remainder of County)						
Electricians; Technicians	7.95	.70	1% + .90		.10	
Cable splicers	8.745	.70	1% + .90		.10	
Los Angeles County						
Electricians	8.95	.30	1% + .45		.02	
Cable splicers	9.25	.30	1% + .45		.02	
Tunnel:						
Electricians	9.85	.30	1% + .45		.02	
Cable splicers	10.15	.30	1% + .45		.02	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ELECTRICIANS:						
Orange County						
Electricians	8.90	.25	1% + .45		.02	
Cable splicers	9.31	.25	1% + .45		.02	
Riverside County						
Electricians	8.12	.40	1% + .40		.02	
Cable splicers	8.42	.40	1% + .40		.02	
Inyo, Mono, & San Bernardino Counties						
Electricians	8.47	.35	1% + .30		.02	
Cable splicers	8.77	.35	1% + .30		.02	
Tunnel:						
Electricians	9.40	.35	1% + .30		.02	
Cable splicers	9.73	.35	1% + .30		.02	
San Luis Obispo County						
Electricians	6.43	.20	1%		.01	
Cable splicers	7.10	.20	1%		.01	
Santa Barbara County						
Vandenberg Air Force Base:						
Electricians	9.33	.42	1% + .85		.03	
Cable splicers	10.33	.42	1% + .85		.03	
Remainder of County:						
Electricians	8.08	.42	1% + .85		.03	
Cable splicers	9.08	.42	1% + .85		.03	
Ventura County						
Electricians	8.03	.40	1% + .45		25.00 P/y	
Cable splicers	8.83	.40	1% + .45		25.00 P/y	
ELEVATOR CONSTRUCTORS						
Imperial, Inyo, Kern (South of Tehachapi Range), Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara & Ventura Cos.						
Elevator Constructors	7.58	.185	.20	2% + a		
Elevator Constructors' Helpers	70%JR	.185	.20	2% + a		
Elevator Constructors' Helpers (Prob.)	50%JR					
Kern County (North of Tehachapi Range)						
Elevator Constructors	8.15	.185	.20	2% + a		
Elevator Constructors' Helpers	70%JR	.185	.20	2% + a		
Elevator Constructors' Helpers (Prob.)	50%JR					
GLAZIERS						
Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, San Luis Obispo, & Ventura Counties	7.03	.30	.30		.04	
IRONWORKERS:						
Reinforcing	8.34	.58	.625	.70	.02	
Fence erectors	8.24	.58	.625	.70	.02	
Ornamental; Structural	8.38	.58	.625	.70	.02	
IRRIGATION & LAWN SPRINKLERS						
Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, & Ventura Counties	6.50	10%	16%	13%	1%	

11-CAL-SCAL Counties-1-2-3-a (3-7)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LATHERS:						
Imperial County	7.00	.24			.01	
Inyo & Kern Counties	6.73	.35	.65	.50		
Los Angeles County (except city of Lancaster)						
Metal furring	7.12	.39	.50		.03	
Nail on (Area I)*	6.985	.29	.35		.045	
Nail on (Area II; III; IV)**	7.12	.39	.50		.03	
Orange County	6.08	.19	.35	.50	.02	
Riverside County	7.375	.24	.105	.53	.01	
San Bernardino County	8.61	.245	.60		.015	
Ventura County	6.11	.30	.50	.60	.01	
LINE CONSTRUCTION						
Imperial County						
Groundman	7.38	.25	1%			
Linemen; equipment operators	8.20	.25	1%			
Cable splicers	8.48	.25	1%			
Kern (China Lake Naval Ordnance Test Station & Edwards AFB)						
Groundmen	7.96	.70	1% + .90		.10	
Linemen	9.95	.70	1% + .90		.10	
Cable splicers	10.945	.70	1% + .90		.10	
Kern County (Remainder of County)						
Groundmen	5.96	.70	1% + .90			
Linemen	7.95	.70	1% + .90			
Cable splicers	8.745	.70	1% + .90			
Los Angeles County						
Groundmen	6.74		1%			
Linemen	8.98		1%			
Cable splicers	9.28		1%			
Orange County						
Groundmen, 1st year	7.25	.25	1% + .45		$25.00 p/y	
Groundmen, 2nd year	7.68	.25	1% + .45		$25.00 p/y	
Linemen	8.90	.25	1% + .45		$25.00 p/y	
Cable splicers	9.31	.25	1% + .45		$25.00 p/y	
Riverside County						
Groundmen	6.09	.40	1% + .40		.02	
Linemen; Line equipment Operators	8.12	.40	1% + .40		.02	
Cable splicers	8.42	.40	1% + .40		.02	
Inyo, Mono, San Bernardino Counties						
Groundmen	6.35	.35	1% + .30		.02	
Linemen	8.47	.35	1% + .30		.02	
Cable splicers	8.77	.35	1% + .30		.02	
San Luis Obispo County						
Linemen	6.43	.20	1%		.01	
Cable splicer	7.10	.20	1%		.01	
Santa Barbara County						
Vandenberg AFB:						
Groundmen	6.95	.35	1% + .45		.03	
Linemen	8.85	.35	1% + .45		.03	
Cable splicers	9.10	.35	1% + .45		.03	

11-CAL-SCAL Counties-1-2-3-a (4-7)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION (cont'd)						
Santa Barbara County (Remainder of County)						
Linemen	$7.60	.35	1% + .45		.03	
Cable splicers	7.85	.35	1% + .45		.03	
Ventura County						
Groundmen	6.50	.25	1%		25.00py	
Linemen	7.68	.25	1%		25.00py	
Cable splicers	8.45	.25	1%		25.00py	
MARBLE SETTERS:						
Imperial County	6.46	.20	.45	.60		
MARBLE SETTERS' HELPERS:						
Imperial County	5.69	.20	.45	.60		
PAINTERS:						
Imperial, Orange, Riverside, Los Angeles (Pomona Area), San Bernardino (excluding western portion)						
Brush; Paint burners	6.93	.39	.39	.60	.03	
Paperhangers; Iron, steel & bridge (Swing Stage); Sheet Rock Taper	7.43	.39	.39	.60	.03	
Brush (Swing Stage); Spray	7.18	.39	.39	.60	.03	
Steeplejack	8.33	.39	.39	.60	.03	
Inyo, Kern (Lancaster, Mojave, Palmdale, China Lake Naval Ordnance Test Station & Edwards AFB), Los Angeles (except Pomona Area), Mono, San Bernardino (west of a line north in Trono including China Lake area, Johannesburg, Boron, south including the Wrightwood area)						
Brush	7.30	.305	.35	.30		
Bridge; Paint burner; Steel; Taper	7.42	.305	.35	.30		
Brush swing stage (13 stories or less); Paperhanger; Sandblasters; Spray	7.55	.305	.35	.30		
Bridge swing stage; Steel swing stage	7.70	.305	.35	.30		
Spray, sandblaster swing stage (13 stories or less)	7.55	.305	.35	.30		
Steeplejack	8.55	.305	.35	.30		
Kern County (Remainder of County)						
Brush	6.97	.20	.35	.01		
Brush swing stage; Structural steel	7.12	.20	.35	.01		
Tapers, sheet rock	7.17	.20	.35	.01		
Paperhangers; Sandblasters; Spray	7.22	.20	.35	.01		
Sandblaster swing stage; Spray swing stage	7.37	.20	.35	.01		
San Luis Obispo, Santa Barbara, & Ventura Counties						
Brush	7.41	.35	.35		.02	
Iron & steel; Paperhangers; Paste machine op.; Sandblaster; Taper	7.61	.35	.35		.02	
Spraymen	7.91	.35	.35		.02	
Steeplejack	8.41	.35	.35		.02	

AP-244 P. 5

11-CAL-SCAL-Counties-1-2-3-a (5-7)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS:						
Parking Lot Striping Work and/or Highway Markers:						
Inyo & Mono Counties						
Traffic delineating device applicator; Traffic surface protective coating applicator; Wheel stop installer; Traffic surface sandblaster	5.27	.35	.20	b		
Helper (Traffic surface sandblaster, wheel stop installer, protective coating applicator)	4.77	.35	.20	b		
Striper	6.37	.35	.20	b		
Helper (Striper)	5.37	.35	.20	b		
Remaining Counties						
Traffic delineating device applicator	5.01	.20	.20	b		
Wheel stop installer; Traffic surface sandblaster; Striper; Traffic surface protective coating applicator	4.88	.20	.20	b		
Helper (Traffic surface sandblaster; wheel stop installer; traffic surface protective coating applicator, striper)	4.38	.20	.20	b		
PLASTERERS:						
Inyo, Kern, & Mono Counties	7.17	.45	.50	.60	.01	
Los Angeles & Orange Counties	7.495	.53	1.25	.50	.07	
Riverside & San Bernardino Counties	9.995					
San Luis Obispo County	8.70				.01	
Santa Barbara County	8.64	.40	.75		.01	
Ventura County	7.74	.25	.30	.50	.02	
PLASTERERS' TENDERS						
Imperial, Inyo, Mono, Riverside, & San Bernardino Counties	7.93	.45	.85	.30		
Kern County	6.385	.45	.85	.30		
Los Angeles & Orange Counties	7.175	.45	1.30	.60		
San Luis Obispo County	6.05	.45	.85	.30		
Santa Barbara County (except Santa Maria)	6.9375	.35	.60	1.00		
Ventura County	6.86	.45	1.35	1.00		
PLUMBERS: Steamfitters						
Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, & Ventura Cos.	8.30	10%	16%	13%	1%	
Inyo, Kern, (except east of Los Angeles Aqueduct), & Mono Counties	7.82	.60	1.00	.50	.08	
Kern County (East of Los Angeles Aqueduct)	9.82	.60	1.00	.50	.08	
REFRIGERATION & AIR CONDITIONING						
Riverside & San Bernardino Cos.	6.15	.29	.31	.39	.03	

AP-244 P. 6

11-CAL-SCAL Counties-1-2-3-a (6-7)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ROOFERS:						
Inyo, Kern, & Mono Counties	6.30	.30	.30			
Los Angeles, Orange, & Ventura Counties	6.64	.35	.50		.02	
Riverside & San Bernardino Counties	6.10		.20	.20	.01	
San Luis Obispo & Santa Barbara Counties	6.48	.175	.15	.35	.0025	
SHEET METAL WORKERS:						
Imperial County	8.83	.39	.40			
Inyo, Kern, Los Angeles (north of line between Gorman & Big Pines), & Mono Counties	7.07	.39	.23			
Los Angeles County (remaining portion)	6.27	.39	.40		.025	
Orange County	9.52	.69	1.20			
Riverside & San Bernardino County	6.65	.39	.40		.03	
San Luis Obispo, Santa Barbara, & Ventura Counties	9.32	.69	1.05			
SOFT FLOOR LAYERS:						
Imperial County	7.45	.45	.30	.50	.05	
Inyo (incl. Inyo-Kern Naval Reservation), Kern (east of the Los Angeles Aqueduct), Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Luis Obispo, & Ventura Counties	7.64	.37	.28	.44	.02	
Kern County (remaining portion)	7.20	.29	.15	.39		
SPRINKLER FITTERS:						
Imperial, Inyo, Kern, Mono, Orange (except Santa Ana), Riverside, San Bernardino (except Ontario), San Luis Obispo, Santa Barbara, & Ventura (except Santa Paula, Point Mugu, & Port Hueneme)	10.55	.25	.40		.05	
Los Angeles (Los Angeles City & area within 25 miles; & Pomona), Orange (Santa Ana), San Bernardino (Ontario), & Ventura (Santa Paula, Point Mugu, & Port Hueneme)	9.66	.29	.25	1.40	.02	
TERRAZZO WORKERS:						
Imperial County	6.71	.30	.45	.60		
Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, & Ventura Cos.	6.42	.15		.15		
TERRAZZO WORKERS' HELPERS:						
Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, & Ventura Cos.	5.58	.15		.45		

11-CAL-SCAL-Counties-1-2-3-a (7-7)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TILE SETTERS:						
Imperial County	6.71	.30	.45	.60		
Inyo, Kern & Mono Counties	6.90	.40		.30	1.00 p/mo	
Los Angeles, Orange, & Ventura Cos.	7.75	.145	.35		.02	
Riverside, & San Bernardino Counties	6.75	.40	.40		.025	
San Luis Obispo & Santa Barbara Cos.	8.175	.40	.40			
TILE SETTERS' HELPERS:						
Imperial County	5.69	.20	.45	.60		
Los Angeles, Orange, & Ventura Cos.	5.46	.145	.50		.08	
Riverside & San Bernardino Counties	5.21	.145	.50		.08	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for over 5 years' service & 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

b. Employer contributes $.17 per hour to Holiday Fund plus $.10 per hour to Vacation for 1 year's service, $.20 per hour after 1 year but less than 5 years' service, $.30 per hour after 5 years but less than 10 years' service, $.40 per hour after 10 years' service.

* Area I - That portion of Los Angeles County including the Cities of Burbank, Castaic, Chatsworth, Cornell, Glendale, Hermosa Beach, Hollywood, Los Angeles, Malibou Beach, Redondo Beach, San Fernando, Santa Monica, Torrance, Van Nuys, Whittier, Zuma Beach.

** Areas II; III; & IV:

Area II - That portion of Los Angeles County including the Cities of Pomona, El Monte, Covina, Alhambra, Pasadena, South Pasadena, La Canada, to line that intersects Acton, east to San Bernardino County line, then south along the San Bernardino County line.

Area III - Beginning at the edge of Reeves Field, north along Long Beach City limits to 223rd Street, west to Avalon Boulevard, north to Torrence Boulevard, west to Pacific Ocean, including Santa Catalina Island.

Area IV - Beginning at the edge of Reeves Field, north along Long Beach City limits to 223rd Street, west to Avalon Boulevard, north to Rosecrans Avenue, east to Atlantic Avenue, north to Imperial Highway, east to the Orange County line, south along County line to Western Avenue, south to Lincoln Avenue, east to Highway 39 (Beach Boulevard), south to the Pacific Ocean, including San Clemente Island.

2-CAL-SCAL-LAB-1-2-3-f (1-3)

LABORERS

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLEANING & HANDLING OF PANEL FORMS; Concrete Screeding for rough strike off; Concrete, water curing; Demolition laborer, the cleaning of brick & lumber; Dry packing of concrete, plugging, filling of Shee-Bolt Holes; Fire watcher, limbers, brush loaders, pilers & debris handler; Gas & oil pipeline; Laborers, general or construction; Laborer, temporary water & air lines; Material hoseman (walls, slab, floors & decks); Mixer-truck chute man (walls, slabs decks, floors foundations & footing-curb & gutter & sidewalks); Rigging & signalling; Slip form raisers; Window cleaner	$ 5.045	.45	.85	.30	
CUTTING TORCH (Demolition); Scaler; Tarman; Mortarman	5.095	.45	.85	.30	
GUINEA CHASER	5.225	.45	.85	.30	
ASPHALT SHOVELER; Fine grader, highway & street paving, airports, runways, & similar type heavy construction; Landscape gardener & nursery man	5.145	.45	.85	.30	
PACKING ROD STEEL & PANS; Tanks scaler & cleaner	5.17	.45	.85	.30	
UNDERGROUND (INCL. CAISSON BELLOWER)	5.175	.45	.85	.30	
CHUCKTENDER; Septic tank digger & installer	5.195	.45	.85	.30	
CESSPOOL DIGGER & INSTALLER	5.225	.45	.85	.30	
CONCRETE CURER-IMPERVIOUS MEMBRANE & FORM OILER: Riprap stonepaver placing stone or sacked concrete; Sandblaster (pot tender)	5.235	.45	.85	.30	
PIPELAYERS' BACKUP MAN, COATING, GROUTING, MAKING OF JOINTS, SEALING, CAULKING	5.335	.45	.85	.30	

AP-244 P. 9

2-CAL-SCAL-LAB-1-2-3-f (2-3)

LABORERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
BUGGYMOBILE MAN; Cement dumper (on 1 yd. or larger mixer & handling bulk cement); Gas & oil pipeline wrapper-pot tender; Power broom sweepers (small); Roto scraper & tiller; Tree climber, faller, chain saw op., Pittsburgh chipper & similar type brush shredders; Trenching machine, hand propelled	$ 5.255	.45	.85	.30		
ASPHALT RAKER, LUTEMAN & IRONER; Concrete core cutter, grinder or sender Concrete saw man, cutting, scoring old or new concrete; Impact wrench, multi-plate; Pneumatic, gas, electric tools, vibrating machines & similar mechanical tools not separately classified herein; Tampers, Barko Wacker & similar type	5.355	.45	.85	.30		
ROCK SLINGER	5.305	.45	.85	.30		
DRILLER, JACKHAMMER - 2½ DRILL STEEL OR LONGER	5.435	.45	.85	.30		
CONCRETE VIBRATOR OP., 70 lbs. & OVER	5.455	.45	.85	.30		
PIPELAYER (NON-METALLIC INCL. SEWER, DRAIN & UNDERGROUND TILE); Prefabricated manhole installer	5.455	.45	.85	.30		
GAS & OIL PIPELINE WRAPPER - (6" & Over; Kettlemen, potmen & men applying asphalt, lay-kold, creosote, lime caustic & similar type materials	5.385	.45	.85	.30		
CRIBBER, SHORER, LAGGING, SHEETING, & TRENCH BRACING, HAND-GUIDED LAGGING HAMMER	5.505	.45	.85	.30		
BLASTER POWDERMAN	5.505	.45	.85	.30		
STEEL HEADERBOARD MAN & GUIDELINE SETTER	5.47	.45	.85	.30		

AP-244 P. 10

2-CAL-SCAL-LAB-1-2-3-f (3-3)

LABORERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
SANDBLASTER (Nozzleman)	$ 5.495	.45	.85	.30		
DRILLER (Core-Diamond-Wagon)	5.595	.45	.85	.30		
HEAD ROCK SLINGER	5.565	.45	.85	.30		
GUNNITE LABORERS: NOZZLEMEN & RODMEN	6.37	.45	.85	.30		
GUNMEN	5.87	.45	.85	.30		
REBOUNDMEN	5.11	.45	.85	.30		

5-CAL-SCAL-LAB-(Tunnel)-1-2-3-d (1-1)

LABORERS (Tunnel & Tunnel-Shaft Construction)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
SHAFT, Raise Miner; Diamond Driller	$6.73	.45	.85	.30		
BLASTER, Driller, Powderman; Chemical Grout Jetman; Cherry Pickerman; Grout Gunman; Grout Mixerman; Grout Pumpman; Jackleg Miner; Jumbo Man; Kemper & other Pneumatic; Concrete Placer Op.; Miner Tunnel (hand or machine); Powderman (Primer House); Primer Man; Shotcrete Man; Steel Form Raiser & Setter; Timberman, Retimberman (wood or steel); Tunnel Concrete Finisher	6.48	.45	.85	.30		
CABLE TENDER, Chucktender; Nipper; Steel Form Raiser & Setter's Helper; Vibratorman, Jackhammer, Pneumatic Tools (except driller)	6.33	.45	.85	.30		
BATCH PLANT LABORERS; Bull Gang Mucker Trackman; Concrete Crew, incl. Rodders & Spreaders; Dumpman; Dumpman (outside); Swamper (brakeman & switchman on tunnel work); Tunnel materials handling man; Tool man	6.23	.45	.85	.30		

2-CAL-SCAL-PEO-1-2-3-e (1-4)

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I BRAKEMAN; Compressor Operator; Deck Hand; Engineer Oiler; Generator Operator; Heavy Duty Repairman Helper; Pump Operator; Signalman; Switchman	$7.03	.75	1.20	.30	.02	
GROUP II CONCRETE MIXER, Skip type; Conveyor; Fireman; Generator, Pump or Compressor, (2-5 inclusive) Portal Units-over 5 units, .10¢ per hour for each additional unit up to nine units.; Hydrostatic Pump; Oiler Crusher (Asphalt or Concrete Plant); Plant Operator, Generator, Pump or Compressor; Skiploader - Wheel type up to 3/4 yd. without attachment; Tar Pot Fireman; Temporary Heating Plant Op.; Trenching Machine Oiler; Truck Crane Oiler	7.27	.75	1.20	.30	.02	
GROUP III A-FRAME or Winch Truck; Chainman; Elevator (inside); Equipment Greaser (rack); Ford Ferguson (with dragtype attachments); Power Concrete Curing Machine; Power Concrete Saw; Power-Driven Jumbo Form Setter; Ross Carrier (jobsite); Stationary Pipe Wrapping & Cleaning Machine	7.51	.75	1.20	.30	.02	
GROUP IV ASPHALT PLANT FIREMAN; Boring Machine; Boxman or Mixerman (Asphalt or Concrete); Chip Spreading Machine; Concrete Pump (small portable); Bridge Type Unloader and Turntable; Dinky Locomotive or Motorman (up to and including 10 tons); Equipment Greaser (Grease Truck); Helicopter Hoist Operator; Highline Cableway Signalman; Hydra-Hammer-Areo Stomper; Power Sweeper; Roller (compacting); Screed (Asphalt or Concrete); Rodman; Trenching Machine (up to 6 ft.)	7.62	.75	1.20	.30	.02	
GROUP V ASPHALT PLANT ENGINEER; Concrete Batch Plant Operator - (Oiler or Journeyman-trainee required); Backhoe (up to and						

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP V (cont'd) including 3/4 yds.); Bit Sharpener; Concrete Joint Machine Operator (Canal and similar type); Concrete Planer; Derrickman (Oilfield type); Deck Engine Operator; Drilling Machine (including water wells); Forklift (under 5 ton capacity); Hydrographic Seeder Machine (straw, pulp or seed); Machine Tool; Maginnis Internal Full Slab Vibrator; Mechanical Berm, curb or gutter (concrete or asphalt); Mechanical Finisher Operator (concrete Clary - Johnson-Bidwell or similar); Pavement Breaker (truck mounted, Oiler) Road Oil Mixing Machine; Roller Op. (asphalt or finish); Rubber Tired Earth Moving Equipment, (single engine, up to and including 25 yds. struck); Self-propelled Tar Pipelining Machine Operator; Slip Form Pump (power driven hydraulic lifting device for concrete forms); Tugger Hoist (1 drum); Tunnel Locomotive Operator (over 10 and up to and including 30 tons); Stinger Crane (Austin-Western or similar type); Skiploader Operator (Crawler and Wheel type over 3/4 yd. and up to and including 1½ yds.); Tractor Operator-Bulldozer, Tamper Scraper (single engine, up to 100 h.p. flywheel and similar types, up to and including D-5 and similar types.)	7.81	.75	1.20	.30	.02
GROUP VI ASPHALT OR CONCRETE SPREADER (tamping or finishing); Asphalt Paving Machine (Barber Green or similar type-2 screedman required); BHL Lima Road Pactor, Wagner Pactor or similar; Bridge Crane Operator; Cast in Place Pipe Laying Machine Operator; Combination Mixer and Compressor (Gunite work); Concrete Pump (truck mounted) (Oiler required); Concrete Mixer Operator-Paving; Crane Operator (up to and including 25 tons capacity); Crushing Plant Operator; Elevating Grader						

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP VI (Cont'd) Forklift (over 5 tons); Grade Checker; Gradall Operator; Grouting Machine; Heading Shield; Heavy Duty Repairman; Hoist Operator (Chicago Boom and similar type); Kolman Belt Loader and similar type; LeTourneau Blob Compactor or similar type; Lift Slab Machine (Vagtburg and similar types); Lift Mobile Operator; Loader Operator (Athey, Euclid, Sierra and similar type; Material Hoist; Mucking Machine (¾ yd.-rubber-tired, rail or track type); Pneumatic Concrete Placing Machine (Hackley-Presswell or similar type); Pneumatic Heading Shield (tunnel); Pumpcrete Gun; Rotary Drill (excluding Caisson type); Rubber-Tired Earth Moving Equipment, (single engine-Caterpillar, Euclid, Athey Wagon, and similar types with any and all attachments over 25 yds. and up to and including 50 cu. yds. struck); Rubber-Tired Scraper (self-loading - Paddle wheel type; Skiploader (Crawler and Wheel type-over 1½ yds., up to and including 6½ yds); Surface Heaters and Planer; Rubber-Tired Earth Moving Equipment, Multiple engine, (up to and including 25 yds. struck); Trenching Machine (over 6 ft. depth capacity, manufacturers rating); Tower Crane; Tractor Compressor Drill Combination; Tractor (any type larger than D-5 - 100 Flywheel h.p. and over, or similar) (Bull Dozer, Tamper, Scraper, and Push Tractor, single engine); Tractor (Boom attachments); Traveling Pipe Wrapping, Cleaning and Bending Machine; Tunnel Locomotive (over 30 ton); Shovel, Backhoe, Dragline, Clamshell (over 3/4 yds. and up to 5 cu. yds. M.R.C.	7.91	.75	1.20	.30	.02

2-CAL-SCAL-PEO-1-2-3-e (4-4)

POWER EQUIPMENT OPERATORS

	Basic Hourly Rate	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
GROUP VII						
CRANE - Over 25 tons up to and including 100 tons; Derrick Barge; Dual Drum Mixer; Monorail Locomotive (Diesel, gas or electric); Motor Patrol - Blade (single engine); Multiple Engine Tractor (Euclid and similar type, except Quad 9 Cat); Rubber-Tired Earth Moving Equipment, single engine over fifty (50) yds. struck; Rubber-Tired Earth Moving Equipment (Multiple engine, Euclid, Caterpillar and similar) (over 25 yds and up to 50 cu. yds. struck); Tractor Loader (Crawler and wheel type over 6½ yds.); Tower Crane Repairman; Shovel, Backhoe, Dragline, Glamshell (over 5 cu. yds., M.R.C.; Woods Mixer and similar Pugmill Equipment; Heavy Duty Repair-Man - Welder Combination	$8.01	.75	1.20	.30	.02	
GROUP VIII						
AUTO GRADER OPERATOR; Automatic Slip Form; Crane-over 100 tons; Hoist, Stiff Legs, Guy Derricks or similar types (capable of hoisting 100 tons or more); Mass Excavator; Mechanical Finishing Machine; Motor Patrol (Multi-engine); Pipe Mobile Machine; Rubber-tired Earth Moving Equipment (Multiple engine, Euclid, Caterpillar and similar type over 50 cu. yds. struck); Rubber-Tired Scraper (Push-Pull) (.50¢ per hour additional to base rate); Tandem Equipment Operator (2 units only); Tandem Tractor Operator (Quad 9 or similar type); Tunnel Mole Boring Machine Operator	8.15	.75	1.20	.30	.02	
GROUP IX						
CANAL LINER; Canal trimmer; Helicopter pilot; Highline cableway; Rubber-tired self-loading scraper (Paddle wheel-Auger type self-loading - 2 or more units); Wheel excavator (over 750 cu. yds.); Remote controlled earth moving equipment op. ($1.00 per hour additional)	8.25	.75	1.20	.30	.02	

6-CAL-SCAL-PEO-(DREDGING)-d (1-1)

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
DREDGING (Hydraulic Suction Dredges)						
LEVERMAN	$8.20	.75	1.20	.30	.015	
WATCH ENGINEER; Welder	7.71	.75	1.20	.30	.015	
DECKMATE	7.31	.75	1.20	.30	.015	
WINCHMAN (stern winch or dredge)	7.25	.75	1.20	.30	.015	
BARGEMAN; Deckhand; Fireman; Oiler; Leveehand	6.79	.75	1.20	.30	.015	
DREDGING (Clam Shell Dredges)						
LEVERMAN	8.20	.75	1.20	.30	.015	
WATCH ENGINEER	7.71	.75	1.20	.30	.015	
DECKMATE	7.31	.75	1.20	.30	.015	
BARGEMATE	7.25	.75	1.20	.30	.015	
BARGEMAN; Deckhand; Fireman; Oiler	6.79	.75	1.20	.30	.015	

AP-244 P. 17

2-CAL-SCAL-TD-1-2-3-j (1-2)

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I Warehouseman and Teamster	$6.02	.65	.55	.75		
GROUP II Drivers of Vehicle or combination of vehicles of 2 axles (incl. all vehicles less than six tons); Traffic Control Pilot Car, excluding moving heavy equipment permit load	6.10	.65	.55	.75		
GROUP III Truck Mounted Power Broom	6.16	.65	.55	.75		
GROUP IV Drivers of Vehicle or combination of vehicles of 3 axles; Water Truck, 2 axles	6.25	.65	.55	.75		
GROUP V Bootman; Cement Distributor Truck; Fuel Truck	6.28	.65	.55	.75		
GROUP VI Drivers of Transit-Mix Truck, under 3 yds.; Dumpcrete Trucks, less than 6½ yds. water level	6.34	.65	.55	.75		
GROUP VII Water Truck, 3 or more axles; Truck Repairman Helper	6.35	.65	.55	.75		
GROUP VIII Truck Greaser and Tireman (50¢ per hour additional when working on tire sizes above 24 inch in wheel diameter)	6.43	.65	.55	.75		
GROUP IX Driver of Transit-Mix Trucks, 3 yards or more; Dumpcrete Trucks, 6½ yds. water level and over	6.48	.65	.55	.75		
GROUP X Drivers of Vehicle or Combination of vehicles of 4 or more axles	6.50	.65	.55	.75		
GROUP XI A-Frame or Swedish Crane, or similar type of equipment driver; Fork Lift Driver; Ross Carrier Driver (Hwy)	6.55	.65	.55	.75		

AP-244 P. 18

2-CAL-SCAL-TD-1-2-3-j (2-2)

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP XII All off-highway equipment within Teamsters jurisdiction (off-highway combination of vehicles or equipment with multiple power sources, $1.00 per hour additional); Truck Repairman	$7.05	.65	.55	.75		
GROUP XIII Truck Repairman (Welder)	7.15	.65	.55	.75		

SUPERSEDEAS DECISION

STATE: Connecticut COUNTY: Fairfield
DECISION NO.: AP-419 DATE: Date of Publication
Supersedes Decision No. AM-9691, dated April 14, 1972 in 36 FR 14543.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

1-CONN-1-2-3 N 1 of 5

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others/
Asbestos workers	$8.715	.42	.28			
Boilermakers	7.25	.40	10%		.01	
Bricklayers, cement masons-finishers, marble setters, plasterers, terrazzo workers, tile setters: (Building only)						
Darien-Stamford	8.70	4%	.25			
Norwalk-New Canaan	8.10	.50	.50	k		
Bridgeport-Easton-Fairfield-Monroe-Stratford-Trumbull-Southport	8.47	.20	.40			
Greenwich	8.05	.40	.45			
Remainder of County	7.50	.25	.40			
Marble setters' helpers:						
Greenwich-Stamford-Darien-Norwalk-Westport	6.83	6.5%	7%			
Remainder of County	7.50	.17	.15			
Terrazzo workers' helpers:						
Greenwich-Stamford-Darien-Norwalk-Westport	6.98	.88	.43			
Remainder of County	7.50	.17	.15			
Tile setters' helpers:						
Greenwich-Stamford-Darien-Norwalk-Westport	4.85	6%	4%+.45			
Remainder of County	7.50	.17	.15			
Bricklayers, cement masons-fisnishers, stonemasons: (Heavy & Highway only)						
Stamford-Darien	7.85	4%	.15	h		
Greenwich	7.35	.30	.15	h		
Remainder of County	7.75	.35	.15	h		
Carpenters, soft floor layers: (Building only)						
Darien-Stamford-New Canaan-Wilton-Ridgefield	8.55	.40	.30		.05	
Norwalk	7.75	.40	.20		g	
Sherman	5.25	.15	.15			
Westport-Weston	8.15	.20	.20	f		
Bridgeport-Easton-Fairfield-Monroe-Stratford-Trumbull	8.15	.25	.35	f		
Greenwich	7.95	.35	.30	.50		
Shelton	7.75	.45	.20	j		
Remainder of County	8.15	.20	.20	i		
Carpenters - Piledrivermen: (Heavy & Highway only)	8.30	.35	.30	h	.03	
Electricians:						
Darien-Greenwich-New Canaan-Stamford	7.30	3-3/4%	7.5%	10%	½ of 1%	
Norwalk-Westport-Wilton-Weston	8.20	.33	1%+.20		¼%	
Remainder of County	8.35	.33	1%+.20		½ of 1%	

1-CONN-1-2-3 N 2 of 5

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Elevator constructors	$8.02	.195	.20	½%+a+b	.005	
Elevator constructors' helpers	5.61	.195	.20	½%+a+b	.005	
Elevator constructors' helpers (prob.)	4.01					
Glaziers	5.30	.125	.125			
Ironworkers:						
Structural, ornamental, reinforcing	9.30	.45	.44		.04	
Laborers: (Building only)						
Bridgeport-Easton-Fairfield-Monroe-Newton-Shelton-Stratford-Trumbull	6.85	.15	.15			
Bethel-Brookfield-Danbury-New Fairfield-Redding-Sherman	5.30	.15	.15			
jackhammer & pavement breaker op.	5.55	.15	.15			
Ridgefield, Georgetown & West Redding						
Laborers	4.80	.15	.15			
Pneumatic-gas-electric tools, asphalt raker-stone spreaders	5.05	.15	.15			
Blasters-powdermen	5.30	.15	.15			
Greenwich:						
Laborers, carpenter tenders and wrecking laborers	6.70	.30	.25	.35	.05	
Stamford-Darien; New Canaan:						
Laborers, mason tenders, mortar mixers, pipelayers, wreckers	5.65	4%	.15			
Plasterers tenders	5.90	4%	.15			
Drill runners, jackhammers, waker operators	5.775	4%	.15			
Blasters and dynamite men	6.60	4%	.15			
Norwalk-Wilton-Westport-Weston:						
Wagon drill	5.80	.15	.15			
Pneumatic-gas-electric-tool op., mason tenders, mortar mixers, pipelayers (conc., clay), plasterers' tenders, conc. saw, power buggy	5.70	.15	.15			
Laborers	5.55	.15	.15			
Laborers: (Heavy & Highway only)						
Laborers	5.00	.30	.25		.05	
Asphalt rakers, adzemen, bracers, burners, concrete and power buggy operators, concrete saw op., chain saw op., fence and guard rail erectors, form setters, mortar mixers, pipelayers, riprap and drywall builders, stone spreaders, masons tenders, pneumatic drill operators, tool operators, wagon drill op., tree trimmers, tree toppers, mulchers, chippers, stumpers & all operations connected	6.25	.30	.25		.05	

AP-419 Page 3

1-CONN-1-2-3 N 3 of 5

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers: (Heavy & Highway only) cont'd						
Air track operators	$6.50	.30	.25		.05	
Pavers, rammers, curb setters	6.50	.30	.25		.05	
Powdermen and blasters	6.75	.30	.25		.05	
Lathers:						
Bethel-Brookfield-Danbury-New Fairfield-Newton-Sherman	8.75	.25	.15		.01	
Norwalk	4.50					
Greenwich-Stamford-New Canaan	7.91	.25	.20	.75	.01	
Remainder of County	8.10	.25	.25		.01	
Lead burners	7.80	.30		c	.01	
Line Construction:						
Darien-Greenwich-New Canaan-Stamford-that portion of Norwalk West of Five Mile River:						
Linemen	5.50	3-3/4%	7.5%	10%	½ of 1%	
Cable splicer	5.75	3-3/4%	7.5%	10%	½ of 1%	
Cable splicer helper	4.75	3-3/4%	7.5%	10%	½ of 1%	
Groundmen:						
1st year	3.40	3-3/4%	7.5%	10%	½ of 1%	
2nd year	3.90	3-3/4%	7.5%	10%	½ of 1%	
Driver groundmen	4.50	3-3/4%	7.5%	10%	½ of 1%	
Remainder of County:						
Linemen, cable splicer, welder, pipelayers, dynamite man	6.11	.15	1%	d		
Digger op., equipment operator	5.21	.15	1%	d		
Groundman, truck driver	4.99	.15	1%	d		
Cable splicer helper	4.85	.15	1%	d		
Groundman	4.39	.15	1%	d		
Painters:						
Greenwich:						
Brush	6.80	3%	9%	4%		
Structural steel	6.80	3%	9%	4%		
Spray	6.80	3%	9%	4%		
Bethel-Brookfield-Danbury-Ridgefield-Redding-Sandy Hook-New Fairfield-Newton-Sherman:						
Brush	6.20	.25				
Structural steel	7.20	.25				
Norwalk-Westport-Weston-Wilton:						
Brush	4.50	.10				
Roller	4.80	.10				
Steel	4.75	.10				
New Canaan:						
Brush	4.35	.15				
Roller	4.85	.15				
Shelton-Monroe:						
Brush	4.75	.12		e		
Structural steel	5.75	.12		e		
Spray	5.75	.12		e		
Byram:						
Brush	6.25	.29	.76-6/7			
Structural steel	7.14-2/7	.29	.76-6/7			

AP-419 Page 4

1-CONN-1-2-3 4 of 5

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers: (Heavy & Highway only) cont'd						
Darien-Stamford:						
Brush	$6.00	.25	.20			
Structural steel	6.00	.25	.20			
Spray	6.00	.25	.20			
Remainder of County:						
Brush	7.00	.25	.25	e		
Structural steel	8.00	.25	.25	e		
Millwrights						
Norwalk	8.00	.40	.20		g	
Piledrivermen: (Building only)						
Greenwich	7.55	.35	.20	.50		
Darien-Stamford-New Canaan	8.25	.40	.20		.05	
Bridgeport-Easton-Fairfield-Monroe-Stratford-Trumbull	8.15	.20	.35	f		
Norwalk	7.75	.40	.20		g	
Shelton	7.75	.35	.20			
Sherman	5.25	.15	.15			
Westport-Weston	8.15	.20	.20	f		
Wilton-Ridgefield	8.25	.40	.20		.05	
Remainder of County	8.15	.20	.20	i		
Plumbers, Steamfitters:						
Greenwich	9.00	.30	.30		.01	
Bethel-Brookfield-Danbury-New Fairfield-Newton-Redding-Ridgefield-Sherman	8.10	.30	.30			
New Canaan	8.20	.40	.30			
Stamford-Darien	9.00	.40	.30	4%		
Bridgeport-Easton-Fairfield-Monroe-Shelton-Stratford-Trumbull	8.60	.20	.20		.01	
Remainder of County	7.85	.40	.30	.30		
Roofers:						
Composition, kettlemen	8.50	.60	.30			
Slate	8.75	.60	.30			
Helper (slater)	7.75	.60	.30			
Precast slab	9.00	.60	.30			
Precast slab helper	8.25	.60	.30			
Sheet metal workers	5.42	.10	.20			
Sprinkler fitters	8.00	.25	.40		.05	
Waterproofers	8.50	.60	.30			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Holidays: A through F.

c. Holidays: A through F, plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

d. Holidays: A and D through F and Good Friday, providing the employee is available for work the days preceding and following the holiday.

e. Two (2) paid holidays: C and D providing the employee works the day before and the day after the holiday.

f. Holidays: B,C,D, plus Good Friday provided the employee has been employed 14 consecutive days immediately prior to the holiday.

g. Employer contributes fifty dollars per year.

h. Paid Holidays: A through F plus Good Friday.

i. Paid Holidays: Labor Day, ½ day on Christmas Eve and on New Year's Eve.

j. Paid Holidays: C through E.

k. Paid Holidays: C and D.

POWER EQUIPMENT OPERATORS HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Erecting and handling structural steel	$7.50	.20	.15+a	b		
Front end loader (7 yds. or over), pile driver, crane shovel, dragline, gradall, trenching machine, lighter derrick, paver (concrete), derrick (stiff leg and guy), steel pile sheeting, Kohering loader (skooper)	7.44	.20	.15+a	b		
Drill (Joy Heavy weight champion or equivalent) side boom, loader (Euclid) mucking machine, pumpcrete, rock and earth boring machine post and well digger, compressor (battery operated), hammer (vibratory), central mix operator, combination hoe & loader (over ½ yd.)	7.15	.20	.15+a	b		
Asphalt spreader	7.00	.20	.15+a	b		
Front end loader (3 yds. or over), grader power stone spreader	6.90	.20	.15+a	b		
Well point system, conbination hoe & loader	6.88	.20	.15+a	b		
Asphalt roller, bulldozer, carryall, maintenance engineer	6.75	.20	.15+a	b		
Front end loader (under 3 yds.), roller, power chipper fork lift, finishing machine, asphalt plant, firemen (high pressure), power payement breaker, dinky machine	6.60	.20	.15+a	b		
Compressor, pump	6.52	.20	.15+a	b		
Batch plant, bulk cement plant, oiler	6.25	.20	.15+a	b		
Crane with 150 ft. boom - additional $.25 per hour						
Crane with 200 ft. boom - additional $.50 per hour						

Paid Holidays (Where Applicable):
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Employer contributes $.15 to Supplemental Unemployment Fund.

b. Seven (7) paid holidays: A through F and Good Friday.

SW-CONN-2-3-T

POWER EQUIPMENT OPERATORS HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	(the
Erecting and handling structural steel	$7.50	.20	.15+a	b		
Front end loader (7 yds. or over), pile driver, crane shovel, dragline, gradall, trenching machine, lighter derrick, paver (concrete), derrick (stiff leg and guy), steel pile sheeting, Kohering loader (skooper)	7.44	.20	.15+a	b		
Drill (Joy Heavy weight champion or equivalent) side boom, loader (Euclid) mucking machine, pumpcrete, rock and earth boring machine post and well digger compressor (battery operated), hammer (vibratory), central mix operator, combination hoe & loader (over ¾ yd.)	7.15	.20	.15+a	b		
Asphalt spreader	7.00	.20	.15+a	b		
Front end loader (3 yds. or over), grader power stone spreader	6.90	.20	.15+a	b		
Well point system, conbination hoe & loader	6.88	.20	.15+a	b		
Asphalt roller, bulldozer, carryall, maintenance engineer	6.75	.20	.15+a	b		
Front end loader (under 3 yds.), roller, power chipper fork lift, finishing machine, asphalt plant, firemen (high pressure), power payement breaker, dinky machine	6.60	.20	.15+a	b		
Compressor, pump	6.52	.20	.15+a	b		
Batch plant, bulk cement plant, oiler	6.25	.20	.15+a	b		
Crane with 150 ft. boom - additional $.25 per hour						
Crane with 200 ft. boom - additional $.50 per hour						

Paid Holidays (Where Applicable):
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Employer contributes $.15 to Supplemental Unemployment Fund.

b. Seven (7) paid holidays: A through F and Good Friday.

1-TD-SW-CONN-1-2-3- E

BUILDING, HEAVY, & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OT
Truck Drivers:						
Two axle trucks	$4.70	a	b	c		
Three axle trucks	4.80	a	b	c		
Four axle trucks	4.90	a	b	c		
Two axle ready-mix	4.80	a	b	c		
Three axle ready-mix	4.85	a	b	c		
Four axle ready-mix	4.95	a	b	c		
Heavy duty trailer - to 40 tons	4.85	a	b	c		
Heavy duty trailer - over 40 tons	5.00	a	b	c		
Helpers	4.70	a	b	c		
Specialized earth moving equipment	4.95	a	b	c		

Paid Holidays (Where applicable):

A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas.

Footnotes:

a. $11.00 per week for employee employed over 16 hours and $.2675 per hour for employed less than 16 hours during the week.

b. $14.00 per week for employees employed over 24 hours and $.30 per hour for employees employed less than 24 hours during the week.

c. Seven (7) holidays: A through F, and Good Friday provided the employee has 31 calendar days service and is available for work the day preceding and following the holiday.

STATE: Indiana COUNTIES: See Below
DECISION NO.: AP-17 DATE: Date of Publication
Supersedes Decision No. AM-365, dated August 13, 1971, in 36 FR 15365.
DESCRIPTION OF WORK: Highway Construction

Ind. Hwy. Zone 1 J

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHI
Counties: Adams, Allen, DeKalb, Elkhart, Huntington, Kosciusko, La-Grange, Marshall, Noble, Starke, Steuben, Wells & Whitley						
Carpenters:						
Starke County	$8.66	.40	.40		.02	
Remaining Counties	7.78	.30	.30		.02	
Cement masons:						
Stark County	7.50	.30	.70		.03	
Marshall County	7.67	.30	.30		.01	
Wells County	7.30	.30				
Elkhart, Kosciusko and LaGrange Counties	7.88				.02	
Remainder of Counties	7.60	.30				
Ironworkers:						
Elkhart, Kosciusko, Marshall and Starke Counties and western ½ of LaGrange County	8.45	.40	.65		.01	
Remainder of Counties	8.55	.50	.75		.01	
Linemen:						
North Indiana exclusive of Calumet area	6.68	.15	1%		.25%	
Calumet Area	6.97	.15	1%		.25%	
Painters: (Brush)						
Adams, Allen, DeKalb, Huntington, LaGrange, Noble, Stueben, Wells (North of Blufton) Whitley Counties	5.90	.22	.25		.05	
Elkhart, Kosciusko, & Marshall Cos.	6.85		.20			
Starke County	4.80					
Remainder of Wells County	4.35					

Indiana-1-LAB-2-3-H 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS:						
Dynamite and powdermen	$5.15	.18	.25		.07	
Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag cement), concrete puddlers, hand blade operator, power tools and power equipment side rail setters (for sidewalks, side ditches, radii and pavement), spreader box tenders, tile layers, transverse and longitudial hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	4.95	.18	.25		.07	
Common laborers, unskilled	4.80	.18	.25		.07	

Remainder of Counties

AP-17 P. 3

Ind.12-PEO K 1 of 2

	Basic Hourly Rate	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS						
GROUP I						
Auto patrol, backhoe (on farm type tractor over 50 H.P.), Ballast regulator (R.R.), bituminous mixer, bituminous paver, bituminous plant engineer, bulldozer, caisson drilling machine (crane mounted), C.M.I. machine autograde, concrete mixer (21 cu. ft. or over), core drilling machine, crane or derrick with any attachments (incl. clamshell, dragline, shovel, backhoe, etc.) dredge operator, drilling machine (on which the drill is an integral part elevating grader, euclid loader, formless paver, gradall, gravel processing machine, oper. of guard rail post driver high lift shovel 1½ yds. & over), hoist (2 drums and over), keystone (skimmer scoop) locomotive oper., mucking machine, panel board concrete plant (central mix type), paver-Hetherington, piled-river - skid or crawler, raod paving mixer, rock crusher, roller - asphalt, waterbound macadam, bituminous macadam, brick surface, roller with dozer blade, self-propelled widener surface heater & planer, tandem push cat, tournapull, or similar equipment, tournapull tandam, tractor (boom or winch), tractor (push) tractor with scoop, tractor mounted spreader trench machine (over 24") tug boat operator, well drilling machine, winch truck with A-frame	$6.60	.25	.20		.04	
GROUP II						
Backfiller, backhoe on farm type tractor with less than 50 H.P., Bull float, concrete pump, concrete mesh depressor (independently operated) concrete spreader (power driven), excavating loader (portable), finishing machine and bull float, gunite machine, head greaser, mechanic multiple tamping machine (R.R.), P.C.C. concrete belt placer, pull grader - power control, ross carrier, sheepfoot roller (self-propelled) Tamper - multiple vibrating - asphalt, water-bound macadam, bituminous macadam, brick surface, trench machine (24" and under), welder	6.25	.25	.20		.04	

AP-17 P. 4

Ind-12-PEO 2 of 2

	Basic Hourly Rate	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS (CONT'D)						
GROUP III						
Assistant plant engineer, concrete finishing machine, concrete mixer (less than 21 cu. ft.) curb machine, farm tractor (incl. farm tractor with all attachments except backhoe, and incl. high lift end loaders of 1 cu. yd. capacity and less), fireman (on boiler) greaser, hoist (one drum), Jersey spreader or base paver, operator (3 to 5 pieces of minor equipment), paving breaker, power broom (self-propelled), roller (earth and subbase material), slurry seal machine (R.R.) Tamper - multiple vibrating - earth and subbase material, throttle valve, throttle valve and compressor or clever Brooks type combination, throttle valve and firemen combination on horizontal or upright boiler, tractair with drill, tractor (50 H.P. or over), wellpoint system, widener (Apsco or similar type)	$5.90	.25	.20		.04	
GROUP IV						
Air compressor, assistant to engineer, automatic dry batch plant, bituminous distributor, bituminous patching tamper, broom and belt machine, coleman type screen, conveyor (portable), deck hand, digger post hole (power driven), Ulrich spreader, form grader, form tamper (motor driven), generator, Hetherington driver, Hetherington helper, mechanics helper, mechanical heater, oper. two pieces of minor equipment, outboard or inboard motor boat, power curing spraying machine, power saw - concrete (power driven), pull broom (power type), seaman tiller, straw blower, stripping machine, paint (motor driven), sub-grader, tractair, tractor (below 50 H.P.), truck crane oiler - driver, water pump, welding machine	5.25	.25	.20		.04	

Elkhart, Kosciusko, LaGrange, Marshall, Noble & Starke Counties

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
GROUP I						
Auto patrol, backhoe (on farm type tractor over 50 H.P.), Ballast regulator (R.R.), bituminous mixer bituminous paver, bituminous plant engineer, bulldozer, caisson drilling machine (crane mounted), C.M.I. machine autograde, concrete mixer (21 cu. ft. or over), core drilling machine, crane or derrick with any attachment (incl. clamshell, dragline, shovel, backhoe, etc.), dredge operator, drilling machine (on which the drill is an integral part), elevating grader, euclid loader, formless paver, gradall, gravel processing machine, oper. of guard rail post driver, high lift shovel (1½ yds. & over), hoist (2 drums and over), keystone (skimmer scoop), locomotive oper., mucking machine, panel board concrete plant (central mix type), paver-Hetherington, piledriver - skid or crawler, road paving mixer, rock crusher, roller-asphalt, waterbound macadam, bituminous macadam, brick surface, roller with doner blade, self-propelled widener, surface heater & planer, tandem push cat, tournapull, or similar type equipment, tournapull-tandem, tractor (boom or winch), tractor (push), tractor with scoop, tractor mounted spreader, trench machine (over 24"), tug boat operator, well drilling machine, winch truck with A-Frame	$6.95	.40	.30		.05	
GROUP II						
Backfiller, backhoe on farm type tractor with less than 50 H.P., Bull float, concrete pump, concrete mesh depressor (independently operated), concrete spreader (power driven), excavating loader (portable), finishing machine and bull float, gunite machine, head greaser (who supervises 2 or more greasers or a greasers and a helper), mechanic, multiple tamping machine (R.R.), P.C.C. concrete belt placer, pull grader-power control, ross carrier, sheepfoot roller (self-propelled), Tamper-multiple vibrating-asphalt, waterbound macadam, bituminous macadam, brick surface, trench machine (24" and under), welder	6.57	.40	.30		.05	

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS: (Cont'd)						
GROUP III						
Assistant plant engineer, concrete finishing machine, concrete mixer (less than 21 cu. ft.) curb machine, farm tractor (incl. farm tractor with all attachments except backhoe, and incl. high lift end loaders of 1 cu. yd. capacity and less), fireman (on boiler), greaser, hoist (one drum), Jersey spreader or base paver, operator (3 to 5 pieces of minor equipment), paving breaker, power broom (self-propelled), roller (earth and subbase material), Slurry seal machine, spike machine (R.R.), Tamper-multiple vibrating-earth and subbase material, throttle valve, throttle valve and compressor or clever Brooks type combination, throttle valve and fireman combination on horizontal or upright boiler, tractaire with drill, tractor (50 H.P. or over), wellpoint system, widener (Apsco or similar type)	$6.19	.40	.30		.05	
GROUP IV						
Air compressor, assistant to engineer, automatic dry batch plant, bituminous distributor, bituminous patching tamper, broom and belt machine, coleman type screen, conveyor (portable), deck hand, digger post hole (power driven), Ulrich spreader, form grader, form tamper (motor driven), generator, Hetherington driver, Hetherington helper, mechanics helper, mechanical heater, oper., two pieces of minor equipment, outboard or inboard motor boat, power curing spraying machine, power saw concrete (power driven), pull broom (power type), seaman tiller, straw blower, stripping machine paint (motor driven), subgrader, tractaire, tractor (below 50 H.P.), truck crane oiler-driver, water pump, welding machine	5.49	.40	.30		.05	

Remainder of Counties

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	C
TRUCK DRIVERS						
GROUP A Acey wagons over 3 buckets	$4.95	a	b			
GROUP B Acey wagons to & including 3 buckets	4.90	a	b			
GROUP C Tandem-tandem semi trucks - truck mechanics - hvy. equip. type water wagon over 5,000 gallons - Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.85	a	b			
GROUP D Tri-axle trucks - Tandem axle semi trucks - equip. not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom & hug bottom dump, Tournatrailers, tournarockers, Athey wagons, or similar equip. over 12 cubic yds. Tandem axle trucks pulling tilt-top trailers - Lowboys, tandem axle - Tri - axle batch truck	4.80	a	b			
GROUP E Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks - Hvy. equip., type water wagon 5,000 gallon & under	4.75	a	b			
GROUP F Truck mounted pavement breakers - Tandem trucks over 15 ton payload Single axle semi trucks - Farm tractors hauling material - equip. not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump & hug bottom dump Tournarockers, Athey wagons, or similar equip., 12 cubic yds. & under - Mixer trucks, all types - single axle trucks pulling tilt - top trailer - Low-boys, single axle	4.70	a	b			

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OT
GROUP G Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	$4.65	a	b			
GROUP H Single axle "Dog Legs" - Tandem trucks or "Dog-Legs - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (34E) batches - Grease and Maintenance trucks servicing tandem axle trucks	4.60	a	b			
GROUP I Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two-man	4.55	a	b			
GROUP J Single axle straight trucks - Batch trucks, wet or dry 3 (34E) batches or less - Grease & maintenance trucks servicing single axle trucks	4.50	a	b			
GROUP K Helpers, greasers, tire men, batch board tenders	4.45	a	b			
GROUP L Pick-up trucks	4.35	a	b			

FOOTNOTES:

a. $6.00 per week for each employee on payroll of employer 30 days or more

b. $8.00 per week for each employee on payroll of employer 30 days or more.

Elkhart, Kosciusko, LaGrange, Marshall, & Starke Counties

Ind. 10 - TD H 1 Of 2

TRUCK DRIVERS	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OT
Acey wagons over 3 buckets	$4.90	a6.00	a10.00			
Acey wagons to and including 3 buckets	4.85	a6.00	a10.00			
Tandem-tandem semi trucks - truck mechanics - heavy equipment type water wagon over 5,000 gals.- Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.80	a6.00	a10.00			
Tri-axle trucks - Tandem axle semi trucks - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers, Athey wagons, or similar equipment over 12 cu. yds.- Tandem axle trucks pulling tilt-top trailers - Low-boys, tandem axle - Tri-axle batch truck	4.75	a6.00	a10.00			
Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks - Heavy equipment-type water wagon 5,000 gal. & under	4.70	a6.00	a10.00			
Truck mounted pavement breakers - Tandem trucks over 15 ton payload - Single axle semi trucks - Farm tractors hauling material - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers, Athey wagons, or similar equipment 12 cu. yds. and under - Mixer trucks, all types - single axle trucks pulling tilt top trailer-Low-boys, single axle	4.65	a6.00	a10.00			
Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	4.60	a6.00	a10.00			
Single axle "Dog legs" - Tandem trucks or "Dog-legs" - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (3E) batches - Grease and Maint. trucks servicing tandem axle trucks	4.55	a6.00	a10.00			
Single axle fuel trucks - Single axle water trucks - Bituminous dist. 2-man	4.50	a6.00	a10.00			

Ind. 10 - TD H 2 of 2

TRUCK DRIVERS	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OT
Single axle straight trucks - Batch trucks, wet or dry 3 (3E) batches or less - Grease & Maint. trucks servicing single axle trucks	$4.45	a6.00	a10.00			
Helpers, greasers, tire men, batch board tenders	4.40	a6.00	a10.00			
Pick-up trucks	4.30	a6.00	a10.00			

Footnotes:

a. Per week for each employee on payroll of employer 30 days or more.

SUPERSEDEAS DECISION

STATE: Indiana COUNTIES: See Below
DECISION NO.: AP-18 DATE: Date of Publication
Supersedes Decision No. AM-366, dated August 13, 1971, in 36 FR 15370.
DESCRIPTION OF WORK: Highway Construction

Ind. Hwy. Zone 2 J

COUNTIES:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others 1/
Benton, Carroll, Cass, Clinton, Fulton, Howard, Jasper, Miami, Newton, Pulaski, Tippecanoe, Tipton, Wabash & White						
Carpenters:						
Jasper and Newton Counties	$8.66	.40	.40		.02	
Remainder of Counties	7.78	.30	.30		.02	
Cement masons:						
Tipton County	7.10	.25				
Wabash County	7.30	.30				
Cass, Fulton, Miami Counties	5.95	.15			.01	
Remainder of Hwy Zone #2	6.65	.30	.20			
Ironworkers:						
Wabash County	8.55	.50	.75		.01	
Fulton and Pulaski Counties	8.45	.40	.65		.01	
Newton County and northern ½ of Jasper County	9.27	.40	.53		.04	
Howard and Tipton Counties and eastern 1/3 of Clinton County	8.40	.40	.55		.03	
Southern ½ of Jasper County, Western 2/3 of Clinton County and remainder of Counties	8.425	.50	.75		.02	
Linemen:						
Benton, Fulton, Jasper, Newton, Pulaski & White Counties:						
North Indiana exclusive of Calumet Area	6.68	.15	1%		.25%	
Calumet Area	6.97	.15	1%		.25%	
Carroll, Cass, Clinton, Howard, Miami, Tippecanoe, Tipton & Wabash Counties	7.16	.25	1%		.25%	
Painters: (Brush)						
Benton, Clinton, Jasper & Tippecanoe Cos.	6.50					
Cass, Fulton & White Counties	3.68					
Howard, Cass & Miami Counties	5.00					
Newton County	7.30	.32	.25		.02	
Pulaski County	4.80					
Tipton County	4.60					
Wabash County	5.90	.22	.25		.05	

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Dynamite and powdermen	$5.15	.18	.25		.07	
Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag cement), concrete puddlers, hand blade operator, power tools and power equipment side rail setters (for sidewalks, side ditches, radii and pavement), spreader box tenders, tile layers, transverse and longitudial hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	4.95	.18	.25		.07	
Common laborers, unskilled	4.80	.18	.25		.07	

Fulton, Jasper, Newton & Pulaski Counties

Ind. - 13-PEO L 1 of 2

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
GROUP I						
Auto patrol, backhoe (on farm type tractor over 50 H.P.), Ballast regulator (R.R.), bituminous mixer bituminous paver, bituminous plant engineer, bulldozer, caisson drilling machine (crane mounted), C.M.I. machine autograde, concrete mixer (21 cu. ft. or over), core drilling machine, crane or derrick with any attachment (incl. clamshell, dragline, shovel, backhoe, etc.), dredge operator, drilling machine (on which the drill is an integral part), elevating grader, euclid loader, formless paver, gradall, gravel processing machine, oper. of guard rail post driver, high lift shovel (1½ yds. & over), hoist (2 drums and over), keystone (skimmer scoop), locomotive oper., mucking machine, panel board concrete plant (central mix type), paver-Hetherington, piledriver - skid or crawler, road paving mixer, rock crusher, roller-asphalt, waterbound macadam, bituminous macadam, brick surface, roller with dozer blade, self-propelled widener, surface heater & planer, tandem push cat, tournapull, or similar type equipment, tournapull-tandem, tractor (boom or winch), tractor (push), tractor with scoop, tractor mounted spreader, trench machine (over 24") tug boat operator, well drilling machine, winch truck with A-Frame	$6.95	.40	.30		.05	
GROUP II						
Backfiller, backhoe on farm type tractor with less than 50 H.P., Bull float, concrete pump, concrete mesh depressor (independently operated), concrete spreader (power driven), excavating loader (portable), finishing machine and bull float, gunite machine, head greaser (who supervises 2 or more greasers or a greasers and a helper), mechanic, multiple tamping machine (R.R.), P.C.C. concrete belt placer, pull grader-power control, ross carrier, sheepfoot roller (self-propelled), Tamper-multiple vibrating-asphalt, waterbound macadam, bituminous macadam, brick surface, trench machine (24" and under), welder	6.57	.40	.30		.05	

Ind.-13-PEO 2 of 2

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS: (Cont'd)						
GROUP III						
Assistant plant engineer, concrete finishing machine, concrete mixer (less than 21 cu. ft.) curb machine, farm tractor (incl. farm tractor with all attachments except backhoe, and incl. high lift end loaders of 1 cu. yd. capacity and less), fireman (on boiler), greaser, hoist (one drum), Jersey spreader or base paver, operator (3 to 5 pieces of minor equipment), paving breaker, power broom (self-propelled), roller (earth and subbase material), Slurry seal machine, spike machine (R.R.), Tamper-multiple vibrating-earth and subbase material, throttle valve, throttle valve and compressor or clever Brooks type combination, throttle valve and fireman combination on horizontal or upright boiler, tractaire with drill, tractor (50 H.P. or over), wellpoint system, widener (Apsco or similar type)	$6.19	.40	.30		.05	
GROUP IV						
Air compressor, assistant to engineer, automatic dry batch plant, bituminous distributor, bituminous patching tamper, broom and belt machine, coleman type screen, conveyor (portable), deck hand, digger post hole (power driven), Ulrich spreader, form grader, form tamper (motor driven), generator, Hetherington driver, Hetherington helper, mechanics helper, mechanical heater, oper., two pieces of minor equipment, outboard or inboard motor boat, power curing spraying machine, power saw concrete (power driven), pull broom (power type), seaman tiller, straw blower, stripping machine paint (motor driven), subgrader, tractaire, tractor (below 50 H.P.), truck crane oiler-driver, water pump, welding machine	5.49	.40	.30		.05	

Remainder of Counties

AP-18 P. 5

Ind.12-PEO K 1 of 2

	Basic Hourly Rate	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS						
GROUP I						
Auto patrol, backhoe (on farm type tractor over 50 H.P.), Ballast regulator (R.R.), bituminous mixer, bituminous paver, bituminous plant engineer, bulldozer, caisson drilling machine (crane mounted), C.M.I. machine autograde, concrete mixer (21 cu. ft. or over), core drilling machine, crane or derrick with any attachments (incl. clamshell, dragline, shovel, backhoe, etc.) dredge operator, drilling machine (on which the drill is an integral part elevating grader, euclid loader, formless paver, gradall, gravel processing machine, oper. of guard rail post driver high lift shovel 1½ yds. & over), hoist (2 drums and over), keystone (skimmer scoop) locomotive oper., mucking machine, panel board concrete plant (central mix type), paver-Hetherington, piled-river - skid or crawler, raod paving mixer, rock crusher, roller - asphalt, waterbound macadam, bituminous macadam, brick surface, roller with dozer blade, self-propelled widener surface heater & planer, tandem push cat, tournapull, or similar equipment, tournapull tandam, tractor (boom or winch), tractor (push) tractor with scoop, tractor mounted spreader trench machine (over 24") tug boat operator, well drilling machine, winch truck with A-frame	$6.60	.25	.20		.04	
GROUP II						
Backfiller, backhoe on farm type tractor with less than 50 H.P., Bull float, concrete pump, concrete mesh depressor (independently operated) concrete spreader (power driven), excavating loader (portable), finishing machine and bull float, gunite machine, head greaser, mechanic multiple tamping machine (R.R.), P.C.C. concrete belt placer, pull grader - power control, ross carrier, sheepfoot roller (self-propelled) Tamper - multiple vibrating - asphalt, water-bound macadam, bituminous macadam, brick surface, trench machine (24" and under), welder	6.25	.25	.20		.04	

AP-18 P. 6

Ind-12-PEO 2 of 2

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS (CONT'D)						
GROUP III						
Assistant plant engineer, concrete finishing machine, concrete mixer (less than 21 cu. ft.) curb machine, farm tractor (incl. farm tractor with all attachments except backhoe, and incl. high lift end loaders of 1 cu. yd. capacity and less), fireman (on boiler) greaser, hoist (one drum), Jersey spreader or base paver, operator (3 to 5 pieces of minor equipment), paving breaker, power broom (self-propelled), roller (earth and subbase material), slurry seal machine (R.R.) Tamper - multiple vibrating - earth and subbase material, throttle valve, throttle valve and compressor or clever Brooks type combination, throttle valve and firemen combination on horizontal or upright boiler, tractair with drill, tractor (50 H.P. or over), wellpoint system, widener (Apsco or similar type)	$5.90	.25	.20		.04	
GROUP IV						
Air compressor, assistant to engineer, automatic dry batch plant, bituminous distributor, bituminous patching tamper, broom and belt machine, coleman type screen, conveyor (portable), deck hand, digger post hole (power driven), Ulrich spreader, form grader, form tamper (motor driven), generator, Hetherington driver, Hetherington helper, mechanics helper, mechanical heater, oper. two pieces of minor equipment, outboard or inboard motor boat, power curing spraying machine, power saw - concrete (power driven), pull broom (power type), seaman tiller, straw blower, stripping machine, paint (motor driven), sub-grader, tractair, tractor (below 50 H.P.), truck crane oiler - driver, water pump, welding machine	5.25	.25	.20		.04	

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
TRUCK DRIVERS						
GROUP A						
Acey wagons over 3 buckets	$4.95	a	b			
GROUP B						
Acey wagons to & including 3 buckets	4.90	a	b			
GROUP C						
Tandem-tandem semi trucks - truck mechanics - hvy. equip. type water wagon over 5,000 gallons - Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.85	a	b			
GROUP D						
Tri-axle trucks - Tandem axle semi trucks - equip. not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom & hug bottom dump, Tournatrailers, tournarockers, Athey wagons, or similar equip. over 12 cubic yds. Tandem axle trucks pulling tilt-top trailers - Lowboys, tandem axle - Tri - axle batch truck	4.80	a	b			
GROUP E						
Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks - Hvy. equip., type water wagon 5,000 gallon & under	4.75	a	b			
GROUP F						
Truck mounted pavement breakers - Tandem trucks over 15 ton payload Single axle semi trucks - Farm tractors hauling material - equip. not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump & hug bottom dump Tournarockers, Athey wagons, or similar equip., 12 cubic yds. & under - Mixer trucks, all types - single axle trucks pulling tilt - top trailer - Low-boys, single axle	4.70	a	b			

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
GROUP G						
Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	$4.65	a	b			
GROUP H						
Single axle "Dog Legs" - Tandem trucks or "Dog-Legs - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (34E) batches - Grease and Maintenance trucks servicing tandem axle trucks	4.60	a	b			
GROUP I						
Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two-man	4.55	a	b			
GROUP J						
Single axle straight trucks - Batch trucks, wet or dry 3 (34E) batches or less - Grease & maintenance trucks servicing single axle trucks	4.50	a	b			
GROUP K						
Helpers, greasers, tire men, batch board tenders	4.45	a	b			
GROUP L						
Pick-up trucks	4.35	a	b			

FOOTNOTES:

a. $6.00 per week for each employee on payroll of employer 30 days or more

b. $8.00 per week for each employee on payroll of employer 30 days or more.

SUPERSEDEAS DECISION

STATE: Indiana
DECISION NO.: AP-19
COUNTIES: See Below
DATE: Date of Publication
Supersedes Decision No. AM-367, dated August 13, 1971, in 36 FR 15374.
DESCRIPTION OF WORK: Highway Construction

Ind. Hwy Zone 3 M 1 of 1

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
COUNTIES: Blackford, Delaware, Fayette, Grant, Hamilton, Hancock, Henry, Jay, Johnson Madison, Marion, Randolph, Rush, Shelby, Union, and Wayne						
Carpenters:						
Rush & Shelby Counties	$7.58	.25	.25		.02	
Remainder of Counties	7.78	.30	.30		.02	
Cement masons:						
Grant, Blackford, Jay, Delaware and Randolph Counties	7.30	.30				
Shelby County	6.70					
Fayette, Rush, Union and Wayne Counties	6.25					
Marion and Johnson Counties, Southern ½ of Hamilton County and Western ½ of Hancock County	7.36				.04	
Henry and Madison County, Northern ½ of Hamilton County and Eastern ½ of Hancock County	7.10	.25				
Ironworkers:						
Fayette, Jay, Randolph, Union and Wayne Counties	8.70	.40	.65		.02	
Blackford and Grant Counties, and N/E corner of Delaware County	8.55	.50	.75		.01	
Southwest 2/3 of Delaware County and Remaining Counties	8.40	.40	.55		.03	
Linemen:						
Jay County	6.68	.15	1%		.25%	
Remainder of Hwy Zone #3	7.16	.25	1%		.25%	
Painters: (Brush)						
Fayette, Henry, Randolph, Rush, Union & Wayne Counties	5.60					
Hamilton, Hancock, Johnson, Marion & Shelby Counties	6.60	.20	.20			
Madison & Delaware Counties	4.60					
Blackford & Jay Counties	4.35					

AP-19 P. 2

Indiana-1-LAB-2-3-H 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS:						
Dynamite and powdermen	$5.15	.18	.25		.07	
Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag cement), concrete puddlers, hand blade operator, power tools and power equipment side rail setters (for sidewalks, side ditches, radii and pavement), spreader box tenders, tile layers, transverse and longitudial hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	4.95	.18	.25		.07	
Common laborers, unskilled	4.80	.18	.25		.07	

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS						
GROUP I						
Auto patrol, backhoe (on farm type tractor over 50 H.P.), Ballast regulator (R.R.), bituminous mixer, bituminous paver, bituminous plant engineer, bulldozer, caisson drilling machine (crane mounted), C.M.I. machine autograde, concrete mixer (21 cu. ft. or over), core drilling machine, crane or derrick with any attachments (incl. clamshell, dragline, shovel, backhoe, etc.) dredge operator, drilling machine (on which the drill is an integral part elevating grader, euclid loader, formless paver, gradall, gravel processing machine, oper. of guard rail post driver high lift shovel 1½ yds. & over), hoist (2 drums and over), keystone (skimmer scoop) locomotive oper., mucking machine, panel board concrete plant (central mix type), paver-Hetherington, piled-river - skid or crawler, raod paving mixer, rock crusher, roller - asphalt, waterbound macadam, bituminous macadam, brick surface, roller with dozer blade, self-propelled widener surface heater & planer, tandem push cat, tournapull, or similar equipment, tournapull tandam, tractor (boom or winch), tractor (push) tractor with scoop, tractor mounted spreader trench machine (over 24") tug boat operator, well drilling machine, winch truck with A-frame	$6.60	.25	.20		.04	
GROUP II						
Backfiller, backhoe on farm type tractor with less than 50 H.P., Bull float, concrete pump, concrete mesh depressor (independently operated) concrete spreader (power driven), excavating loader (portable), finishing machine and bull float, gunite machine, head greaser, mechanic multiple tamping machine (R.R.), P.C.C. concrete belt placer, pull grader - power control, ross carrier, sheepfoot roller (self-propelled) Tamper - multiple vibrating - asphalt, water-bound macadam, bituminous macadam, brick surface, trench machine (24" and under), welder	6.25	.25	.20		.04	

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS (CONT'D)						
GROUP III						
Assistant plant engineer, concrete finishing machine, concrete mixer (less than 21 cu. ft.) curb machine, farm tractor (incl. farm tractor with all attachments except backhoe, and incl. high lift end loaders of 1 cu. yd. capacity and less), fireman (on boiler) greaser, hoist (one drum), Jersey spreader or base paver, operator (3 to 5 pieces of minor equipment), paving breaker, power broom (self-propelled), roller (earth and subbase material), slurry seal machine (R.R.) Tamper - multiple vibrating - earth and subbase material, throttle valve, throttle valve and compressor or clever Brooks type combination, throttle valve and firemen combination on horizontal or upright boiler, tractair with drill, tractor (50 H.P. or over), wellpoint system, widener (Apsco or similar type)	$5.90	.25	.20		.04	
GROUP IV						
Air compressor, assistant to engineer, automatic dry batch plant, bituminous distributor, bituminous patching tamper, broom and belt machine, coleman type screen, conveyor (portable), deck hand, digger post hole (power driven), Ulrich spreader, form grader, form tamper (motor driven), generator, Hetherington driver, Hetherington helper, mechanics helper, mechanical heater, oper. two pieces of minor equipment, outboard or inboard motor boat, power curing spraying machine, power saw - concrete (power driven), pull broom (power type), seaman tiller, straw blower, stripping machine, paint (motor driven), sub-grader, tractair, tractor (below 50 H.P.), truck crane oiler - driver, water pump, welding machine	5.25	.25	.20		.04	

Hamilton, Hancock, Johnson, Marion & Shelby Counties

TRUCK DRIVERS: (HEAVY & HIGHWAY)

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
GROUP A						
Acey wagons over 3 buckets	$5.00	a6.00	a6.00			
GROUP B						
Acey wagons to and including 3 buckets	4.95	a6.00	a6.00			
GROUP C						
Tandem-tandem semi trucks - truck mechanics - heavy equipment type water wagon over 5,000 gals. Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.90	a6.00	a6.00			
GROUP D						
Tri-axle trucks -Tandem axle semi trucks - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers, Athey wagons, or similar equipment over 12 cu. yds. - Tandem axle trucks pulling tilt-top trailers - Low-boys, tandem axle - Tri-axle batch truck	4.85	a6.00	a6.00			
GROUP E						
Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks- Heavy equipment-type water wagon 5,000 gal. & under	4.80	a6.00	a6.00			
GROUP F						
Truck mounted pavement breakers - Tandem trucks over 15 ton payload - Single axle semi trucks - Farm tractors hauling material - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers, Athey wagons, or similar equipment 12 cu. yds. and under - Mixer trucks, all types - single axle trucks pulling tilt-top trailer - Low-boys, single axle	4.75	a6.00	a6.00			

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OT
GROUP G						
Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	$4.70	a6.00	a6.00			
GROUP H						
Single axle "Dog legs" - Tandem trucks or "Dog-legs" - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (34E) batches - Grease and Maint. Trucks servicing tandem axle trucks	4.65	a6.00	a6.00			
GROUP I						
Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two-man	4.60	a6.00	a6.00			
GROUP J						
Single axle straight trucks - Batch trucks, wet or dry 3 (34E) batches or less - Grease & Maint. trucks servicing single axle trucks	4.55	a6.00	a6.00			
GROUP K						
Helpers, greasers, tire men, batch board tenders	4.50	a6.00	a6.00			
GROUP L						
Pick-up trucks	4.40	a6.00	a6.00			

FOOTNOTES:
a- Per week for each employee.

Remainder of Counties

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTI
TRUCK DRIVERS						
GROUP A						
Acey wagons over 3 buckets	$4.95	a	b			
GROUP B						
Acey wagons to & including 3 buckets	4.90	a	b			
GROUP C						
Tandem-tandem semi trucks - truck mechanics - hvy. equip. type water wagon over 5,000 gallons - Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.85	a	b			
GROUP D						
Tri-axle trucks - Tandem axle semi trucks - equip. not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom & hug bottom dump, Tournatrailers, tournarockers, Athey wagons, or similar equip. over 12 cubic yds. Tandem axle trucks pulling tilt-top trailers - Lowboys, tandem axle - Tri - axle batch truck	4.80	a	b			
GROUP E						
Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks - Hvy. equip., type water wagon 5,000 gallon & under	4.75	a	b			
GROUP F						
Truck mounted pavement breakers - Tandem trucks over 15 ton payload Single axle semi trucks - Farm tractors hauling material - equip not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump & hug bottom dump Tournarockers, Athey wagons, or similar equip., 12 cubic yds. & under - Mixer trucks, all types - single axle trucks pulling tilt - top trailer - Low-boys, single axle	4.70	a	b			

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OT
GROUP G						
Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	$4.65	a	b			
GROUP H						
Single axle "Dog Legs" - Tandem trucks or "Dog-Legs - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (34E) batches - Grease and Maintenance trucks servicing tandem axle trucks	4.60	a	b			
GROUP I						
Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two-man	4.55	a	b			
GROUP J						
Single axle straight trucks - Batch trucks, wet or dry 3 (34E) batches or less - Grease & maintenance trucks servicing single axle trucks	4.50	a	b			
GROUP K						
Helpers, greasers, tire men, batch board tenders	4.45	a	b			
GROUP L						
Pick-up trucks	4.35	a	b			

FOOTNOTES:

a. $6.00 per week for each employee on payroll of employer 30 days or more

b. $8.00 per week for each employee on payroll of employer 30 days or more.

SUPERSEDEAS DECISION

STATE: Indiana
DECISION NO.: AP-20
COUNTIES: See Below
DATE: Date of Publication
Supersedes Decision No. AM-368, dated August 13, 1971, in 36 FR 15378.
DESCRIPTION OF WORK: Highway Construction

Ind. Hwy. Zone 4 I 1 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
COUNTIES: Boone, Clay, Davies, Fountain, Greene, Hendricks, Knox, Montgomery, Morgan, Owen, Parke, Putnam, Sullivan, Vermillion, Vigo, & Warren						
Carpenters:						
Boone, Clay, Fountain, Hendricks, Montgomery, Parke, Putnam, Vermillion, Vigo, Warren, Owen (N. of White River) Morgan (North of White River)	$7.78	.30	.30		.02	
Morgan (S of White River), Owen (S. of White River) and Remainder of Counties	7.58	.25	.25		.02	
Cement Masons:						
Green County	6.20	.20				
Daviess and Knox Counties	6.65	.30				
Fountain, Montgomery, Warren and northern half of Boone County	6.65	.30	.20			
Hendricks County, southern half of Boone and northern half of Morgan County	7.36				.04	
Southern half of Morgan County and southern half of Owen County	4.95					
Sullivan, Vermillion, Vigo Counties and the northern half of Owen Co., the southern half of Clay Co., and the western half of Parke County	6.25	.25	.25			
Putnam County, the northern half of Clay County and the eastern half of Parke County	4.40					
Ironworkers:						
Montgomery County and northwestern half of Boone County	8.425	.50	.75		.02	
Hendricks, Morgan, Owen and southeastern half of Boone County	8.40	.40	.55		.03	
Fountain and Warren Counties	7.60	.25			.01	
Remainder of Counties	8.60	.50	.75			

AP-20 P. 2

Ind. Hwy. Zone 4 1 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
Linemen:						
Fountain, Warren & Vermillion Cos.	$8.03	.20	1%+.20		.25%	
Remainder of Hwy Zone #4	7.16	.25	1%		.25%	
Painters: (Brush)						
Fountain, Montgomery & Warren Cos.	6.50					
Putnam, Sullivan & Vigo Counties	5.80					
Boone & Hendricks Counties	6.60	.20	.20			
Green, Morgan & Owen	5.25					
Vermillion & Parke Counties	5.25					
Clay County	4.25					
Davies County	4.00					
Knox County	4.75					

Indiana-1-LAB-2-3-H 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS:						
Dynamite and powdermen	$5.15	.18	.25		.07	
Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag cement), concrete puddlers, hand blade operator, power tools and power equipment side rail setters (for sidewalks, side ditches, radii and pavement), spreader box tenders, tile layers, transverse and longitudial hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	4.95	.18	.25		.07	
Common laborers, unskilled	4.80	.18	.25		.07	

Ind.-1-PEO M 1 of 2

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
GROUP I						
Auto patrol, backhoe (on farm type tractor over 50 H.P.), Ballast regulator (R.R.), bituminous mixer, bituminous paver, bituminous plant engineer, bulldozer, caisson drilling machine (crane mounted), C.M.I. machine autograde, concrete mixer (21 cu. ft. or over core drilling machine, crane or derrick with any attachment (incl. clamshell, dragline, shovel, backhoe, etc.), dredge operator, drilling machine (on which the drill is an integral part), elevating grader, euclid loader, formless paver, gradall, gravel processing machine, operator of guard rail post driver, high lift shovel (1½ yds. & over), hoist (2 drums and over), keystone (skimmer scoop), locomotive operator, mucking machine, panel board concrete plant (central mix type) paver-Hetherington, piledriver-skid or crawler, road paving mixer, rock crusher, roller-asphalt, waterbound macadam, bituminous macadam, brick surface, roller with dozer blade, self-propelled widener, surface heater & planer, tandem push cat, tournapull, or similar type equipment, tournapull-tandem, tractor (boom or winch), tractor (push), tractor with scoop, tractor mounted spreader, trench machine (over 24"), tug boat operator, well drilling machine, winch truck with A-Frame	$6.65	.25	.15		.04	
GROUP II						
Backfiller, backhoe on farm type tractor with less than 50 H.P., Bull float, concrete pump, concrete mesh depressor (independently operated), concrete spreader (power driven), excavating loader (portable), finishing machine and bull float, gunite machine, head greaser (who supervises 2 or more greasers or a greaser and a helper), mechanic, multiple tamping machine (R.R.) P.C.C. concrete belt placer, pull grader-power control, ross carrier, sheepfoot roller (self-propelled), Tamper-multiple vibrating-asphalt, waterbound macadam, bituminous macadam, brick surface, trench machine (24" and under), welder	6.30	.25	.15		.04	
GROUP III						
Assistant plant engineer, concrete finishing machine, concrete mixer (less than 21 cu. ft. curb machine, farm tractor (incl. farm trac-						

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS: (CONT'D)						
tor with all attachments except backhoe, and incl. high lift end loaders of 1 cu. yd. capacity and less), fireman (on boiler), greaser hoist (one drum), Jersey spreader or base paver, operator (3 to 5 pieces of minor equipment), paving breaker, power broom (self-propelled), roller (earth and subbase material slurry seal machine, spike machine (R.R.), Tamper-multiple vibrating-earth and subbase material, throttle valve, throttle valve and compressor or clever Brooks type combination, throttle valve and fireman combination on horizontal or upright boiler, tractaire with drill, tractor (50 H.P. or over), wellpoint system, widener (Apsco or similar type)	5.95	.25	.15		.04	
GROUP IV						
Air compressor, assistant to engineer, automatic dry batch plant, bituminous distributor, bituminous patching tamper, broom and belt machine, coleman type screen, conveyor (portable), deck hand, digger post hole (power driven), Ulrich spreader, form grader, form tamper (motor driven), generator, Hetherington driver, Hetherington helper, mechanics helper, mechanical heater, oper., two pieces of minor equipment, outboard or inboard motor boat, power curing spraying machine, power saw-concrete (power driven), pull broom (power type), seaman tiller, straw blower, stripping machine, paint (motor driven), subgrader, tractaire, tractor (below 50 H.P.), truck crane oiler-driver, water pump, welding machine	5.30	.25	.15		.04	

Southern ½ of Fountain Co., & the S/E ½ of Boone Co., & Remainder of Cos.

TRUCK DRIVERS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTH
GROUP A						
Acey wagons over 3 buckets	$5.00	a6.00	a6.00			
GROUP B						
Acey wagons to and including 3 buckets	4.95	a6.00	a6.00			
GROUP C						
Tandem-tandem semi trucks - truck mechanics - heavy equipment type water wagon over 5,000 gals. Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.90	a6.00	a6.00			
GROUP D						
Tri-axle trucks -Tandem axle semi trucks - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers Athey wagons, or similar equipment over 12 cu. yds. - Tandem axle trucks pulling tilt-top trailers - Low-boys, tandem axle - Tri-axle batch truck	4.85	a6.00	a6.00			
GROUP E						
Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks-Heavy equipment-type water wagon 5,000 gal. & under	4.80	a6.00	a6.00			
GROUP F						
Truck mounted pavement breakers - Tandem trucks over 15 ton payload - Single axle semi trucks - Farm tractors hauling material - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers, Athey wagons, or similar equipment 12 cu. yds. and under - Mixer trucks, all types - single axle trucks pulling tilt-top trailer - Low-boys, single axle	4.75	a6.00	a6.00			

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
GROUP G						
Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	$4.70	a6.00	a6.00			
GROUP H						
Single axle "Dog legs" - Tandem trucks or "Dog-legs" - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (34E) batches - Grease and Maint. Trucks servicing tandem axle trucks	4.65	a6.00	a6.00			
GROUP I						
Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two-man	4.60	a6.00	a6.00			
GROUP J						
Single axle straight trucks - Batch trucks, wet or dry 3 (34E) batches or less - Grease & Maint. trucks servicing single axle trucks	4.55	a6.00	a6.00			
GROUP K						
Helpers, greasers, tire men, batch board tenders	4.50	a6.00	a6.00			
GROUP L						
Pick-up trucks	4.40	a6.00	a6.00			

FOOTNOTES:
a- Per week for each employee.

Montgomery & Warren Cos, & the Northern ½ of Fountain Co., & the NW ½ of Boone County

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
TRUCK DRIVERS						
GROUP A						
Acey wagons over 3 buckets	$4.95	a	b			
GROUP B						
Acey wagons to & including 3 buckets	4.90	a	b			
GROUP C						
Tandem-tandem semi trucks - truck mechanics - hvy. equip. type water wagon over 5,000 gallons - Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.85	a	b			
GROUP D						
Tri-axle trucks - Tandem axle semi trucks - equip. not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom & hug bottom dump, Tournatrailers, tournarockers, Athey wagons, or similar equip. over 12 cubic yds. Tandem axle trucks pulling tilt-top trailers - Lowboys, tandem axle - Tri - axle batch truck	4.80	a	b			
GROUP E						
Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks - Hvy. equip., type water wagon 5,000 gallon & under	4.75	a	b			
GROUP F						
Truck mounted pavement breakers - Tandem trucks over 15 ton payload Single axle semi trucks - Farm tractors hauling material - equip. not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump & hug bottom dump Tournarockers, Athey wagons, or similar equip., 12 cubic yds. & under - Mixer trucks, all types - single axle trucks pulling tilt - top trailer - Low-boys, single axle	4.70	a	b			

AP-20 P. 9 Ind. 9-TD 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OT
GROUP G Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	$4.65	a	b			
GROUP H Single axle "Dog Legs" - Tandem trucks or "Dog-Legs - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (34E) batches - Grease and Maintenance trucks servicing tandem axle trucks	4.60	a	b			
GROUP I Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two-man	4.55	a	b			
GROUP J Single axle straight trucks - Batch trucks, wet or dry 3 (34E) batches or less - Grease & maintenance trucks servicing single axle trucks	4.50	a	b			
GROUP K Helpers, greasers, tire men, batch board tenders	4.45	a	b			
GROUP L Pick-up trucks	4.35	a	b			

FOOTNOTES:

a. $6.00 per week for each employee on payroll of employer 30 days or more

b. $8.00 per week for each employee on payroll of employer 30 days or more.

SUPERSEDEAS DECISION

STATE: Indiana COUNTIES: See Below
DECISION NO.: AP-21 DATE: Date of Publication
Supersedes Decision No. AM-370, dated August 13, 1971, in 36 FR 15386.
DESCRIPTION OF WORK: Highway Construction

Ind. Hwy. Zone 5 I 1 of 1

Counties: Bartholomew, Brown, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Lawrence, Martin, Monroe, Ohio, Orange, Ripley, Scott, Switzerland and Washington	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Vo
Carpenters:						
Bartholomew (Camp Atterbury)	$7.78	.30	.30		.02	
Bartholomew (except Camp Atterbury) and remaining counties	7.58	.25	.25		.02	
Cement Masons:						
Monroe County	6.90					
Martin County	6.65	.30			.01	
Bartholomew and Brown Counties	6.70	.20	.15			
Decatur and Franklin Counties	6.25					
Clark, Floyd and Harrison Counties	7.98					
Dearborn, Ohio, Ripley and Switzerland Counties	4.70					
Jackson, Jefferson, Jennings, Lawrence Orange, Scott and Washington Counties	6.10					
Ironworkers:						
Western ½ of Martin County	8.15	.25	.25			
N.W. 1/6 of Lawrence County	8.60	.50	.75			
Bartholomew, Brown and Monroe Counties and the N.E. 1/6 of Lawrence Counties and the western ½ of Decatur County	6.70	.25	.45		.02	
Dearborn, Franklin, Ohio, Ripley, and Switzerland Counties and the eastern ½ of Decatur County (reinforcing)	8.285	.40	.55+.10		.02	
Eastern ½ of Martin County, southern ½ of Jackson County and the southern ½ of Jennings Co., Southern 2/3 of Lawrence County and the remaining cos.	8.35	.40	.65		.04	
Linemen - Hwy Zone 5	7.16	.25	1%		.25%	
Painters: (Brush)						
Bartholomew, Decatur, Jackson & Jennings Counties	5.45					
Clark. Floyd, Harrison, Jefferson, Scott & Washington Counties	6.49	.15	.10		.03	
Dearborn, Ohio, Ripley & Switzerland Counties	5.25					
Lawrence & Martin Counties	4.65					
Monroe & Brown Counties	5.25					
Dearborn County	5.25					
Wayne County	5.60					

Indiana-1-LAB-2-3-H 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS:						
Dynamite and powdermen	$5.15	.18	.25		.07	
Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag cement), concrete puddlers, hand blade operator, power tools and power equipment side rail setters (for sidewalks, side ditches, radii and pavement), spreader box tenders, tile layers, transverse and longitudial hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	4.95	.18	.25		.07	
Common laborers, unskilled	4.80	.18	.25		.07	

Monroe County

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
GROUP I						
Auto patrol, backhoe (on farm type tractor over 50 H.P.), Ballast regulator (R.R.), bituminous mixer, bituminous paver, bituminous plant engineer, bulldozer, caisson drilling machine (crane mounted), C.M.I. machine autograde, concrete mixer (21 cu. ft. or over core drilling machine, crane or derrick with any attachment (incl. clamshell, dragline, shovel, backhoe, etc.), dredge operator, drilling machine (on which the drill is an integral part), elevating grader, euclid loader, formless paver, gradall, gravel processing machine, operator of guard rail post driver, high lift shovel (1½ yds. & over), hoist (2 drums and over), keystone (skimmer scoop), locomotive operator, mucking machine, panel board concrete plant (central mix type), paver-Hetherington, piledriver-skid or crawler, road paving mixer, rock crusher, roller-asphalt, waterbound macadam, bituminous macadam, brick surface, roller with dozer blade, self-propelled widener, surface heater & planer, tandem push cat, tournapull, or similar type equipment, tournapull-tandem, tractor (boom or winch), tractor (push), tractor with scoop, tractor mounted spreader, trench machine (over 24"), tug boat operator, well drilling machine, winch truck with A-Frame	$6.65	.25	.15		.04
GROUP II						
Backfiller, backhoe on farm type tractor with less than 50 H.P., Bull float, concrete pump, concrete mesh depressor (independently operated), concrete spreader (power driven), excavating loader (portable), finishing machine and bull float, gunite machine, head greaser (who supervises 2 or more greasers or a greaser and a helper), mechanic, multiple tamping machine (R.R.) P.C.C. concrete belt placer, pull grader-power control, ross carrier, sheepfoot roller (self-propelled), Tamper-multiple vibrating-asphalt, waterbound macadam, bituminous macadam, brick surface, trench machine (24" and under), welder	6.30	.25	.15		.04
GROUP III						
Assistant plant engineer, concrete finishing machine, concrete mixer (less than 21 cu. ft. curb machine, farm tractor (incl. farm tractor with all attachments except backhoe, and incl. high lift end loaders of 1 cu. yd. capacity and less), fireman (on boiler), greaser hoist (one drum), Jersey spreader or base paver, operator (3 to 5 pieces of minor equipment), paving breaker, power broom (self-propelled), roller (earth and subbase material slurry seal machine, spike machine (R.R.), Tamper-multiple vibrating-earth and subbase material, throttle valve, throttle valve and compressor or clever Brooks type combination, throttle valve and fireman combination on horizontal or upright boiler, tractaire with drill, tractor (50 H.P. or over), wellpoint system, widener (Apsco or similar type)	5.95	.25	.15		.04
GROUP IV						
Air compressor, assistant to engineer, automatic dry batch plant, bituminous distributor, bituminous patching tamper, broom and belt machine, coleman type screen, conveyor (portable), deck hand, digger post hole (power driven), Ulrich spreader, form grader, form tamper (motor driven), generator, Hetherington driver, Hetherington helper, mechanics helper, mechanical heater, oper., two pieces of minor equipment, outboard or inboard motor boat, power curing spraying machine, power saw-concrete (power driven), pull broom (power type), seaman tiller, straw blower, stripping machine, paint (motor driven), subgrader, tractaire, tractor (below 50 H.P.), truck crane oiler-driver, water pump, welding machine	5.30	.25	.15		.04

REMAINDER OF COUNTIES

Ind.-19-PEO 0 1 of 2

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
GROUP I						
Auto patrol, backhoe (on farm type tractor over 50 H.P.), Ballast regulator (R.R.), bituminous mixer, bituminous paver, bituminous plant engineer, bulldozer, caisson drilling machine (crane mounted), C.M.I. machine autograde, concrete mixer (21 cu. ft. or over), core drilling machine, crane or derrick with any attachment (incl. clamshell, dragline, shovel, backhoe, etc.) dredge operator, drilling machine (on which the drill is an integral part), elevating grader, euclid loader, formless paver, gradall, gravel processing machine, oper. of guard rail post driver, high lift shovel (1½ yds. & over), hoist (2 drums and over), keystone (skimmer scoop), locomotive oper., mucking machine, panel board concrete plant (central mix type), paver - Hetherington, piledriver - skid or crawler, road paving mixer, rock crusher, roller - asphalt, waterbound macadam, bituminous macadam, brick surface, roller with dozer blade, self-propelled widener, surface heater & planer, tandem push cat, tournapull, or similar type equipment, tournapull - tandem, tractor (boom or winch), tractor (push), tractor with scoop, tractor mounted spreader, trench machine (over 24") tug boat operator, well drilling machine, winch truck with A-frame	$6.60	.25	.20		.04
GROUP II						
Backfiller, backhoe on farm type tractor with less than 50 H.P., Bull float, concrete mesh depressor (independently operated), concrete spreader (power driven), excavating loader (portable), finishing machine & bull float, gunite machine, head greaser (who supervises 2 or more greasers or a greaser and a helper), mechanic, multiple tamping machine (R.R.), P.C.C. concrete belt placer, pull grader - power control, ross carrier, sheep foot roller (self-propelled), Tamper - multiple vibrating-asphalt, waterbound macadam, bituminous macadam, brick surface, trench machine (24" and under), welder	6.25	.25	.20		.04	

Ind.-19-PEO 2 of 2

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS (cont'd)						
GROUP III						
Assistant plant engineer, concrete finishing machine, concrete mixer (less than 21 cu. ft.) curb machine, farm tractor (incl. farm tractor with all attachments except backhoe, and incl. high lift end loaders of 1 cu. yd. capacity and less), fireman (on boiler) greaser, hoist (one drum), Jersey spreader or base paver, operator (3 to 5 pieces of minor equipment), paving breaser, power broom (self-propelled), roller (earth and subbase material), slurry seal machine, spike machine (R.R.) Tamper - multiple vibrating - earth and subbase material, throttle valve, throttle valve and compressor or clever Brooks type combination, throttle valve and fireman combination on horizontal or upright boiler, tractaire with drill, tractor (50 H.P. or over), wellpoint system, widener (Apsco or similar type)	5.90	.25	.20		.04	
GROUP IV						
Air compressor, assistant to engineer, automatic dry batch plant, bituminous distributor, bituminous patching tamper, broom and belt machine, cloeman type screen, conveyor (portable), deck hand, digger post hole (power driven), Ulrich spreader, form grader, form tamper (motor driven), generator, Hetherington driver, Hetherington helper, mechanics helper, mechanical heater, oper., two pieces of minor equipment, outboard or inboard motor boat, power curing spraying machine, power saw - concrete (power driven), pull broom (power type), seaman tiller, straw blower, stripping machine, paint (motor driven), subgrader, tractaire, tractor (below 50 H.P.), track crane oiler - driver, water pump, welding machine	5.25	.25	.20		.04	

AP-21 P. 7

Indiana - 9 - TD I 1 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTI
TRUCK DRIVERS						
GROUP A						
Acey wagons over 3 buckets	$4.95	a	b			
GROUP B						
Acey wagons to & including 3 buckets	4.90	a	b			
GROUP C						
Tandem-tandem semi trucks - truck mechanics - hvy. equip. type water wagon over 5,000 gallons - Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.85	a	b			
GROUP D						
Tri-axle trucks - Tandem axle semi trucks - equip. not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom & hug bottom dump, Tournatrailers, tournarockers, Athey wagons, or similar equip. over 12 cubic yds. Tandem axle trucks pulling tilt-top trailers - Lowboys, tandem axle - Tri - axle batch truck	4.80	a	b			
GROUP E						
Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks - Hvy. equip., type water wagon 5,000 gallon & under	4.75	a	b			
GROUP F						
Truck mounted pavement breakers - Tandem trucks over 15 ton payload Single axle semi trucks - Farm tractors hauling material - equip. not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump & hug bottom dump Tournarockers, Athey wagons, or similar equip., 12 cubic yds. & under - Mixer trucks, all types - single axle trucks pulling tilt - top trailer - Low-boys, single axle	4.70	a	b			

AP-21 P. 8

Ind. 9-TD 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OT
GROUP G						
Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	$4.65	a	b			
GROUP H						
Single axle "Dog Legs" - Tandem trucks or "Dog-Legs - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (34E) batches - Grease and Maintenance trucks servicing tandem axle trucks	4.60	a	b			
GROUP I						
Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two-man	4.55	a	b			
GROUP J						
Single axle straight trucks - Batch trucks, wet or dry 3 (34E) batches or less - Grease & maintenance trucks servicing single axle trucks	4.50	a	b			
GROUP K						
Helpers, greasers, tire men, batch board tenders	4.45	a	b			
GROUP L						
Pick-up trucks	4.35	a	b			

FOOTNOTES:

a. $6.00 per week for each employee on payroll of employer 30 days or more

b. $8.00 per week for each employee on payroll of employer 30 days or more.

SUPERSEDEAS DECISION

STATE: Indiana COUNTIES: See Below
DECISION NO.: AP-22 DATE: Date of Publication
Supersedes Decision No. AM-369, dated August 13, 1971, in 36 FR 15382.
DESCRIPTION OF WORK: Highway Construction

Ind. Hwy. Zone 6 H 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vocation	App. Tr.	1/ Other
Counties: Crawford, DuBois, Gibson, Perry, Pike, Psoey, Spencer, Vanderburgh, & Warrick.						
Carpenters all counties	$7.58	.25	.25		.02	
Cement Masons:						
Gibson & Pike Counties	6.65	.30				
Remaining Counties	7.05	.30	.30			
Ironworkers:						
Crawford County	8.35	.40	.65		.04	
Remaining Counties	8.15	.25	.25			
Linemen: Hwy Zone 6	7.24	.15	1%	.15		
Painters (Brush)						
Crawford County	6.49	.15	.10		.03	
Gibson County	3.25					
Dubois, Perry, Pike, Posey, Spencer, Vanderburgh & Warrick Counties	6.20	.30				

Indiana-1-LAB-2-3-H 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vocation	App. Tr.	Other
LABORERS:						
Dynamite and powdermen	$5.15	.18	.25		.07	
Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag cement), concrete puddlers, hand blade operator, power tools and power equipment side rail setters (for sidewalks, side ditches, radii and pavement), spreader box tenders, tile layers, transverse and longitudial hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	4.95	.18	.25		.07	
Common laborers, unskilled	4.80	.18	.25		.07	

Ind.-19-PEO 0 1 of 2

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
GROUP I						
Auto patrol, backhoe (on farm type tractor over 50 H.P.), Ballast regulator (R.R.), bituminous mixer, bituminous paver, bituminous plant engineer, bulldozer, caisson drilling machine (crane mounted), C.M.I. machine autograde, concrete mixer (21 cu. ft. or over), core drilling machine, crane or derrick with any attachment (incl. clamshell, dragline, shovel, backhoe, etc.) dredge operator, drilling machine (on which the drill is an integral part), elevating grader, euclid loader, formless paver, gradall, gravel processing machine, oper. of guard rail post driver, high lift shovel (1½ yds. & over), hoist (2 drums and over), keystone (skimmer scoop), locomotive oper., mucking machine, panel board concrete plant (central mix type), paver - Hetherington, piledriver - skid or crawler, road paving mixer, rock crusher, roller - asphalt, waterbound macadam, bituminous macadam, brick surface, roller with dozer blade, self-propelled widener, surface heater & planer, tandem push cat, tournapull, or similar type equipment, tournapull - tandem, tractor (boom or winch), tractor (push), tractor with scoop, tractor mounted spreader, trench machine (over 24") tug boat operator, well drilling machine, winch truck with A-frame	$6.60	.25	.20		.04
GROUP II						
Backfiller, backhoe on farm type tractor with less than 50 H.P., Bull float, concrete mesh depressor (independently operated), concrete spreader (power driven), excavating loader (portable), finishing machine & bull float, gunite machine, head greaser (who supervises 2 or more greasers or a greaser and a helper), mechanic, multiple tamping machine (R.R.), P.C.C. concrete belt placer, pull grader - power control, ross carrier, sheep foot roller (self-propelled), Tamper - multiple vibrating-asphalt, waterbound macadam, bituminous macadam, brick surface, trench machine (24" and under), welder	6.25	.25	.20		.04

Ind.-19-PEO 2 of 2

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS (cont'd)						
GROUP III						
Assistant plant engineer, concrete finishing machine, concrete mixer (less than 21 cu. ft.) curb machine, farm tractor (incl. farm tractor with all attachments except backhoe, and incl. high lift end loaders of 1 cu. yd. capacity and less), fireman (on boiler) greaser, hoist (one drum), Jersey spreader or base paver, operator (3 to 5 pieces of minor equipment), paving breaser, power broom (self-propelled), roller (earth and subbase material), slurry seal machine, spike machine (R.R.) Tamper - multiple vibrating - earth and subbase material, throttle valve, throttle valve and compressor or clever Brooks type combination, throttle valve and fireman combination on horizontal or upright boiler, tractaire with drill, tractor (50 H.P. or over), wellpoint system, widener (Apsco or similar type)	5.90	.25	.20		.04
GROUP IV						
Air compressor, assistant to engineer, automatic dry batch plant, bituminous distributor, bituminous patching tamper, broom and belt machine, cloeman type screen, conveyor (portable), deck hand, digger post hole (power driven), Ulrich spreader, form grader, form tamper (motor driven), generator, Hetherington driver, Hetherington helper, mechanics helper, mechanical heater, oper., two pieces of minor equipment, outboard or inboard motor boat, power curing spraying machine, power saw - concrete (power driven), pull broom (power type), seaman tiller, straw blower, stripping machine, paint (motor driven), subgrader, tractaire, tractor (below 50 H.P.), track crane oiler - driver, water pump, welding machine	5.25	.25	.20		.04

TRUCK DRIVERS: .. Pike County	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTH
GROUP A						
Acey wagons over 3 buckets	$5.00	a6.00	a6.00			
GROUP B						
Acey wagons to and including 3 buckets	4.95	a6.00	a6.00			
GROUP C						
Tandem-tandem semi trucks - truck mechanics - heavy equipment type water wagon over 5,000 gals. Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.90	a6.00	a6.00			
GROUP D						
Tri-axle trucks -Tandem axle semi trucks - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers Athey wagons, or similar equipment over 12 cu. yds. - Tandem axle trucks pulling tilt-top trailers - Low-boys, tandem axle - Tri-axle batch truck	4.85	a6.00	a6.00			
GROUP E						
Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks- Heavy equipment-type water wagon 5,000 gal. & under	4.80	a6.00	a6.00			
GROUP F						
Truck mounted pavement breakers - Tandem trucks over 15 ton payload - Single axle semi trucks - Farm tractors hauling material - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers, Athey wagons, or similar equipment 12 cu. yds. and under - Mixer trucks, all types - single axle trucks pulling tilt-top trailer - Low-boys, single axle	4.75	a6.00	a6.00			

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTH
GROUP G						
Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	$4.70	a6.00	a6.00			
GROUP H						
Single axle "Dog legs" - Tandem trucks or "Dog-legs" - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (3½E) batches - Grease and Maint. Trucks servicing tandem axle trucks	4.65	a6.00	a6.00			
GROUP I						
Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two-man	4.60	a6.00	a6.00			
GROUP J						
Single axle straight trucks - Batch trucks, wet or dry 3 (3½E) batches or less - Grease & Maint. trucks servicing single axle trucks	4.55	a6.00	a6.00			
GROUP K						
Helpers, greasers, tire men, batch board tenders	4.50	a6.00	a6.00			
GROUP L						
Pick-up trucks	4.40	a6.00	a6.00			

FOOTNOTES:
a- Per week for each employee.

REMAINDING COUNTIES TRUCK DRIVERS	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTH
Acey wagons over 3 buckets	$4.90	a6.00	a10.00			
Acey wagons to and including 3 buckets	4.85	a6.00	a10.00			
Tandem-tandem semi trucks - truck mechanics - heavy equipment type water wagon over 5,000 gals.-Tri-axle trucks pulling tilt-top trailers - Low-boys, tandem-tandem axle	4.80	a6.00	a10.00			
Tri-axle trucks - Tandem axle semi trucks - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers, Athey wagons, or similar equipment over 12 cu. yd. - Tandem axle trucks pulling tilt-top trailers - Low-boys, tandem axle - Tri-axle batch truck	4.75	a6.00	a10.00			
Tandem "Dog-Legs" trucks - Semi water trucks - Sprinkler trucks - Heavy equipment-type water wagon 5,000 gal. & under	4.70	a6.00	a10.00			
Truck mounted pavement breakers - Tandem trucks over 15 ton payload - Single axle semi trucks - Farm tractors hauling material - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers, Athey wagons, or similar equipment 12 cu. yds. and under - Mixer trucks, all types - single axle trucks pulling tilt-top trailer-low-ooys, single axle	4.65	a6.00	a10.00			
Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	4.60	a6.00	a10.00			
Single axle "Dog legs" - Tandem trucks or "Dog-legs" - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (34E) batches - Grease and Maint. trucks servicing tandem axle trucks	4.55	a6.00	a10.00			
Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two-man	4.50	a6.00	a10.00			

TRUCK DRIVERS Cont'd	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	O
Single axle straight trucks - Batch trucks, wet or dry 3 (34E) batches or less - Grease & Maint. trucks servicing single axle trucks	$4.45	a6.00	a10.00			
Helpers, greasers, tire men, batch board tenders	4.40	a6.00	a10.00			
Pick-up trucks	4.30	a6.00	a10.00			

Footnotes:
a. Per week for each employee on payroll of employer 30 days or more.

SUPERSEDEAS DECISION

STATE: Louisiana

PARISHES: Orleans, Jefferson, Plaquemines, St. Bernard

DECISION NO.: AP-351

DATE: Date of Publication

Supersedes Decision #AM-11,410 - March 31, 1972 - 37 FR 6614

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories)

14 - LA - 1,2 e (1 - 2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$6.40	.25	.60			
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS; STONEMASONS; CEMENT BLOCK LAYERS; CLEANERS; POINTERS; CAULKERS	6.95	.25	.15		.035	
CARPENTERS:						
Carpenters	6.57	.20	.20		.04	
Piledrivers	6.67	.20	.20		.04	
Millwrights	6.855	.20	.20		.04	
CEMENT MASONS:						
Cement masons	6.255	.25	.30		.04	
Machine operator; boatswain chair	6.505	.25	.30		.04	
ELECTRICIANS:						
Electricians; Cable splicers	7.88	.20	1%+.10		.015	
ELEVATOR CONSTRUCTORS	6.32	.195	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.195	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	5.375	.17	.20			
IRONWORKERS:						
Structural, Ornamental, Reinforcing	6.95	.15	.25		.02	
LABORERS:						
Orleans, Jefferson (except Grande Isle), Plaquemines & St. Bernard Parishes:						
Laborers	4.66	.10	.10			
Stone masons helper; Mechanical tool operator (air, electric); Sewerman	4.76	.10	.10			
Gunite tool operator	4.91	.10	.10			
Pipelayers non-metallic	4.76	.10	.10			
Bricklayers & mason tenders	4.78	.10	.10			
Mortar mixer, hand or machine	4.88	.10	.10			
Grande Isle, Jefferson Parish:						
Laborers	4.055	.10	.10			
Sewermen; Jackhammermen; Mason tenders; plasterers tenders; Stone masons helpers; Vibratormen	4.205	.10	.10			
Mortar mixers	4.255	.10	.10			
LATHERS	6.23	.20	.15		.05	
PAINTERS:						
Brush and paperhanger	5.375	.175	.20		.05	
Structural steel, swing stage & spray	5.75	.175	.20		.05	

14 - LA - 1,2 e (2 - 2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PLASTERERS:						
Plasterers	$6.15	.30	.20		.03	
Swinging scaffold	6.40	.30	.20		.03	
PLUMBERS:						
Plumbers; Steamfitters; Pipefitters; Pipe welders; Refrigeration mechanic	7.65	.30	.40		.06	
ROOFERS	5.65	.35	.45		.15	
SHEET METAL WORKERS	7.105	.20	.30	.25	.04	
SOFT FLOOR LAYERS	6.57	.20	.20		.04	
SPRINKLER FITTERS	7.30	.25	.40		.05	
MARBLE MASONS	6.95	.25	.15		.035	
MARBLE MASONS' HELPERS	4.80	.15				
TILE SETTERS	6.55	.15				
TILE SETTERS' HELPERS	4.80	.15				
TERRAZZO WORKERS	6.55	.15				
TERRAZZO WORKERS' HELPERS	4.80	.15				
TRUCK DRIVERS:						
Up to but not including 1½ tons	4.10					
1½ tons to 3 tons	4.55					
3 tons up to 5 tons	4.60					
5 tons & over including euclids, winch, dempsey dumpsters, lowboys, semi-trailers and fork lifts	4.80					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental						

FOOTNOTES:

a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate.

b - Paid Holidays - A through F.

PAID HOLIDAYS:

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

LA. 2 - PEO - 1 p (1 - 2)

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
HEAVY EQUIPMENT OPERATORS						
A-frame truck, when working with Ironworkers & Pipefitters; Bulldozers, D-6 and larger; cableways; Concrete mixers (over 16-s); Paving machines; Cranes, derricks, draglines and clam shells; Deck winches (2); Gradealls; Hi-Ho and similar type equipment; Hoist, 1 drum, 4 stories & over; Hoist, 2 drums or more; Hydro cranes; Mechanic; Motor Patrols; Pile drivers; Rollers on brick & asphalt; Rubber tired front end loader, with or without blade attachments, 1 cu. yd. capacity or more; Scrapers; Shovels, backhoes (all types); Side boom cats; Stabilizers; 3 drums or more; Traxcavators; Trenching machines; Unit operator; Welding journeyman; Well point systems (gas, diesel, electric, etc.)	$6.97	.10	.15			
LIGHT EQUIPMENT OPERATORS						
A-frame truck, except when working with Ironworkers or Pipefitters; Air compressor; Asphalt plant engineers; Asphalt finisher, screed men; Blade graders; Boat operator; Bull floats; Concrete joining machines; Concrete mixers, 16-s and under; Concrete spreader; Crusher operator; Deck winch operator (1); Distributors, asphalt "Ditch Witch" and similar equipment; Electric elevators (inside); Finishing machine; Firemen; Form graders, Fork lifts; Hoist, 1 drum, under 4 stories; Power subgraders; Pugmill operator; Pull tractors; Pump; Pump crete; Rollers except on brick and asphalt; Rubber tired front end loader (with or without blade attachment) less than 1 cu. yd. capacity; Scale operator; Scoopmobile; Snatch cats; Spray machines; Stabilizers, less than 3 drums; Straddlebuggy; Track machines and equivalent machines; Tractors or bulldozers smaller than D-6	6.01	.10	.15			

LA. 2 - PEO - 1 p (2 - 2)

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Batch Plant Operator	$5.60	.10	.15			
Mechanic Helpers	5.60	.10	.15			
Oilers (Driver)	5.60	.10	.15			
Oilers	5.31	.10	.15			
Master Mechanic	7.47	.10	.15			
Assistant Master Mechanic	7.22	.10	.15			

1 - Louisiana - LC a

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION:						
Linemen	$7.425	.20	1%+.10		.015	
Operator hole digging equipment; operator, tractor with winch & derrick; operator line truck with winch & derrick working hot lines	5.655	.20	1%+.10		.015	
Operator using hole truck and trailer or pole hauling and setting truck (not in energized lines)	4.95	.20	1%+.10		.015	
Operator using truck without winch	3.535	.20	1%+.10		.015	
Groundmen (1½ years service or over)	3.885	.20	1%+.10		.015	
Groundmen (starting rate to 1½ years service)	3.535	.20	1%+.10		.015	

STATE: Michigan
DECISION NO.: AP-23
Supersedes Decision No. AM-8608 dated May 5, 1972 in 37 FR 9179

COUNTY: Kent
DATE: Date of Publication

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction

41-- Michigan E 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	1/ Others
Asbestos workers	$6.95	.44	.95		.01	
Boilermakers	7.98	.50	1.00	1.00	.01	
Bricklayers	7.15	.25	.25		.04	
Carpenters	6.85	.35	.40		.01	
Cement masons	5.64					
Electricians	7.97	.30	1%		.01	
Elevator constructors	7.18	.17	.185	2%+a&b	.005	
Elevator constructors' helpers	70% JR	.17	.185	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50% JR					
Glaziers	6.00					
Ironworkers, structural & ornamental	6.23					
Ironworkers, reinforcing	7.70	.50	.50		.02	
Laborers	4.43					
Lathers	8.06	.25	.10		.01	
Marble setters	6.45	.25	.25			
Painters	5.08					
Plasterers	4.95					
Plumbers	8.14	.28	.25		.04	
Power Equipment Operators:						
Air compressor	5.10					
Backhoe	5.90					
Bulldozer	5.89					
Crane	6.06					
Finishing machine	5.25					
Grader	5.00					
Pumps	5.31					
Tractor	5.31					
Trenching machine	5.45					
Roofers	4.16					
Sheet metal workers	7.50	c + .42	.30	.52		
Soft floor layers	6.85	.35	.40		.01	
Sprinkler fitters	8.75	.30	.50		.05	
Steamfitters	8.14	.28	.25		.04	
Stonemasons	7.15	.25	.25		.04	
Terrazzo workers	6.45	.25	.25			
Tile setters	6.45	.25	.25			
Truck drivers	5.02					
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS (WHERE APPLICABLE):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Six paid holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. $5.00 per month for Life Insurance.

Michigan Line Construction 1 J

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Linemen	$6.57	.15	1%		½ of 1%	
Combination digger operator-groundman or tractor operator	5.16	.15	1%		½ of 1%	
Combination winch truck driver-groundman:						
1st. year	3.82	.15	1%		½ of 1%	
Over 1 year	4.35	.15	1%		½ of 1%	
Combination truck driver-groundman	3.71	.15	1%		½ of 1%	
Cable splicer	6.83	.15	1%		½ of 1%	
Groundman	3.71	.15	1%		½ of 1%	
Light equipment operator-groundman	4.55	.15	1%		½ of 1%	
Distribution line truck driver operator-groundman	4.55	.15	1%		½ of 1%	

AP-23 P. 3 Michigan 8PEOH 1 of 2

Underground Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1-1/2 cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch.plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (euclid type)	$8.74	.40	.45		.05	
Trencher (8' digging capacity & smaller), endloader (1-1/2 cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller) than D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more - inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more - less than 600 CFM,) air compressors (600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (non-swinging, non-powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum-1/2 yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted - includes compressor)	7.83	.40	.45		.05	

AP-23 P. 4 Michigan 8 PEO 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS: (Cont'd)						
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hrs. or more a day - gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor, (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	$7.31	.40	.45		.05	
Oiler & firemen	7.31	.40	.45			

Michigan 3 -PEO J 1 of 1

HEAVY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS:						
Crane with main boom & jib 220' or longer	$8.95	.40	.40		.05	
Crane with main boom & jib 140' or longer, to 220'	8.70	.40	.40		.05	
Regular equipment operator, crane, dozer, front-end loader, scraper, hoist, job mechanic, pump 6" or over, well points & freeze systems	8.45	.40	.40		.05	
Air compressor, welder, heaters, generators, conveyors, pump under 6"	7.50	.40	.40		.05	
Oiler, fireman and greaser	6.80	.40	.40		.05	

Michigan 6-PFO R 1 of 1

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
STEEL ERECTION						
POWER EQUIPMENT OPERATORS:						
Crane with main boom & jib 220' or longer.	$9.30	.40	.40		.05	
Crane with main boom & jib 140' or longer, to 220'	9.65	.40	.40		.05	
Regular equipment operator, crane, dozer, front-end loader, scraper, hoist, job mechanic, pump 6" or over, well points & freeze systems	8.80	.40	.40		.05	
Air compressor, welder, heaters, generators, conveyors, pump under 6"	7.85	.40	.40		.05	
Oiler. firemen and greaser	6.50	.40	.40		.05	

SIGN INSTALLERS

Michigan - 3 - F 1 of 1

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Zone 1						
Wayne, Monroe, Washtenaw, Oakland, Macomb and Genesee Counties						
Sign Installer, Class A	$4.42					
Sign Installer, Class B	3.60					
Zone 2						
Remaining counties in the Lower Peninsula of the State of Michigan, all being north of the Counties included in Zone 1, and all the Counties in the Upper Peninsula of the State of Michigan						
Sign Installer, Class A	3.99					
Sign Installer, Class B	3.22					

12 - Mich. 3-4 1 of 2

HIGHWAY, BRIDGE, AIRPORT (EXCLUSIVE OF BUILDINGS) AND SEWER CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
Carpenters	$7.15	.35	.40		.01	
Cement masons (Saginaw & Livingston Cos.)	7.61	.30	.10			
Cement masons (Remainder of Cos.)	7.26	.30	.10			
Laborers:						
Line - form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper & asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill & air trace opers., curb & side rail setters' helpers, diamond & core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jack-hammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker & tunnel mucker (highway work only), concrete saw (under 40 H.P.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant misc., axe man, batch bin (no power), burlap man, carpenters's helper, subgrade labor, (hand tools) yard men, guard fence builders's helper, dumper (wagon, truck, jetting labor, joint filling labor, misc., unskilled labor, form setting labor, pavement reinforcing, handling & placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes, headwalls	5.34	.30	.20	.40		
Power Equipment Operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (euclid type), endloaders (1 yd., cap. & over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator of 300 amp or larger), shouldering or gravel distributing machines (self-propelled) back hoe (with over 3/8 yd. bucket), side boom tractor (type D-4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Power Equipment Operators: (Cont'd)						
Sweeper (Wayne type & similar equip.), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, back-hoes (with 3/8 yd. bucket or less), side boom tractor (smaller than D-4 type or equivalent)	$6.31	.40	.45	10%	.02	
Air compressors (600 cu. ft. per min. or more), air compressors (two or more - less than 600 cfm), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. cap.), rollers (other than asphalt), curing equipment operators (self-propelled) concrete saws (40 H.P. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment opers. (6" ft. wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck Drivers: (Remainder of Co.)						
Trucks, less than 8 cu. yds.	6.54	a	b	.15		
Trucks, over 8 cu. yds.	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck Drivers: (Lapeer, St. Clair, Livingston & Lenawee Cos.)						
Trucks less than 8 cu. yds.	6.64	a	b	.15		
Trucks over 8 cu. yds.	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

FOOTNOTES:

a. $14.50 per week, per employee

b. $13.00 per week, per employee

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTY: Allegheny County
DECISION NO.: AP-421 DATE: Date of Publication
Supersedes Decision No. AM-1848, dated August 20, 1971, in 36 FR 16250.
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories).

2-PA-1-Q 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				Other
		H & W	Pensions	Vacation	App. Tr.	
Asbestos workers	$8.72	.25	.50			
Boilermakers	8.25	6.5%	6.5%		.01	
Bricklayers	9.255	.35	.40			
Carpenters	8.00	4%	5%	5%	.40 of 1%	
Cement masons-finishers	8.24	6%	16%			
Electricians	8.60	.32	1%+.20	.60	.05	
Elevator constructors	7.73	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers	5.41	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers (prob.)	3.865					
Glaziers	7.89	.35	.44	.33	.01	
Ironworkers, structural	9.155	.435	.695		.015	
Ironworkers, reinforcing	9.155	.435	.695		.015	
Laborers:						
Laborers, carryable pumps, west brick buggy or similar, vibrator operators, walk behind forklift or similar (non-self-propelled) stripper and mover of forms, cement masons, footers, window cleaner, tool room man, all material conveyor (regardless of power used, including starting and stopping)	6.50	.30	.30			
West brick buggy or similar (self- propelled), power wheelbarrows and buggies, walk behind forklift or similar, (self propelled) wagon drill helper, drill runner, drill runners' helper, (including drill mounted on truck, track or similar), blaster's helper, all operators of compacting equipment, pipe layer, burner, jackhammer man-concrete buster	6.625	.30	.30			
Hod carrier, scaffold builder, bell & bottom man on furnaces and stacks, mortar mixer, mortar mixing machine (regardless of power used including starting & stopping), grout machine feeder and pump operator	6.75	.30	.30			
Concrete saw operators	6.75	.30	.30			
Gunnite nozzleman	7.00	.30	.30			
Blaster, wagon drill operator	6.825	.30	.30			
Lathers	7.28	.30	1.10		.01	
Lead burners	7.80	.30		c	.01	

2-PA-1-Q 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Line construction: (Lineman, cable splicers	$9.52	.15	1%		.5%	
Groundman	5.71	.15	1%		.5%	
Line truck operator	6.66	.15	1%		.5%	
Marble setters	8.25	.35	.50			
Marble setters' helpers	7.95		.10			
Millwrights	6.95	4%	3.5%	.26	9/10%	
Painters; Commercial:						
Brush	8.38	.275	.20			
Paperhangers	8.43	.275	.20			
Spray	8.88	.275	.20			
Painters; Industrial:						
Brush	8.68	.275	.20			
Spray	9.18	.275	.20			
Piledrivermen	8.65	4%	5%		.50of1%	
Plasterers	7.58	.37	.50			
Plumbers	8.66	.60	.625		.125	
Roofers:						
Composition, Slate, tile	8.59	4%	.95		.035	
Sheet metal workers	8.23	.45	.70			
Steamfitters	8.69	.25	1.10		.065	
Stonemasons	9.155	.35	.50			
Sprinkler fitters	8.855	.25	.40		.04	
Soft floor layers, carpet cutters	5.95	4%	4%	d	½%	
Soft floor layers, residential	5.53	4%	4%	d	½%	
Terrazzo workers	8.775	.35	.50			
Terrazzo workers' helpers	7.855	.35	.10			
Terrazzo workers' helpers, dry grinders	8.355	.35	.10			
Tile setters	8.20	.15				
Tile setters' helpers	7.89	.35				
Welders-receive rate prescribed for craft performing operation to which welding is incidential.						

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. 6 paid holidays: A through F.

c. Paid holidays, A through F and Washington's Birthday, Good Friday and Christmas Eve, provided the employee has worked 45 days for the employer during the 120 days prior to the holiday, and is available for work the day preceding and following the holiday.

d. 7 paid holiday: A through F plus Veterans' Day.

PA.-2-LAB-1- D

BUILDING DEMOLITION

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
Laborers:						
Wrecking Laborers	$6.55	.30	.30			
Low Burners	6.70	.30	.30			
Outside Wall Men	6.70	.30	.30			
Jackhammermen	6.70	.30	.30			
High Burners	6.90	.30	.30			
High Burners' Helpers	6.70	.30	.30			

PA-2-PRO-1 - H 1 of 4

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS:

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	FENSIONS	VACATION	APP. TR.	OTHERS
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caison drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), cranes tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer- maintenance, franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist 50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver- guard rail (skid type), pumpkrete- mobile or similar type, Quad Nine, shovels (all types), slip form paver (CMI or similar), tractors- boom mounted (all types), tractors (all types with hydraulic backhoe attached), tug boat, Whirley,	8.975	.35	.20		.04	
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 ton or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any bldg. structure)	9.225	.35	.20		.04	
Cranes (boom or mast over 150 ft. up to & including 200 ft.) engineer-lead	9.475	.35	.20		.04	
Cranes (boom or mast over 200 ft.)	9.725	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asphalt plant op., athey loader, auger-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat- job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunite machine (combination), compressor & sand blasting machine (combination), concrete belt placer, crane-overhead, crushing and screening plants, drill-core (truck or skid mounted), drill-Davey or similar type, drill- well & core (truck mounted), elevator, euclid loader, excavating equipment (all other), forklift- Lull or similar, generators- 2, grader, grader- elevating, greaser-equipment (head), hi-lift- less than 4 yds., hoist- one drum (4 floors or over), hoist- hod (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer- paving, mucking machine, pipe cleaning machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to and including 4 well point systems, two small machines, grout pump (10 H.P. or over), paver op., asphalt (spreader), pumpkrete or similar type (not self-propelled), pumpkrete machine op., (stationary), tire repairman, welder (repairman	8.825	.35	.20		.04	
Conveyors 4 units or more	8.75	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Boiler, compactor (ridden or self-propelled), concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill & horizontal (self-propelled) & self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self-propelled or ridden), pipe dream, roller, saw concrete, soil stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment, ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor - over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW), hoists monorail (regardless of power used), hoist roof (regardless of power used), huck machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used), pump (over 1½" discharge, regardless of power used), spray cure machine (power driven), steam Jenny (or similar type), syphon (steam or air) welding machine single (300 Amp or over), plant, private or industrial air or steam valve	8.25	.35	.20		.04	
Compressor - 65 c.f. or under (regardless of power used), conveyor 1 unit (regardless of power used), grout pump (under 10 HP), heaters - up to & including 6, jack motor hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump - 1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment), tie tamper (multiple heads), tractor farm (when used or landscaping), water blaster, oiler - truck crane 50 ton or over	7.50	.35	.20		.04	

AP-421 P. 7

PA-2-PEO-1-H 4 of 4

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Brake man, deck hand, helicopter signalman, oiler, mechanic helper	7.25	.35	.20		.04	
Crane truck oiler and fireman	7.35	.35	.20		.04	

AP-421 P. 8

PA-2-TD-1-E

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
Truck Drivers:						
Warehousemen, service trucks (pick-up, jeep, station wagon, panel truck)	$5.355	.30	.30	a		
Dumps and flat tops	5.405	.30	.30	a		
Transit-mix, single axle	5.43	.30	.30	a		
Transit-mix, tandem	5.53	.30	.30	a		
Distributed truck over 33,000 lbs. gross weight	5.405	.30	.30	a		
Distributed truck up to 33,000 lbs. gross weight	5.555	.30	.30	a		
Heavy duty trailers with high bed, 4 wheels	5.455	.30	.30	a		
Heavy duty trailers with low bed, 6 to 16 wheels	5.755	.30	.30	a		
Trucks with dolly	5.555	.30	.30	a		
Euclids or equivalent	5.555	.30	.30	a		
Truck with dump trailers or tandems	5.555	.30	.30	a		
Winch trucks	5.73	.30	.30	a		
Towing equipment off job site	5.555	.30	.30	a		

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day and Veterans Day & Good Friday, provided the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe benefits Payments				
		H & W	Pensions	Vacation	Apprn. Tr.	Other
Laborers:						
Construction laborer (including tenders, handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impactor wrench, Air tamper operator, Asphalt tampers, Batcherman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operators, Drill runner's helper (includes drill mounted on truck, track or similar and Davey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzleman, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-automatic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.36	.30	.30			
Asphalt, batch and concrete plant operator (manually operated), Asphalt rakers, Burner, Caisson men (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete) (walk behind), Earth drill, Fork lift (walk behind), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (hand or machine), Pin drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance men, Portable single unit conveyor, Post hole auger (2 or 4 cycle) (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail setter, or similar, Screed operator						

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe benefits Payments			
		H & W	Pensions	Vacation	Apprn. Tr.
Laborers (cont'd):					
Signal man, Wacker	$5.55	.30	.30		
All Railroad Track Work:					
Adzing machine, Ballast rorter, Bolting machine, Power jacks, Rail drills, Railroad brakeman, Rail saws, Spike drivers, Spike pullers, Tamping machine	5.55	.30	.30		
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine(trencher or similar)	5.86	.30	.30		
Blacksmith, Blaster, Brick and block pavers (wood, belgian and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	5.98	.30	.30		
Multi-plate pipe (aligning and securing), Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	6.05	.30	.30		
Welder (pipeline	7.20	.30	.30		
Tunnel and Shaft Work (Inside)					
Change house attendant	5.36	.30	.30		
Muckers, Brakemen and all other labor (includes installation of utility lines)					
Signal man, Drill runner helper	5.60	.30	.30		
Miners and drillers (including lining, supporting and form workmen, setting of shields, mistellaneous equipment & jumbos)	5.86	.30	.30		
Caisson and tunnel men under pressure (0-18 pounds)	5.98	.30	.30		
Reinforcing steel placers (bending, aligning and securing)	6.05	.30	.30		
Carpenters	6.94	4%	3%		
Cement masons	6.45	.387	.645		
Piledrivermen	7.65	4%	5%		

AP-421 P. 11

PA-2-PEO-2-3- F (1-2)

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360° Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (Self Contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar) Trenching Machine (30,000 lb. and over) Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar) Whirley	$7.53	.35	.50		.04	
Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180° Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (C.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Crader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boat (Powered)						

AP-421 P. 12

PA-2-PEO-2-3- F (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator	$7.27	.35	.50		.04	
Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal	5.46	.35	.50		.04	
Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader, Concrete Mixer (1 cy. and under with Skip) Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Grout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boat (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tie Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (when hoisting and placing)	5.01	.35	.50		.04	
Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helper, Oiler, Power Broom, Side Delivery Shoulder Spreader	4.86	.35	.50		.04	

HEAVY & HIGHWAY CONSTRUCTION AP-421 P. 13

TRUCK DRIVERS: PA-2-TD-2-3-E 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehouseman)	$5.70	6%	3.5%			
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.85	6%	3.5%			
Tri-axle trucks	5.93	6%	3.5%			
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.93	6%	3.5%			
Heavy off-the-road equipment (rated at forty-five tons or over)	6.03	6%	3.5%			
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.01	6%	3.5%			
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%			
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.85	6%	3.5%			
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.93	6%	3.5%			
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additional to respective size truck						
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.85	6%	3.5%			
Tar and Asphalt Trailer Trucks	5.93	6%	3.5%			
Trucks with Dolly or Trailer	5.80	6%	3.5%			
Bottom or Belly-Dump Trucks	6.03	6%	3.5%			

SUPERSEDEAS DECISION

STATE: Pennsylvania
DECISION NO.: AP-422
COUNTY: Erie
DATE: Date of Publication

Supersedes Decision No. AM-1853, dated August 20, 1971, in 36 FR 16270.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

25-PA-1-G 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.11	.20	.25			
Boilermakers	8.71	.40	.70	.75	.01	
Bricklayers	8.00	.20				
Carpenters	7.915	.10			.01	
Cement masons	8.39	.25			1½%	
Electricians	8.95	.18	1%+.18		½ of 1%	
Elevator constructors	7.46	.17	.185	1½%+b+c	.005	
Elevator constructors' helpers	5.22	.17	.185	1½%+b+c	.005	
Elevator constructors' helpers (prob.)	3.73					
Glaziers	7.60	.02				
Ironworkers:						
Structural	873-3/4	.28	.19		.01	
Ornamental	873-3/4	.28	.19		.01	
Reinforcing	873-3/4	.28	.19		.01	
Lathers	8.63	.18			.02	
Line Construction:						
Linemen	6.94	.15	1%			
Cable splicer & dynamite man	6.94	.15	1%			
Digging machine operator (hole digger operator)	6.94	.15	1%			
Tractor & compressor operator	6.94	.15	1%			
Groundman - Truck driver	4.92	.15	1%			
Groundmen	4.73	.15	1%			
Marble setters	7.80	.20				
Millwrights	8.065	.10			.01	
Painters:						
Brush	5.60					
Structural steel	5.82					
Spray	5.98					
Piledrivermen	8.065	.10			.01	
Plasterers	8.67	.30			1½%	
Plumbers	8.37	.25	.28		.02	
Roofers:						
Composition	6.70	.20	.15			
Sheet metal workers	7.525	.45	.70		.03	
Soft floor layers	7.915	.10			.01	
Sprinkler fitters	8.75	.30	.50		.05	
Steam fitters	8.37	.25	.28		.02	
Stone masons	8.00	.20				
Terrazzo workers	7.80	.20				
Tile setters	7.80	.20				
Truck drivers:						
Truck drivers	5.17			a		
Welder: Receive rate prescribed for craft performing operation to which welding is incidental.						

25-PA-1-G 2 of 2

PAID HOLIDAYS (WHERE APPLICABLE):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. One week vacation after 1 year's work; two week's vacation after five years of service.

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Six paid holidays: A through F.

PA-25-LAB-1-G

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers:						
Building & common, carpenter tender, heaters & salamanders, power sweepers, power vacum sweepers, pumps including 1½", signal man concrete bucket, wrecking & demolition, window washing	$6.88	.30	.30		.01	
Bricklayer & mason tenders, electric operated conveyor, electric operated hoist, fork lift up to 9 ft., plumber & sewer laborers, scaffold builders, float grinder & sander	6.98	.30	.30		.01	
Burners, concrete saw operator, hod carriers, mortar mixers, plaster tankers, powered wheelbarrows & buggies	7.08	.30	.30		.01	
Dual vibrator roller (walk behind type), Berfix cutting tool, blasters helpers, drill operator helper, jackhammer & air tool operators, mechanical tampers & air tampers, vibrator - air or otherwise	7.13	.30	.30		.01	
Mixing mortar for more than 3 masons by hand	7.18	.30	.30		.01	
Blasters, drill operators, gunite nozzle man & machine man	7.28	.30	.30		.01	
Plaster mixing machine & pump	7.33	.30	.30		.01	

26-LAB-2-3-I 1

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers:						
Construction laborer (including tenders, handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impactor wrench, Air tamper operator, Asphalt tampers, Batcherman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operators, Drill runner's helper (includes drill mounted on truck, track or similar and Bavey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzleman, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-automatic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.21	.30	.30			
Asphalt, batch and concrete plant operater (manually operated), Asphalt rakers, Burner, Caisson men (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete) (walk behind), Earth drill, Fork lift (walk behind), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (hand or machine), Pin drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance men, Portable single unit conveyor, Post hole auger (2 or 4 cycle) (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail porter, or similar, Screed operator						

AP-422 P. 5 26-LAB-2-3-I

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
Laborers (cont'd):					
Signal man, Wheeler	$5.43	.30	.30		
All Railroad Track Work:					
Adzing machine, Ballast router, Bolting machine, Power jacks, Rail drills, Railroad brakeman, Rail saws, Spike drivers, Spike pullers, Tamping machine	5.43	.30	.30		
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine(trencher or similar)	5.74	.30	.30		
Blacksmith, Blaster, Brick and block pavers (wood, belgian and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	5.86	.30	.30		
Multi-plate pipe (aligning and securing), Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	6.05	.30	.30		
Welder (pipeline	7.20	.30	.30		
Tunnel and Shaft Work (Inside)					
Change house attendant	5.19	.30	.30		
Muckers, Brakemen and all other labor (includes installation of utility lines)					
Signal man, Drill runner helper	5.43	.30	.30		
Miners and drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment & jumbos)	5.74	.30	.30		
Caisson and tunnel men under pressure (0-18 pounds)	5.86	.30	.30		
Reinforcing steel placers (bending, aligning and securing)	6.05	.30	.30		
Carpenters	6.59	4%	3%		
Cement masons	6.45	.387	.645		
Piledrivermen	7.65	4%	5%		

AP-422 P. 6 PA-2-PEO-2-3- I (1-2)

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oil
Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360° Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (Self Contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar) Trenching Machine (30,000 lb. and over) Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar) Whirley	$7.53	.35	.50		.04	
Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180° Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (C.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boat (Powered)						

PA-2-PEO-2-3-F (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator	$7.27	.35	.50		.04	
Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal	5.46	.35	.50		.04	
Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader, Concrete Mixer (1 cy. and under with Skip) Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boat (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tie Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (when hoisting and placing)	5.01	.35	.50		.04	
Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helper, Oiler, Power Broom, Side Delivery Shoulder Spreader	4.86	.35	.50		.04	

HEAVY & HIGHWAY CONSTRUCTION

PA-2-TD-2-3-E 1 of 1

TRUCK DRIVERS:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehouseman)	$5.70	6%	3.5%			
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.85	6%	3.5%			
Tri-axle trucks	5.93	6%	3.5%			
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.93	6%	3.5%			
Heavy off-the-road equipment (rated at forty-five tons or over)	6.03	6%	3.5%			
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.01	6%	3.5%			
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%			
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.85	6%	3.5%			
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.93	6%	3.5%			
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additional to respective size truck						
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.85	6%	3.5%			
Tar and Asphalt Trailer Trucks	5.93	6%	3.5%			
Trucks with Dolly or Trailer	5.80	6%	3.5%			
Bottom or Belly-Dump Trucks	6.03	6%	3.5%			

SUPERSEDEAS DECISION

AP-423 P. 2

STATE: Pennsylvania COUNTY: Dauphin
DECISION NO.: AP-423 DATE: Date of Publication
Supersedes Decision No. AM-1,850, dated August 20, 1971, in 36 FR 16260.
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories).

22-PA-1-U 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$7.48	.25	.30			
Boilermakers	8.50	.40	.90		.01	
Bricklayers & block layers	7.00		.635			
Carpenters	6.55	.20	.25		.02	
Cement masons	6.615	.20	.25			
Electricians	8.15	.29	1% + .11		.02	
Elevator constructors	7.015	.145	.17	1½%+b&c	.005	
Elevator constructors' helpers	4.91	.145	.17	1½%+b&c	.005	
Elevator constructors' helpers (prob.)	3.51					
Glaziers	5.64	.20	.10		.01	
Ironworkers, structural	7.83	.43	.77		.05	
Ironworkers, ornamental	7.83	.43	.77		.05	
Ironworkers, reinforcing	7.83	.43	.77		.05	
Laborers:						
Construction Laborers	4.94	.11	.15			
Air, fuel and electric tool operators, pipelayers, power-buggy, precast slab placers and signal men	5.09	.11	.15			
Brick, stone, plaster and cement mason tenders, machine mixers, stockers, scaffold builders, plaster pump and conveyors, blasters, casisson workers, wagon air track and diamond point drill operators burning torches, green cutting machine, steam jenny, sandblasting	5.41	.11	.15			
Nursery workers, window washers, floor scrubbers and watchmen	4.59	.11	.15			
Lathers	5.41	.16	.15		.01	
Lead burners	7.80	.30		a	.01	
Marble setters	7.345	.21	.175			
Marble setters' helpers	4.455	.125				
Millwrights	8.21	.20	.25		.02	
Line Construction:						
Linemen	8.42	.15	1%		.5%	
Groundmen	5.05	.15	1%		.5%	
Cable splicers	8.42	.15	1%		.5%	
Winch truck operator	5.89	.15	1%		.5%	
Painters:						
Brush	5.93	.18	.13			
Structural steel	6.38	.18	.13			
Spray	6.68	.18	.13			
Tanks, bridges, stacks	7.18	.18	.13			
Piledrivermen	9.22	1.08	.40		.07	
Plasterers	6.65	.20	.25		.01	
Plumbers	9.10	.30	.30		.13	
Roofers:						
Composition, slate & tile	6.60	.16	.10			
Helpers	4.40	.16	.10			

22-PA-1-U 2 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Sheet metal workers	7.20	.30	.25			
Soft floor layers	6.29	.20	.25	.25	.02	
Sprinkler fitters	8.75	.30	.50		.05	
Steam fitters	9.10	.30	.30		.13	
Stone masons	7.00		.635			
Tile setters	6.525					
Truck Drivers:						
Truck drivers, building Pick-ups, dump, service trucks, flat trucks to and including Z highway lesense plates	5.80	d	e			
Transit Mix, winch trucks, tractor all types euclid, ross lumber and over Z plates	6.05	d	e			
Welders - Receive rate prescribed for craft performing operation to which welding is incidental						

Paid Holidays: (Where applicable):
New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

Footnotes:

a. Eight paid holidays, A through F and Washington's Birthday, Good Friday and Christmas Eve provided the employee has worked 45 full days for the employer during the 120 days prior to the holiday, and is available for work the days preceding and following the holiday.

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Six paid holidays: A through F

d. $34.50 per month for employees who has worked sixty hours or more during the month.

e. $25.00 per month for employees who has worked sixty hours or more during the month.

POWER EQUIPMENT OPERATORS
BUILDING AND HEAVY CONSTRUCTION

PA-22-PEO-1-2 C

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	C
WAGE GROUP I						
Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above	$9.24	4.6%	6.5%	a	.7%	
WAGE GROUP II						
Pile drivers or engineers working with dock builders and pile drivers, all types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoists with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum), gradalls, mucking machine in tunnel, all front end loaders 3-½ cu yds. and over, tandem scrapers, pippin type backhoes, boat captains, batch plat operators (concrete), drills, self contained rotary drills, fork lifts, 20 ft. lift and over, machines similar to the above	8.95	4.6%	6.5%	a	.7%	
WAGE GROUP III						
Conveyors, building hoists (single drum), scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above	8.09	4.6%	6.5%	a	.7%	
WAGE GROUP IV						
Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, fireman (for power equipment), machines similar to the above	7.33	4.6%	6.5%	a	.7%	
WAGE GROUP V						
Fireman, grease truck	6.87	4.6%	6.5%	a	.7%	
WAGE GROUP VI						
Oilers and deck hands (personnel boats), core drill helper	5.97	4.6%	6.5%	a	.7%	
WAGE GROUP VII						
All machines with booms (including jibs, masts, leads, etc.):						
100 ft. and over	9.49	4.6%	6.5%	a	.7%	
150 ft. and over	9.74	4.6%	6.5%	a	.7%	
200 ft. and over	9.99	4.6%	6.5%	a	.7%	

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day, provided the employee works the day before and after the holiday.

HEAVY & HIGHWAY

PA-22-LAB-TD-2-3 K

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	C
Carpenters/Piledrivermen	$6.56	.20	.25			
Laborers:						
Asphalt Tampers and Asphalt Rakers, Concrete Pitmen, Puddlers & Rubbers, Highway Slab Reinforcement Placers, Laborers, Landscape, Planters, Seeders and Arborists, Magazine Tenders, Railroad Trackmen & Signalmen	4.84	.20	.20			
Pneumatic Tool Operators, Jackhammers, Paving Breakers, Concrete Saws, Wacker, Vibrators, Chain Saws, Steward	5.04	.20	.20			
Pipelayers	5.04	.20	.20			
Caisson-open air-below 8 feet, Cofferdam open air-below 8 feet, where excavations for circular caissons and cofferdams 8 feet and below level of natural grade adjacent to starting point, Form Setters (Road) Wagon Drill, Diamond Point Drill, Gunite nozzle Operators	5.35	.20	.20			
Blasters	5.56	.20	.20			
Reinforcing Steel Placers, Bonding, Aligning and Securing	5.62	.20	.20			
Concrete Surfacers	5.97	.20	.20			
Free Air Tunnels and Rocks Shafts						
Outside Laborers in conjunction with tunnels and rock shafts	5.43	.20	.20			
Chuck Tenders, Muckers, Nippers, Miners' and Drillers' Helpers, Inside Laborers	5.70	.20	.20			
Miners, Drillers, Blasters, Pneumatic Shield Opers., Lining, Spotting and Timber Workmen	6.15	.20	.20			
Truck Drivers:						
Class I						
Helper, Stake Body Truck (Single axle), Dumpster	5.57					
Class II						
Dump Trucks, Tandem & Batch Trucks, Semi-Trailers, Agitator Mixer Trucks, Ready Mix and Dumpcrete Type Vehicles, Asphalt Distributors, Farm Tractor when used for transportation, Stake Body Truck (Tandem)	5.64					
Class III						
Euclid Type, Off-Highway Equipment - Back or Belly Dump Trucks and Double-Hitched Equipment, Straddle (Ross) Carrier, Low-Bed Trailers	6.09					

AP-423 P. 5

PA-22-PEO-3 - G 1 of 2

HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
WAGE GROUP 1						
Pile drivers or engineers working with dock builders and pile drivers						
All types of cranes						
All types of backhoes						
Draglines						
Keystones						
All types of shovels						
Derricks						
Trench shovels						
Trenching machines						
Pavers 21E and over						
Gradalls						
All front end loaders						
4 cu. yds. and over						
Tandem scrapers						
Pippin type backhoes						
Boat Captains						
Batch plant with mixer						
Drill, self contained (Drillmaster Type)						
CMI Autograde						
Machines similar to above	$7.68	4.6%	6.5%		.7%	
WAGE GROUP 2						
Conveyor Loader (Euc Type)						
Scrapers and Tournapulls						
Spreaders						
High or low pressure boilers						
Concrete pumps						
Bulldozers and Tractors						
Asphalt plant engineers						
Rollers (High grade finishing)						
All loaders under 4 cu. yds.						
Mechanic - welders						
Motor Patrols						
Machines similar to above	6.92	4.6%	6.5%		.7%	
WAGE GROUP 3						
Welding Machines						
Well Points						
Compressors						
Pumps						
Heaters						
Farm Tractors						
Form Line Graders						
Fine Grade Machines						
Ditch Witch Type Trencher						
Road Finishing Machines						
Concrete Breaking Machines						

AP-423 P. 6

PA-22-PEO-3 - G 2 of 2

HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Rollers						
Seaman Pulverizing Mixer						
Power Broom						
Seeding Spreader						
TireMan - (For power equipment)						
Conveyor Loaders other than Euc Type Conveyors						
Machines similar to above	$6.47	4.6%	6.5%		.7%	
WAGE GROUP 4						
Fireman	6.07	4.6%	6.5%		.7%	
WAGE GROUP 5						
Oilers and Deck Hands	5.57	4.6%	6.5%		.7%	
WAGE GROUP 6						
On all machines with booms (including jibs, masts, leads, etc.)						
100 ft. and over	7.93	4.6%	6.5%		.7%	
150 ft. and over	8.18	4.6%	6.5%		.7%	
200 ft. and over	8.43	4.6%	6.5%		.7%	

STATE: Pennsylvania COUNTY: Cumberland
DECISION NO.: AP-424 DATE: Date of Publication
Supersedes Decision No. AM-1,851, dated August 20, 1971, in 36 FR 16262.
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories).

22-PA-1-U

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$7.48	.25	.30			
Boilermakers	8.50	.40	.90		.01	
Bricklayers & block layers	7.00		.635			
Carpenters	6.55	.20	.25		.02	
Cement masons	6.615	.20	.25			
Electricians	8.15	.29	1%+.11		.02	
Elevator constructors	7.015	.145	.17	1½%+b+c	.005	
Elevator constructors' helpers	4.91	.145	.17	1½%+b+c	.005	
Elevator constructors' helpers (prob.)	3.51					
Glaziers	5.64	.20	.10		.01	
Ironworkers, structural	7.83	.43	.77		.05	
Ironworkers, ornamental	7.83	.43	.77		.05	
Ironworkers, reinforcing	7.83	.43	.77		.05	
Laborers:						
Construction Laborers	4.94	.11	.15			
Air, fuel and electric tool operators, pipelayers, power-buggy, precast slab placers and signal men	5.09	.11	.15			
Brick, stone, plaster and cement mason tenders, machine mixers, stockers, scaffold builders, plaster pump and converyors, blasters, caisson workers, wagon air track and diamond point drill operators burning torches, green cutting machine, steam jenny, sandblasting	5.41	.11	.15			
Nursery workers, window washers, floor scrubbers and watchmen	4.59	.11	.15			
Lathers	5.41	.16	.15		.01	
Lead burners	7.80	.30		a	.01	
Marble setters	7.345	.21	.175			
Marble setters' helpers	4.455	.125				
Millwrights	8.21	.20	.25		.02	
Line Construction:						
Linemen	8.42	.15	1%		.5%	
Groundmen	5.05	.15	1%		.5%	
Cable splicers	8.42	.15	1%		.5%	
Winch truck operator	5.89	.15	1%		.5%	
Painters:						
Brush	5.93	.18	.13			
Structural steel	6.38	.18	.13			
Spray	6.68	.18	.13			
Tanks, bridges, stacks	7.18	.18	.13			
Piledrivermen	9.22	1.08	.40		.07	
Plasterers	6.65	.20	.25		.01	
Plumbers	9.10	.30	.30		.13	

22-PA-1-U

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Roofers:						
Composition, slate & tile	$6.60	.16	.10			
Helpers	4.40	.16	.10			
Sheet metal workers	7.20	.30	.25			
Soft floor layers	6.29	.20	.25	.25	.02	
Sprinkler fitters	8.75	.30	.50		.05	
Steam fitters	9.10	.30	.30		.13	
Stone masons	7.00		.635			
Tile setters	6.525					
TRUCK DRIVERS						
Truck drivers, building pick-ups, dump, service trucks, flat trucks to and including Z highway license plates	5.80	d	e			
Transit Mix, winch trucks, tractor all types euclid, ross lumber and trucks over Z plates	6.05	d	e			
Welders - Receive rate prescribed for craft performing operation to which welding is incidental.						

Paid Holidays (Where applicable):
A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Eight paid holidays, A through F and Washington's Birthday, Good Friday and Christmas Eve provided the employee has worked 45 full days for the employer during the 120 days prior to the holiday, and is available for work the days preceding and following the holiday.

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Six paid holidays: A through F.

d. $34.50 per month for employees who has worked sixty hours or more during the month.

e. $25.00 per month for employees who has worked sixty hours or more during the month.

AP-424 P. 3

PA-22-PEO-1-2 C

POWER EQUIPMENT OPERATORS
BUILDING AND HEAVY CONSTRUCTION

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
WAGE GROUP I						
Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above	$9.24	4.6%	6.5%	a	.7%	
WAGE GROUP II						
Pile drivers or engineers working with dock builders and pile drivers, all types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoists with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum), gradalls, mucking machine in tunnel, all front end loaders 3-½ cu yds. and over, tandem scrapers, pippin type backhoes, boat captains, batch plat operators (concrete), drills, self contained rotary drills, fork lifts, 20 ft. lift and over, machines similar to the above	8.95	4.6%	6.5%	a	.7%	
WAGE GROUP III						
Conveyors, building hoists (single drum), scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above	8.09	4.6%	6.5%	a	.7%	
WAGE GROUP IV						
Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, tireman (for power equipment), machines similar to the above	7.33	4.6%	6.5%	a	.7%	
WAGE GROUP V						
Fireman, grease truck	6.87	4.6%	6.5%	a	.7%	
WAGE GROUP VI						
Oilers and deck hands (personnel boats), core drill helper	5.97	4.6%	6.5%	a	.7%	
WAGE GROUP VII						
All machines with booms (including jibs, masts, leads, etc.):						
100 ft. and over	9.49	4.6%	6.5%	a	.7%	
150 ft. and over	9.74	4.6%	6.5%	a	.7%	
200 ft. and over	9.99	4.6%	6.5%	a	.7%	

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day, provided the employee works the day before and after the holiday.

HEAVY & HIGHWAY

AP-424 P. 4

PA-22-LAB-TD-2-3 K

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Carpenters/Piledrivermen	$6.56	.20	.25			
Laborers:						
Asphalt Tampers and Asphalt Rakers, Concrete Pitmen, Puddlers & Rubbers, Highway Slab Reinforcement Placers, Laborers, Landscape, Planters, Seeders and Arborists, Magazine Tenders, Railroad Trackmen & Signalmen	4.84	.20	.20			
Pneumatic Tool Operators, Jackhammers, Paving Breakers, Concrete Saws, Wacker, Vibrators, Chain Saws, Steward	5.04	.20	.20			
Pipelayers	5.04	.20	.20			
Caisson-open air-below 8 feet, Cofferdam open air-below 8 feet, where excavations for circular caissons and cofferdams 8 feet and below level of natural grade adjacent to starting point, Form Setters (Road) Wagon Drill, Diamond Point Drill, Gunite nozzle Operators	5.35	.20	.20			
Blasters	5.56	.20	.20			
Reinforcing Steel Placers, Bonding, Aligning and Securing	5.62	.20	.20			
Concrete Surfacers	5.97	.20	.20			
Free Air Tunnels and Rocks Shafts						
Outside Laborers in conjunction with tunnels and rock shafts	5.43	.20	.20			
Chuck Tenders, Muckers, Nippers, Miners' and Drillers' Helpers, Inside Laborers	5.70	.20	.20			
Miners, Drillers, Blasters, Pneumatic Shield Opers., Lining, Spotting and Timber Workmen	6.15	.20	.20			
Truck Drivers:						
Class I						
Helper, Stake Body Truck (Single axle), Dumpster	5.57					
Class II						
Dump Trucks, Tandem & Batch Trucks, Semi-Trailers, Agitator Mixer Trucks, Ready Mix and Dumpcrete Type Vehicles, Asphalt Distributors, Farm Tractor when used for transportation, Stake Body Truck (Tandem)	5.64					
Class III						
Euclid Type, Off-Highway Equipment - Back or Belly Dump Trucks and Double-Hitched Equipment, Straddle (Ross) Carrier, Low-Bed Trailers	6.09					

HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
WAGE GROUP 1						
Pile drivers or engineers working with dock builders and pile drivers						
All types of cranes						
All types of backhoes						
Draglines						
Keystones						
All types of shovels						
Derricks						
Trench shovels						
Trenching machines						
Pavers 21E and over						
Gradalls						
All front end loaders						
4 cu. yds. and over						
Tandem scrapers						
Pippin type backhoes						
Boat Captains						
Batch plant with mixer						
Drill, self contained (Drillmaster Type)						
CMI Autograde						
Machines similar to above	$7.68	4.6%	6.5%		.7%	
WAGE GROUP 2						
Conveyor Loader (Euc Type)						
Scrapers and Tournapulls						
Spreaders						
High or low pressure boilers						
Concrete pumps						
Bulldozers and Tractors						
Asphalt plant engineers						
Rollers (High grade finishing)						
All loaders under 4 cu. yds.						
Mechanic - welders						
Motor Patrols						
Machines similar to above	6.92	4.6%	6.5%		.7%	
WAGE GROUP 3						
Welding Machines						
Well Points						
Compressors						
Pumps						
Heaters						
Farm Tractors						
Form Line Graders						
Fine Grade Machines						
Ditch Witch Type Trencher						
Road Finishing Machines						
Concrete Breaking Machines						

HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Rollers						
Seaman Pulverizing Mixer						
Power Broom						
Seeding Spreader						
TireMan - (For power equipment)						
Conveyor Loaders other than Euc Type Conveyors						
Machines similar to above	$6.47	4.6%	6.5%		.7%	
WAGE GROUP 4						
Fireman	6.07	4.6%	6.5%		.7%	
WAGE GROUP 5						
Oilers and Deck Hands	5.57	4.6%	6.5%		.7%	
WAGE GROUP 6						
On all machines with booms (including jibs, masts, leads, etc.)						
100 ft. and over	7.93	4.6%	6.5%		.7%	
150 ft. and over	8.18	4.6%	6.5%		.7%	
200 ft. and over	8.43	4.6%	6.5%		.7%	

SUPERSEDEAS DECISION

STATE: Pennsylvania
DECISION NO.: AP-425
COUNTY: Lawrence
DATE: Date of Publication

Supersedes Decision No. AM-1,856 dated August 20, 1971, in 36 FR 16285.

DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories).

37-PA-1-F 1 of 3

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS/
Asbestos workers	$9.11	.20	.25			
Boilermakers	8.25	6.5%	6.5%		.01	
Bricklayers	8.05	.25	7%			
Carpenters	8.00	4%	5%	5%	.40 of 1%	
Cement masons	8.70					
Electricians	8.75	.25	1%		.01	
Elevator constructors	8.45	.195	.20	2%+b+c	.005	
Elevator constructors' helpers	70%ofJR	.195	.20	2%+b+c	.005	
Elevator constructors' helpers (prob.)	50%ofJR					
Glaziers	6.42	.20			.01	
Ironworkers, structural, orn., & rein.	8.87	.35	.10		.03	
Laborers:						
Laborers, carryable pumps, west brick buggy or similar, vibrator operators, walk behind forklift or similar (non self-propelled) stripper and mover of forms, cement masons, footers, window cleaner, tool room man, all material conveyor (regardless of power used, including starting & stopping)	6.45	.30	.30			
West brick buggy or similar (self-propelled), power wheelbarrows and buggies, walk behind forklift or similar, (self-propelled) wagon drill helper, drill runner, drill runners' helper, (Including drill mounted on truck, track or similar), blaster's helper, all operators of compacting equipment, pipe layer, burner, jackhammer man-concrete buster	6.575	.30	.30			
Hod carrier, scaffold builder, bell & bottom man on furnaces & stacks, mortar mixer, mortar mixing machine (regardless of power used, including starting & stopping) grout machine feeder & pump operator & concrete saw op.	6.70	.30	.30			
Gunnite nozzleman	6.95	.30	.30			
Blaster, wagon drill operator	7.15	.30	.30			
Lathers:						
Wilmington, Plain Grove, Hickory, Washington and Scott Townships	8.18					
Balance of County	8.18					
Lead burners	7.80	.30		a	.01	

37-PA-1-F 2 of 3

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Line Construction:						
Linemen	$6.94	.15	1%			
Cable splicer & dynamiteman	6.94	.15	1%			
Groundman-truck driver	4.92	.15	1%			
Groundman	4.72	.15	1%			
Marble setters	8.05	.25	7%			
Marble setters' helpers	7.95		.10			
Millwrights	6.95	4%	3½%	.26	9/10%	
Painters, commercial:						
Brush	6.50	.30	.30		.01	
Roller	6.80	.30	.30		.01	
Spray	7.50	.30	.30		.01	
Painter, Industrial:						
Brush	7.20	.30	.30		.01	
Roller	7.50	.30	.30		.01	
Spray	8.20	.30	.30		.01	
Piledrivermen	8.65	4%	5%		.50 of 1%	
Plasterers	8.90					
Plumbers and steamfitters (Ellwood City)	9.55	4%	4%		.05	
Plumbers and steamfitters - Remainder of County	7.88	.15			.03	
Roofers	7.125	.35	.40		.01	
Sheet metal workers	8.23	.45	.70			
Soft floor layers	7.50	4%	5%	d	½%	
Stone masons	8.05	.25	7%			
Sprinkler fitters	8.75	.30	.40		.05	
Terrazzo workers	8.05	.25	7%			
Terrazzo workers' helpers	7.95		.10			
Tile setters	8.05	.25	7%			
Tile setters' helpers	7.95		.10			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

37-PA-1-F 3 of 3

PAID HOLIDAYS (Where Applicable):

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. 8 paid holidays, A through F and Washington's Birthday, Good Friday, and Christmas Eve, provided the employee has worked 45 days for the employer during the 120 days prior to the holiday, and is available for work the days preceding and following the holiday.

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit and 6 paid holidays, A through F.

c. Six paid holidays: A through F.

d. Seven paid holidays: A through F plus Veterans' Day.

BUILDING CONSTRUCTION

PA-2-PEO-1 - H 1 of 4

POWER EQUIPMENT OPERATORS:

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caison drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), cranes tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer- maintenance, franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist 50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post - driver- guard rail (skid type), pumpkrete- mobile or similar type, Quad Nine, shovels (all types), slip form paver (CMI or similar), tractors- boom mounted (all types), tractors (all types with hydraulic backhoe attached), tug boat, Whirley,	8.975	.35	.20		.04
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 ton or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any bldg. structure)	9.225	.35	.20		.04	
Cranes (boom or mast over 150 ft. up to & including 200 ft.) engineer-lead	9.475	.35	.20		.04	
Cranes (boom or mast over 200 ft.)	9.725	.35	.20		.04	

BUILDING CONSTRUCTION
POWER EQUIPMENT OPERATORS: (CONT'D)

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asphalt plant op., athey loader, auger-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat- job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunite machine (combination), compressor & sand blasting machine (combination), concrete belt placer, crane-overhead, crushing and screening plants, drill-core (truck or skid mounted), drill-Davey or similar type, drill- well & core (truck mounted), elevator, euclid loader, excavating equipment (all other), forklift- lull or similar, generators- 2, grader, grader- elevating, greaser-equipment (head), hi-lift- less than 4 yds., hoist- one drum (4 floors or over), hoist- hod (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer- paving, mucking machine, pipe cleaning machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to and including 4 well point systems, two small machines, grout pump (10 H.P. or over), paver op., asphalt (spreader), pumpkrete or similar type (not self-propelled), pumpkrete machine op., (stationary), tire repairman, welder (repairman	8.825	.35	.20		.04	
Conveyors 4 units or more	8.75	.35	.20		.04	

BUILDING CONSTRUCTION
POWER EQUIPMENT OPERATORS: (Cont'd)

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Boiler, compactor (ridden or self-propelled), concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill & horizontal (self-propelled) & self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self-propelled or ridden), pipe dream, roller, saw concrete, soil stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment, ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor - over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW), hoists monorail (regardless of power used), hoist roof (regardless of power used), huck machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used), pump (over 1½" discharge, regardless of power used), spray cure machine (power driven), steam Jenny (or similar type), syphon (steam or air) welding machine single (300 Amp or over), plant, private or industrial air or steam valve	8.25	.35	.20		.04	
Compressor - 65 c.f. or under (regardless of power used), conveyor 1 unit (regardless of power used), grout pump (under 10 HP), heaters - up to & including 6, jack motor hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump - 1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment), tie tamper (multiple heads), tractor farm (when used or landscaping), water blaster, oiler - truck crane 50 ton or over	7.50	.35	.20		.04	

BUILDING CONSTRUCTION
POWER EQUIPMENT OPERATORS: (CONT'D)

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Brake man, deck hand, helicopter signalman, oiler, mechanic helper	7.25	.35	.20		.04	
Crane truck oiler and fireman	7.35	.35	.20		.04	

BUILDING CONSTRUCTION

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Truck Drivers:						
Warehousemen, service trucks (pick-up, jeep, station wagon, panel truck)	$5.355	.30	.30	a		
Dumps and flat tops	5.405	.30	.30	a		
Transit-mix, single axle	5.43	.30	.30	a		
Transit-mix, tandem	5.53	.30	.30	a		
Distributed truck over 33,000 lbs. gross weight	5.405	.30	.30	a		
Distributed truck up to 33,000 lbs. gross weight	5.555	.30	.30	a		
Heavy duty trailers with high bed, 4 wheels	5.455	.30	.30	a		
Heavy duty trailers with low bed, 6 to 16 wheels	5.755	.30	.30	a		
Trucks with dolly	5.555	.30	.30	a		
Euclids or equivalent	5.555	.30	.30	a		
Truck with dump trailers or tandems	5.555	.30	.30	a		
Winch trucks	5.73	.30	.30	a		
Towing equipment off job site	5.555	.30	.30	a		

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day and Veterans Day & Good Friday, provided the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefit Payments			
		H & W	Pensions	Vacation	Apprn. Tr.
Laborers:					
Construction laborer (including tenders, handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impactor wrench, Air tamper operator, Asphalt tampers, Batcherman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operators, Drill runner's helper (includes drill mounted on truck, track or similar and Davey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzleman, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-autoratic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.21	.30	.30		
Asphalt, batch and concrete plant operater (manually operated), Asphalt rakers, Burner, Caisson men (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete) (walk behind), Earth drill, Fork lift (walk behind), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (hand or machine), Pin drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance man, Portable single unit concreter, Post hole auger (2 or 4 cycle) (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail porter, or similar, Screed operator					

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefit Payments			
		H & W	Pensions	Vacation	Apprn. Tr.
Laborers (cont'd):					
Signal man, Tamper	$5.43	.30	.30		
All Railroad Track Work:					
Adzing machine, Ballast router, Bolting machine, Power jacks, Rail drills, Railroad brakeman, Rail saws, Spike drivers, Spike pullers, Tamping machine	5.43	.30	.30		
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine(trencher or similar)	5.74	.30	.30		
Blacksmith, Blaster, Brick and block pavers (wood, belgian and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	5.86	.30	.30		
Multi-plate pipe (aligning and securing), Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	6.05	.30	.30		
Welder (pipeline	7.20	.30	.30		
Tunnel and Shaft Work (Inside)					
Change house attendant	5.19	.30	.30		
Muckers, Brakemen and all other labor (includes installation of utility lines)					
Signal man, Drill runner helper	5.43	.30	.30		
Miners and drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment & jumbos)	5.74	.30	.30		
Caisson and tunnel men under pressure (0-18 pounds)	5.86	.30	.30		
Reinforcing steel placers (bending, aligning and securing)	6.05	.30	.30		
Carpenters	6.59	4%	3%		
Cement masons	6.45	.387	.645		
Piledrivermen	7.65	4%	5%		

PA-2-PEO-2-3- F (1-2)

HEAVY & HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360° Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (Self Contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar) Trenching Machine (30,000 lb. and over) Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar) Whirley	$7.53	.35	.50		.04	
Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd;) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180° Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (C.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boat (Powered)						

PA-2-PEO-2-3- F (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator	$7.27	.35	.50		.04	
Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal	5.46	.35	.50		.04	
Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader, Concrete Mixer (1 cy. and under with Skip) Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boat (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tie Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (when hoisting and placing)	5.01	.35	.50		.04	
Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helper, Oiler, Power Broom, Side Delivery Shoulder Spreader	4.86	.35	.50		.04	

HEAVY & HIGHWAY CONSTRUCTION

TRUCK DRIVERS:

PA-2-TD-2-3-E 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehouseman)	$5.70	6%	3.5%			
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.85	6%	3.5%			
Tri-axle trucks	5.93	6%	3.5%			
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.93	6%	3.5%			
Heavy off-the-road equipment (rated at forty-five tons or over)	6.03	6%	3.5%			
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.01	6%	3.5%			
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%			
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.85	6%	3.5%			
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.93	6%	3.5%			
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additional to respective size truck						
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.85	6%	3.5%			
Tar and Asphalt Trailer Trucks	5.93	6%	3.5%			
Trucks with Dolly or Trailer	5.80	6%	3.5%			
Bottom or Belly-Dump Trucks	6.03	6%	3.5%			

STATE: Rhode Island COUNTY: Bristol, Kent, Providence
DECISION NO.: AP-426 DATE: Date of Publication
Supersedes Decision No. AM-1,603 dated August 6, 1971, in 36 FR 14600.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction, and marine construction.

1-2-4-RI-BRI-KENT-PROV-1-B 1 of 3

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asbestos workers	$8.70	.39	.35		.005	
Boilermakers	7.25	.40	10%		.01	
Bricklayers, cement masons and stone masons						
Ashton, Berkeley, Central Falls, Cumberland, Lincoln, Lonsdale, Pawtucket and Valley Falls	8.70	.25	.25		.01	
Bricklayers, cement masons, plasterers, stone masons, marble, tile and terrazzo workers:						
Woonsocket, N.Smithfield, Burrillville and Cumberland Hill	8.67	.25	.30		.01	
Bristol and Kent Counties; and Remainder of Providence County:						
Bricklayers and stone masons	8.62	.25	.30		.01	
Cement masons	8.15	.15				
Marble, tile and terrazzo workers	7.50	.25	.35			
Plasterers	8.50	.20				
Carpenters, soft floor layers, piledrivermen:						
Burrillville-N. Smithfield, Woonsocket Townships	7.67	.25	.25			
Bristol & Kent Cos., & Remainder of Providence County:						
Carpenters, soft floor layers & Piledrivermen	8.13	.35	.35		.005	
Millwrights	8.38	.35	.35		.005	
Electricians	7.70	.18	1%		.02	
Elevator constructors	6.87	.17	.185	½%+a+b	.005	
Elevator constructors' helpers	4.81	.17	.185	½%+a+b	.005	
Elevator constructors' helpers (prob.)	3.435					
Glaziers	7.56	.35	.25	e	.01	
Ironworkers: str., orn., reinforcing	7.70	.45	.85		.02	
Laborers:						
Laborers, Building:						
Laborers, carpenters tender, cement finisher tenders, mason tenders	6.50	.40	.40		.05	
Jackhammers, paving breaker, chain saw pipelayers, mechanical grinder, all other pneumatic tools, barco type jumping tampers	6.75	.40	.40		.05	
Plasterers tenders	6.30	.25	.15			
Powdermen Blasters	7.25	.40	.40			
Laborers, Wrecking:						
Laborers, signalmen	6.50	.40	.40		.05	
Adzman, burner, jackhammer	6.75	.40	.40		.05	
Lathers	7.40	.45	.50		.01	
Lead burners	7.80	.30		c	.01	

1-2-4-RI-BRI-KENT-PROV-1-B 2 of 3

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Line Construction:						
Linemen	6.16		1%	d		
Driver Groundman	4.81		1%	d		
Groundman	4.37		1%	d		
Equipment operator	5.45		1%	d		
Marble, tile and terrazzo workers' helpers	7.23		.50			
Painters:						
Pawtucket, Central Falls, Abbott Run, Ashton, Burkeley, Lonsdale, Valley Falls, Saylesville, Esmond, Grayston, Greenville and Georgiaville:						
Brush	5.95					
Structural, steel, bridge, exterior 4 or more stories or 46' or more in height	6.20					
Bristol & Kent Cos.; & Remainder of Providence County:						
Brush	6.95	.25	.25			
Structural steel	7.20	.25	.25			
Spray	7.95	.25	.25			
Plumbers	8.55	.35	.35			
Roofers:						
Composition, waterproofers	7.85	.20	.25			
Slate - tile - precast concrete	8.05	.20	.25			
Helpers, Class A	7.00	.20	.25			
Helpers, Class B	6.45	.20	.25			
Sheet metal workers	8.43	.36	.35		.02	
Sprinkler Fitter	9.07	.30	.50		.01	
Steamfitters, pipefitters	8.82	.35	.80		.03	
Truck Drivers: Building						
2 axle; dumps	5.31	.30	.50			
3 axle; trailers	5.39	.30	.50			
Low beds, trailers (24 tons & over); trailers (I-Beam), specialized earth moving equipment (Euclid type)	5.64	.30	.50			
Euclid type equipment over 35 ton capacity	5.89	.30	.50			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Holidays: A through F.

c. Holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Paid Holiday: A through F, Bunker Hill day provided employee has been employed 10 working days prior to the holiday and provided the employee work the schedule work day immediately preceding and following the holiday.

e. Paid Holiday "D".

HEAVY, HIGHWAY AND MARINE CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Bricklayers, stone masons, catch basin, manhole builders	$7.57	.25	.30		.01	
Carpenters, piledrivers	7.99	.25	.25			
Cement masons--finishers	6.55	.35				
Electricians:						
Burriville-Cumberland-N. Smithfield Woonsocket	4.60	.10	1%		.01	
Bristol & Kent Cos.; & Remainder of Providence County	7.70	.18	1%		.02	
Ironworkers: str., orn., reinforcing	7.70	.45	.85		.02	
Laborers:						
Laborers	6.10	.25	.25		.05	
Adzemen, asphalt rakers, barcotype jumping tampers, chain saw operators, concrete and power buggy operators, concrete saw operators, demolition burners, fence and guard rail erectors, highway stone spreaders, mechanical grinder operators, mortar mixers, pipelayers, pipe trench bracers, pneumatic tool operators, riprap and dry stonewall builders, setters of metal forms for roadways, stumper operators, tree toppers, tree trimmers, wagon drill operators, wood chipper operators	6.35	.25	.25		.05	
Air track op.	6.60	.25	.25		.05	
Blasters & powdermen	6.85	.25	.25		.05	
Pavers, rammers, curb setters	6.60	.25	.25		.05	
Line Construction:						
Linemen	6.16		1%	a		
Equipment operator	5.45		1%	a		
Groundman	4.37		1%	a		
Driver groundman	4.81		1%	a		
Painters:						
Pawtucket, Central Falls Abbott Run, Ashton, Burkeley, Lonsdale, Valley Falls, Saylesville, Esmond, Graystone, Greenville and Georgiaville:						
Brush	5.45					
Structural steel, bridge, exterior 4 or more stories or 46' or more in height	5.70					
Burriville, Gloucester and N. Smithfield Twps.; the Cities of Smithfield, Sprageville, Still-						

HEAVY, HIGHWAY AND MARINE CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Painters: (cont'd)						
water, Woonsocket, Hamlet, Grant Mills, Diamond Hill, Mansville, Cumberland Hill, Arnold Mill, Albion and Lime Rock:						
Brush	3.75					
Structural steel	4.00					
Spray	4.85					
Bristol & Kent Cos.; & Remainder of Providence County:						
Brush	6.95	.25	.25			
Structural steel	7.20	.25	.25			
Spray & sandblasting	7.95	.25	.25			
Plumbers	6.70	.35	.35			
Waterproofers	7.85	.20	.25			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays A through F, Bunker Hill Day provided employee has been employed 10 work days prior to the holiday and provided the employee works the scheduled work days immediately preceding and following the holiday.

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
Digging Machines, cranes, pile drivers, lighters, locomotives, derricks, hoists, pavers, and front-end loaders 3 yds. and over	$8.90	.40	.40		.05	
Economobile type equipment	8.70	.40	.40		.05	
Fork lift	8.50	.40	.40		.05	
Firemen and Oilers	6.70	.40	.40		.05	
Bulldozers, graders, spreaders, tractors, scrapers, rollers and front-end loaders less than 3 yds.	7.60	.40	.40		.05	
Pippin type backhoes	8.25	.40	.40		.05	
Maintenance Engineers	7.55	.40	.40		.05	
Well-point Installation	7.65	.40	.40		.05	
Gas or electric driven pumps, heater, concrete mixers, stone crushers, air compressors, welding machines and generators for light plants	7.85	.40	.40		.05	

AP-426 P. 7

R.I.-1-PEO-3-P

BRIDGE (Incidental to Highway) and HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATOR	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Digging machines, cranes, piledrivers, lighters, locomotives, derricks, hoists, pavers and front-end loaders 3 to 4 yds. and economobile & ross carriers	$9.15	.40	.40			
Fork lifts	8.35	.40	.40			
Firemen	7.75	.40	.40			
Oilers and apprentices	6.90	.40	.40			
Bulldozers, spreaders, rollers and front-end loaders, less than 3 yds., tractors	7.65	.40	.40			
Scrapers and graders & dozer operators	7.775	.40	.40			
Pippin type backhoe operator	8.00	.40	.40			
Maintenance engineers	7.50	.40	.40			
Gas and electric driven heaters, pumps, concrete mixers, stone crushers, air compressors, light plants and welding machines and concrete pumps	7.775	.40	.40			
Test boring machine operators	6.625	.40	.40			
Well point installation crews	7.60	.40	.40			
Operators of truck cranes with booms of 130 to 150 feet	9.65	.40	.40			
over 150 feet	9.90	.40	.40			
Operators of cat cranes with booms of 150 to 180 feet	9.65	.40	.40			
over 180 feet	9.90	.40	.40			

AP-426 P. 8

RI-1-PEO-2-4-N

BRIDGES, CAISSONS, DOCKS, MARINE, PIERS, SUB-BASEMENTS, SUBTERRANEAN, TUNNELS, & HEAVY CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	FRINGE BENEFIT PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
Digging Machines, cranes, pile drivers, lighters, locomotives, derricks, hoists, pavers and front end loaders 3 yds. and over	$9.60	.40	.40		.05	
Firemen and Oilers	7.70	.40	.40		.05	
Bulldozers, graders, spreaders, scrapers, rollers and front-end loaders less than 3 yds	8.30	.40	.40		.05	
Maintenance Engineers	8.35	.40	.40		.05	
Well-point Installation Crews	8.45	.40	.40		.05	
Gas or electric driven pumps, heaters, concrete mixers, stone crushers, air compressors, welding machines and generators for light plants	8.30	.40	.40		.05	
Boat and Tug Operators	9.25	.40	.40		.05	
Apprentices (Deckhands)	7.80	.40	.40		.05	

RHODE ISLAND-1-TD-2-3- J

HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Truck Drivers:						
2 axle	$3.97	.24	.35	a+b		
3-axle, Ready Mix Equipment	4.02	.24	.35	a+b		
4-5 axle Dump	4.12	.24	.35	a+b		
Low bed trailer equipment-specialized earth moving equipment other than conventional type	4.22	.24	.35	a+b		
Helpers on low bed	3.97	.24	.35	a+b		

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, Columbus Day, Veteran's Day providing employee has worked at least two days in the calendar week in which the holiday falls.

b. Employee who has been on payroll for 1 year or more but less than 5 years and has worked 150 days during the last year of employment shall receive: 1 week's vacation; 5 years or more - 2 weeks vacation.

SUPERSEDEAS DECISION

STATE: Rhode Island
DECISION NO.: AP-427
COUNTY: Washington
DATE: Date of Publication

Supersedes Decision No. AM-1,605 dated August 6, 1971, in 36 FR 14610.

DESCRIPTION OF WORK: Building Construction, (Excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction, and marine construction.

5-RI-1-A 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$8.70	.39	.35		.005	
Boilermakers	7.25	.40	10%		.01	
Bricklayers and stone masons:						
Westerly, Hopkington, So. Kingstown, Charlestown, Richmond, Wakefield, Peace Dale, Kingston	6.075	.15	.20			
Exeter, Johnson, No. Kingstown, Narragansett (Including the Pier of Point Judith)	8.62	.25	.30		.01	
Carpenters and soft floor layers:						
North Kingston:						
Carpenters, soft floor layers & piledrivermen	8.13	.35	.35		.005	
Millwrights	8.38	.35	.35		.005	
Remainder of County:						
Carpenters, soft floor layers & piledrivermen	7.975	.25	.25			
Millwrights	8.225	.25	.25			
Cement masons:						
Westerly, Hopkington, So. Kingstown, Charlestown, Richmond, Wakefield, Peace Dale, Kingston	6.075	.15	.20			
Exeter, Narragansett, No. Kinstown, Gould	8.15	.15				
Electricians:						
Westerly Township	8.35	.40	1%+.20		½%	
Remainder of County	7.70	.18	1%		.02	
Elevator constructors	6.87	.17	.185	½%+a	.005	
Elevator constructors' helpers	4.81	.17	.185	½%+a	.005	
Elevator constructors' helpers (prob.)	3.435					
Glaziers	7.56	.35	.25	d	.01	
Ironworkers: Structural, Ornamental & Reinforcing	7.70	.45	.85		.02	
Laborers, Building:						
Laborers, carpenters' tenders, cement finisher tenders, mason tenders	6.50	.40	.40		.05	
Jackhammer, paving breaker, chain saw, pipelayers, mechanical grinder, all other pneumatic tools, barco type jumping tampers	6.75	.40	.40		.05	
Plasterers' tenders	6.30	.40	.15		.05	
Powdermen Blasters	7.25	.40	.40		.05	
Laborers, Wrecking:						
Laborers, signalmen	6.50	.40	.40		.05	
Adzman, burner, jackhammer	6.75	.40	.40		.05	
Lathers	7.40	.45	.50		.01	
Lead burners	7.80	.30		c	.01	
Line Construction:						
Linemen	6.16		1%	d		
Driver Groundman	4.81		1%	d		
Groundmen	4.37		1%	d		
Equipment Operator	5.45		1%	d		

BUILDING CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Marble, Tile and Terrazzo workers:						
Exeter, N. Kingstown, Narragansett, (Including the Pier of Point Judith)	$7.50	.25	.35			
Marble, tile and terrazzo helpers	7.23		.50			
Painters:						
Brush	6.95	.25	.25			
Structural steel	7.20	.25	.25			
Spray	7.95	.25	.25			
Plasterers, Exeter, Narragansett, N. Kingston	8.50	.20				
Plasterers (Westerly, Hopkington, S. Kingston, Charlestown, Richmond, Wakefield and Peace Dale)	4.775	.15	.20			
Plumbers	8.55	.35	.35			
Roofers:						
Composition, waterproofers	7.85	.20	.25			
Slate, tile, precast concrete	8.05	.20	.25			
Helpers, Class "A"	7.00	.20	.25			
Helpers, Class "B"	6.45	.20	.25			
Sheet metal workers	8.43	.36	.35		.02	
Sprinkler fitters	9.07	.30	.50		.01	
Steamfitters	8.82	.35	.80		.03	
Truck Drivers: Building						
Two-axle; dumps	5.31	.30	.50			
Three-axle; trailers	5.39	.30	.50			
Low-bed trailers (24 tons & over), trailers (I-beam), specialized earth moving equipment (Euclid type)	5.64	.30	.50			
Euclid type equipment over 35 ton capacity	5.89	.30	.50			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F; employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regualr scheduled work days immediately preceding and following the holiday.

c. Holidays: A through F; Bunker Hill Day, provided employee has been employed 10 working days prior to the holiday and provided employee works the scheduled work day immediately preceding and following the holiday.

d. Paid Holiday: "D".

HEAVY, HIGHWAY AND MARINE CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Bricklayers, stone masons, catch basin, manhole builders	$7.57	.25	.30		.01	
Carpenters, piledrivermen, N. Kingstown	7.99	.25	.25			
Cement masons - finishers	6.55	.35				
Electricians:						
Westerly	7.45	.30	1%+.20		½%	
Remainder of County	7.70	.18	1%		.02	
Ironworkers, struc., orn., reinf.	7.70	.45	.85		.02	
Laborers:						
Laborers	6.10	.25	.25		.05	
Adzemen, Asphalt Rakers, Barcotype jumping Tampers, Chain Saw Operators, Concrete and Power Buggy Operators, Concrete Saw Operators, Demolition Burners, Fence and Guard Rail Erectors, Highway Stone Spreaders, Mechanical Grinder Operators, Mortar Mixers, Pipelayers, Pipe Trench Bracers, Pneumatic Tool Operators, Riprap and Dry Stonewall Builders, Setters of Metal Forms for Roadways, Stumper Operators, Tree Toppers, Tree Timmers, Wagon Drill Operators, Wood Chipper Operators	6.35	.25	.25		.05	
Air track operator	6.60	.25	.25		.05	
Blasterers and powdermen	6.85	.25	.25		.05	
Pavers, rammers and curb setters	6.60	.25	.25		.05	
Line Construction:						
Lineman	6.16		1%	a		
Equipment operator	5.45		1%	a		
Groundman	4.37		1%	a		
Driver Groundman	4.81		1%	a		
Painters:						
Brush	6.95	.25	.25			
Structural steel	7.20	.25	.25			
Spray	7.95	.25	.25			
Plumbers	7.20	.35	.35			
Waterproofers	7.85	.20	.25			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F, Bunker Hill Day provided employee has been employed 10 working days prior to the holiday and provided the employee works the scheduled work day immediately preceding and following the holiday.

RI-1-PEO N

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Digging Machines, cranes, pile drivers, lighters, locomotives, derricks, hoists, pavers, and front-end loaders 3 yds. and over	$8.90	.40	.40		.05	
Economobile type equipment	8.70	.40	.40		.05	
Fork lift	8.50	.40	.40		.05	
Firemen and Oilers	6.70	.40	.40		.05	
Bulldozers, graders, spreaders, tractors, scrapers, rollers and front-end loaders less than 3 yds.	7.60	.40	.40		.05	
Pippin type backhoes	8.25	.40	.40		.05	
Maintenance Engineers	7.55	.40	.40		.05	
Well-point Installation	7.65	.40	.40		.05	
Gas or electric driven pumps, heater, concrete mixers, stone crushers, air compressors, welding machines and generators for light plants	7.85	.40	.40		.05	

AP-427 P. 5

R.I.-1-PEO-3-P

BRIDGE (Incidental to Highway) and HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATOR	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Digging machines, cranes, piledrivers, lighters, locomotives, derricks, hoists, pavers and front-end loaders 3 to 4 yds. and economobile & ross carriers	$9.15	.40	.40			
Fork lifts	8.35	.40	.40			
Firemen	7.75	.40	.40			
Oilers and apprentices	6.90	.40	.40			
Bulldozers, spreaders, rollers and front-end loaders, less than 3 yds., tractors	7.65	.40	.40			
Scrapers and graders & dozer operators	7.775	.40	.40			
Pippin type backhoe operator	8.00	.40	.40			
Maintenance engineers	7.50	.40	.40			
Gas and electric driven heaters, pumps, concrete mixers, stone crushers, air compressors, light plants and welding machines and concrete pumps	7.775	.40	.40			
Test boring machine operators	6.625	.40	.40			
Well point installation crews	7.60	.40	.40			
Operators of truck cranes with booms of 130 to 150 feet	9.65	.40	.40			
over 150 feet	9.90	.40	.40			
Operators of cat cranes with booms of 150 to 180 feet	9.65	.40	.40			
over 180 feet	9.90	.40	.40			

AP-427 P. 6

RI-1-PEO-2-4- N

BRIDGES, CAISSONS, DOCKS, MARINE, PIERS, SUBBASEMENTS, SUBTERRANEAN, TUNNELS, & HEAVY CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H&W	Pensions	Vacation	App. Tr.	Other
Digging Machines, cranes, pile drivers, lighters, locomotives, derricks, hoists, pavers and front end loaders 3 yds. and over	$9.60	.40	.40		.05	
Firemen and Oilers	7.70	.40	.40		.05	
Bulldozers, graders, spreaders, scrapers, rollers and front-end loaders less than 3 yds	8.30	.40	.40		.05	
Maintenance Engineers	8.33	.40	.40		.05	
Well-point Installation Crews	8.43	.40	.40		.05	
Gas or electric driven pumps, heaters, concrete mixers, stone crushers, air compressors, welding machines and generators for light plants	8.36	.40	.40		.05	
Boat and Tug Operators	9.25	.40	.40		.05	
Apprentices (Deckhands)	7.80	.40	.40		.05	

RHODE ISLAND-1-TD-2-3-. J

HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Truck Drivers:						
2 axle	$3.97	.24	.35	a+b		
3-axle, Ready Mix Equipment	4.02	.24	.35	a+b		
4-5 axle Dump	4.12	.24	.35	a+b		
Low bed trailer equipment-specialized earth moving equipment other than conventional type	4.22	.24	.35	a+b		
Helpers on low bed	3.97	.24	.35	a+b		

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, Columbus Day, Veteran's Day providing employee has worked at least two days in the calendar week in which the holiday falls.

b. Employee who has been on payroll for 1 year or more but less than 5 years and has worked 150 days during the last year of employment shall receive: 1 week's vacation; 5 years or more - 2 weeks vacation.

SUPERSEDEAS DECISION

STATE: Rhode Island COUNTY: Newport
DECISION NO.: AP-428 DATE: Date of Publication
Supersedes Decision No. AM-1,604 dated August 6, 1971, in 36 FR 14605.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction, and marine construction.

3-R.I.-1-F 1 of 3

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asbestos workers	$8.70	.39	.35		.005	
Boilermakers	7.25	.40	10%		.01	
Bricklayers, stonemasons	8.62	.25	.30		.01	
Carpenters:						
Little Compton, Tiverton:						
Carpenters & soft floor layers	7.40	.30	.30			
Millwrights	7.75	.30	.30			
Remainder of County:						
Carpenters and soft floor layers	8.15	.25	.25		.01	
Millwrights and Piledrivermen	8.75	.25	.25		.01	
Cement masons	8.15	.15				
Electricians:						
Little Compton, Tiverton	7.20	4%	1%	4%	½%	
Remainder of County	7.70	.18	1%		.02	
Elevator constructors	6.87	.17	.185	½%+a+b	.005	
Elevator constructors' helpers	4.81	.17	.185	½%+a+b	.005	
Elevator constructors' helpers (prob.)	3.435					
Glaziers	7.56	.35	.25	f	.01	
Ironworkers:						
Str., orn., & reinf.	7.70	.45	.85		.02	
Laborers						
Laborers, Building:						
Laborers, Carpenters tender, cement finisher tender, mason tender	6.50	.40	.40		.05	
Jackhammers, paving breaker, chain saw pipelayers, mechanical grinder, all other pneumatic tools, barco type jumping tampers	6.75	.40	.40		.05	
Plasterer tenders	6.30	.25	.25			
Powdermen Blasters	7.25	.40	.40		.05	
Laborers Wrecking:						
Laborers, signalmen	6.50	.40	.40		.05	
Adzman, burner, jackhammer	6.75	.40	.40		.05	
Lathers	5.75	.25	.20		.02	
Lead burners	7.80	.30		c	.01	
Line Construction:						
Little Compton, Tiverton:						
Linemen and cable splicers	5.45	.15	1%	.15+d		
Dynamite man, crane, tractor and digger op., welder	5.45	.15	1%	.15+d		
Pole truck driver and winch truck operator	4.85	.15	1%	.15+d		
Driver-groundman, Equipment op.	4.63	.15	1%	.15+d		
Groundman(experienced)	4.20	.15	1%	.15+d		
Groundman(inexperienced)	3.85	.15	1%	.15+d		
Remainder of County:						
Linemen	6.16		1%	e		
Groundmen	4.37		1%	e		
Equipment operator	5.45		1%	e		
Driver groundman	4.81		1%	e		

AP-428 P. 2

3-R.I.-1-F 2 of 3

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Painters:						
Little Compton & Tiverton Twps.:						
Brush	5.35	.30	.20	.20		
Structural steel	7.70	.30	.20	.20		
Structural steel spray	7.70	.30	.20	.20		
Spray (other than steel)	6.35	.30	.20	.20		
Remainder of County:						
Brush	6.95	.25	.25			
Structural steel	7.20	.25	.25			
Spray	7.95	.25	.25			
Marble setters, terrazzo workers & tile setters	7.50	.25	.35			
Marble, tile & terrazzo helpers	7.23		.50			
Plasterers	8.50	.20				
Plumbers	8.55	.35	.35			
Roofers:						
Composition, waterproofers	7.85	.20	.25			
Slate, tile, precast concrete	8.05	.20	.25			
Helpers, Class "A"	7.00	.20	.25			
Helpers, Class "B"	6.45	.20	.25			
Sheet metal workers	8.43	.36	.35		.02	
Sprinkler fitters	9.07	.30	.50		.01	
Steamfitters	8.82	.35	.80		.03	
Truck Drivers, Building:						
Dumps & 2-axle equipment	5.31	.30	.50			
Trailers & 3-axle equipment	5.39	.30	.50			
Low bed trailers (24 tons & over, I-Beam trailers, special earth moving equipment (Euclid type)	5.64	.30	.50			
Euclid type equipment over 35 ton capacity	5.89	.30	.50			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

BUILDING CONSTRUCTION

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Holidays: A through F.

c. Holidays: A through F; Washington's Birthday, Good Friday and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Holidays: B, C, D & F providing employee works one day before & after the holiday.

e. Holidays: A through F; Bunker Hill Day provided employee has been employed 10 working days prior to the holiday and provided the employee works the scheduled work day immediately preceding and following the holiday.

f. Paid Holiday "D".

3-R.I.-2-3-4-R 1 of 2

HEAVY, HIGHWAY & MARINE CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		Insur.	Pension	Vacation	App. Tr.	Other
Bricklayers, stone masons, catch basin, manhole builders	$7.57	.25	.30		.01	
Carpenters, dock builders, piledrivers:						
Little Compton, Tiverton	7.40	.30	.30			
Remainder of County	8.75	.25	.25		.01	
Cement masons	6.55	.35				
Electricians:						
Little Compton, Tiverton	7.20	4%	1%	4%	½%	
Remainder of County	7.70	.18	1%		.02	
Ironworkers:						
Structural, ornamental, reinforcing	7.70	.45	.85		.02	
Laborers:						
Laborers	6.10	.25	.25		.05	
Adzemen, asphalt rakers, barcotype jumping tampers, chain saw operators, concrete and power buggy operators, concrete saw operators, demolition burners, fence and guard rail erectors, highway stone spreaders, mechanical grinder operators, mortar mixers, pipelayers, pipe trench bracers, pneumatic tool operators, riprap and dry stonewall builders, setters of metal forms for roadways, stumper operators, tree toppers, tree trimmers, wagon drill operators, wood chipper operators	6.35	.25	.25		.05	
Air track drill op.	6.60	.25	.25		.05	
Blasters & powdermen	6.85	.25	.25		.05	
Pavers, rammers, curb setters	6.60	.25	.25		.05	
Line Construction:						
Little Compton, Tiverton Twps:						
Linemen and Cable splicers	5.45	.15	1%	.15+a		
Dynamite man, Crane, Tractor and Digger Op., Welder	5.45	.15	1%	.15+a		
Pole truck driver and Winch truck Op.	4.85	.15	1%	.15+a		
Driver - groundmen, Equipment Op.	4.63	.15	1%	.15+a		
Groundman (experienced)	4.20	.15	1%	.15+a		
Groundman (inexperienced)	3.85	.15	1%	.15+a		
Remainder of County:						
Linemen	6.16		1%	b		
Groundman	4.37		1%	b		
Equipment operator	5.45		1%	b		
Driver groundman	4.80		1%	b		
Painters:						
Little Compton & Tiverton Twps:						
Brush	4.15	.20	.20			
Structural steel	5.50	.20	.20			
Structural steel spray	6.45	.20	.20			
Spray (other than steel)	5.65	.20	.20			
Remainder of County:						
Brush	4.55	.20				
Spray, structural steel	5.05	.20				

HEAVY, HIGHWAY & MARINE CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Plumbers	7.20	.35	.35			
Waterproofers	7.85	.20	.25			

Welders- receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: B,C, and F providing employee works one day before & one day after the Holiday.

b. Holidays A through F, Bunker Hill Day provided the employee has been employed 10 working days proir to the holiday and provided the employee works the scheduled work day immediately prededing and following the holiday.

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Digging Machines, cranes, pile drivers, lighters, locomotives, derricks, hoists, pavers, and front-end loaders 3 yds. and over	$8.90	.40	.40		.05	
Economobile type equipment	8.70	.40	.40		.05	
Fork lift	8.50	.40	.40		.05	
Firemen and Oilers	6.70	.40	.40		.05	
Bulldozers, graders, spreaders, tractors, scrapers, rollers and front-end loaders less than 3 yds.	7.60	.40	.40		.05	
Pippin type backhoes	8.25	.40	.40		.05	
Maintenance Engineers	7.55	.40	.40		.05	
Well-point Installation	7.65	.40	.40		.05	
Gas or electric driven pumps, heater, concrete mixers, stone crushers, air compressors, welding machines and generators for light plants	7.85	.40	.40		.05	

RI-1-PEO-2-4-N

BRIDGES, CAISSONS, DOCKS, MARINE, PIERS, SUBBASEMENTS, SUBTERRANEAN, TUNNELS, & HEAVY CONSTRUCTION POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H&W	Pensions	Vacation	App. Tr.	Other
Digging Machines, cranes, pile drivers, lighters, locomotives, derricks, hoists, pavers and front end loaders 3 yds. and over	$9.60	.40	.40		.05	
Firemen and Oilers	7.70	.40	.40		.05	
Bulldozers, graders, spreaders, scrapers, rollers and front-end loaders less than 3 yds	8.30	.40	.40		.05	
Maintenance Engineers	8.35	.40	.40		.05	
Well-point Installation Crews	8.45	.40	.40		.05	
Gas or electric driven pumps, heaters, concrete mixers, stone crushers, air compressors, welding machines and generators for light plants	8.30	.40	.40		.05	
Boat and Tug Operators	9.25	.40	.40		.05	
Apprentices (Deckhands)	7.80	.40	.40		.05	

R.I.-1-PEO-3-P

BRIDGE (Incidental to Highway) and HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATOR

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Digging machines, cranes, piledrivers, lighters, locomotives, derricks, hoists, pavers and front-end loaders 3 to 4 yds. and economobile & ross carriers	$9.15	.40	.40			
Fork lifts	8.35	.40	.40			
Firemen	7.75	.40	.40			
Oilers and apprentices	6.90	.40	.40			
Bulldozers, spreaders, rollers and front-end loaders, less than 3 yds., tractors	7.65	.40	.40			
Scrapers and graders & dozer operators	7.775	.40	.40			
Pippin type backhoe operator	8.00	.40	.40			
Maintenance engineers	7.50	.40	.40			
Gas and electric driven heaters, pumps, concrete mixers, stone crushers, air compressors, light plants and welding machines and concrete pumps	7.775	.40	.40			
Test boring machine operators	6.625	.40	.40			
Well point installation crews	7.60	.40	.40			
Operators of truck cranes with booms of 130 to 150 feet	9.65	.40	.40			
over 150 feet	9.90	.40	.40			
Operators of cat cranes with booms of 150 to 180 feet	9.65	.40	.40			
over 180 feet	9.90	.40	.40			

R.I.-1-PEC-3-P

BRIDGE (Incidental to Highway) and HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATOR	Basic Hourly Rate	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Digging machines, cranes, piledrivers, lighters, locomotives, derricks, hoists, pavers and front-end loaders 3 to 4 yds. and economobile & ross carriers	$9.15	.40	.40			
Fork lifts	8.35	.40	.40			
Firemen	7.75	.40	.40			
Oilers and apprentices	6.90	.40	.40			
Bulldozers, spreaders, rollers and front-end loaders, less than 3 yds., tractors	7.65	.40	.40			
Scrapers and graders & dozer operators	7.775	.40	.40			
Pippin type backhoe operator	8.00	.40	.40			
Maintenance engineers	7.50	.40	.40			
Gas and electric driven heaters, pumps, concrete mixers, stone crushers, air compressors, light plants and welding machines and concrete pumps	7.775	.40	.40			
Test boring machine operators	6.625	.40	.40			
Well point installation crews	7.60	.40	.40			
Operators of truck cranes with booms of 130 to 150 feet	9.65	.40	.40			
over 150 feet.	9.90	.40	.40			
Operators of cat cranes with booms of 150 to 180 feet	9.65	.40	.40			
over 180 feet	9.90	.40	.40			

RHODE ISLAND-1-TD-2-3- J

HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Truck Drivers:						
2 axle	$3.97	.24	.35	a+b		
3-axle, Ready Mix Equipment	4.02	.24	.35	a+b		
4-5 axle Dump	4.12	.24	.35	a+b		
Low bed trailer equipment-specialized earth moving equipment other than conventional type	4.22	.24	.35	a+b		
Helpers on low bed	3.97	.24	.35	a+b		

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, Columbus Day, Veteran's Day providing employee has worked at least two days in the calendar week in which the holiday falls.

b. Employee who has been on payroll for 1 year or more but less than 5 years and has worked 150 days during the last year of employment shall receive: 1 week's vacation; 5 years or more - 2 weeks vacation.

SUPERSEDEAS DECISION

STATE: Texas
COUNTY: Nueces
DECISION NO.: AP-342
DATE: Date of Publication
Supersedes Decision No. AM-11,425, dated June 16, 1972, in 37 FR 12014.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

15 - Texas - 1 e (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others /
ASBESTOS WORKERS	$6.555	.30	.295			
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS	6.30	.15			.02	
CARPENTERS:						
Carpenters	5.60	.21	.07		.02	
Millwrights	6.20				1%	
Piledrivermen	4.50					
CEMENT MASONS	5.75	.15				
ELECTRICIANS:						
Electricians	6.90	.25	1%		1/2%	
Cable splicers	7.025	.25	1%		1/2%	
ELEVATOR CONSTRUCTORS	3.58	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (PROB)	50%JR					
GLAZIERS	4.55		.20			
IRONWORKERS:						
Structural; Ornamental	5.325	.25	.30		.025	
Reinforcing	5.20	.25	.30		.025	
LABORERS:						
Common	2.75					
Hod carriers	2.85					
Jackhammer & paving breaker operator	2.85					
Mason tenders	2.85					
Mortar mixers	2.85					
Pipelayers (concrete & clay)	2.85					
Plasterers' tenders	2.85					
LATHERS	5.625	.125		1.00	.01	
MARBLE SETTERS	5.50				.02	
MARBLE SETTERS' HELPERS	4.02					
PAINTERS:						
Brush	5.25	.25	.25		2/10%	
Spray	5.65	.25	.25		2/10%	
Sign	5.50	.25	.25		2/10%	
PLASTERERS	6.50				.01	
PLUMBERS - STEAMFITTERS	5.95	.15	.25		.035	
ROOFERS:						
Roofers	4.525		.10			
Kettlemen	4.40		.10			
Waterproofers	4.525		.10			
Deckmen	4.525		.10			

15 - Texas - 1 e (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
SHEET METAL WORKERS	$5.95		.25		.01	
SOFT FLOOR LAYERS	5.60	.21	.07		.02	
SPRINKLER FITTERS	7.60	.25	.40		.05	
TERRAZZO WORKERS	5.50				.02	
TERRAZZO WORKERS' HELPERS:						
Terrazzo helpers	4.02					
Floor machine operators	4.22					
Base machine operators	4.37					
TILE SETTERS	5.50				.02	
TILE SETTERS' HELPERS	4.02					
TRUCK DRIVERS	1.90					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate.
b - Paid Holidays - A through F.

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

15 - Texas - PEO - 1 L

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
LIGHT EQUIPMENT						
Air compressor (1); Blade grader (towed); Conveyor; Fireman; Form grader; Flexplane; Generator (gas or diesel over 1500 watts); Hoist (1 drum); Lubrication truck driver; Mixer (less than 14 cu. ft.); Pulsometer; Pump (1); Roller (towed); Tractor (wheel type); Truck crane driver-oiler; Wagon drill; Welding machines (3 to 6) other than electric; All other equipment of similar nature coming with light equipment class when power operated	$4.975	.15	.20			
OILER						
Oiler, first year	4.375	.15	.20			
Oiler, second year	4.525	.15	.20			
HEAVY EQUIPMENT						
Air compressor (2); Asphalt plant mixer; Backfiller; Backhoe; Batch plant (concrete); Blade grader; Boring machine; Bull clam; Bulldozer; Cableway; Clamshell; Crane, power operated, all types; Crusher; Derrick, power operated, all types; Dragline; Elevator grader; Elevator, building (used on construction); Euclids & similar type machines; Forklift; Grade-all; Hi-lift; Hoist (2 drums or more); Locomotive and switch engines; Mixer (paving); Mixer (concrete); Piledriver; Pumps (2); Pumpcrete machine; Push cat or pull cat; Roller (flatwheel); Scraper (all types); Shovel (power); Scoopmobile; Trench machine; Tugboat (on construction); Turnapulls and similar machines; Welding machines (7 to 13) other than electric; Well point; Winch truck; Mechanic; All other equipment of similar nature coming with heavy equipment class when power operated	5.55	.15	.20			

15 - Texas - 3 g (1 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Tool Man	$2.10					
Asphalt Heaterman	2.50					
Asphalt Raker	2.50					
Asphalt Shoveler	2.00					
Batching Plant Scaleman	2.75					
Batterboard Setter	2.60					
Carpenter	3.00					
Carpenter Helper	2.35					
Concrete Finisher (Structures)	2.80					
Concrete Finisher Helper(Structures)	2.30					
Electrician	5.00					
Form Builder (Structures)	3.25					
Form Builder Helper (Structures)	2.25					
Form Setter (Paving and Curb)	2.40					
Form Setter Helper(Paving and Curb)	2.25					
Form Setter (Structures)	2.70					
Form Setter Helper (Structures)	2.15					
Laborer, Common	2.00					
Laborer, Utility Man	2.10					
Mechanic	3.00					
Mechanic Helper	2.40					
Oiler	2.50					
Piledrivermen	3.00					
Pipelayer	2.20					
Reinforcing Steel Setter(Structures)	2.50					
Reinforcing Steel Setter Helper	2.25					
Spreader Box Man	2.75					
Power Equipment Operators:						
Asphalt Distributor	2.75					
Asphalt Paving Machine	3.00					
Bulldozer, 150 H.P. and Less	2.75					
Bulldozer, over 150 H.P.	3.00					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.00					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	3.50					
Foundation Drill Operator (Truck Mounted)	3.00					

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Front End Loader (2½ C.Y. and Less)	$2.40					
Front End Loader (Over 2½ C.Y.)	2.75					
Motor Grader Operator, Fine Grade	3.75					
Motor Grader Operator	3.00					
Roller, Steel Wheel (Plant-Mix Pavements)	2.45					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.05					
Roller, Pneumatic (Self-Propelled)	2.00					
Scrapers (17 C.Y. and Less)	2.75					
Scrapers (Over 17 C.Y.)	2.90					
Tractor (Pneumatic) 80 H.P. and Less	2.10					
Tractor (Pneumatic) over 80 H.P.	2.25					
Traveling Mixer	2.45					
Trenching Machine, Light	2.25					
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.00					
Truck Drivers:						
Single Axle, Light	2.00					
Single Axle, Heavy	2.05					
Tandem Axle or Semitrailer	2.50					
Vibrator Man (Hand Type)	2.00					
Welder	3.00					

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Lineman	$6.98	.17	1%		1/2%	
Cable splicer	7.105	.17	1%		1/2%	
Groundman	4.51	.17	1%		1/2%	
Ground mechanic	5.78	.17	1%		1/2%	

SUPERSEDEAS DECISION

STATE: Texas COUNTY: Bexar
DECISION NO.: AP-343 DATE: Date of Publication
Supersedes Decision No. AM-11,407, dated March 31, 1972, in 37 FR 6615
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

16 - Texas - 1 t (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others 1/
ASBESTOS WORKERS	$7.26	.29	.20		.03	
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS	6.92	.25	.20		.05	
CARPENTERS	6.17	.28	.30		.02	
CEMENT MASONS:						
Cement masons	6.52	.25				
Machine operators	6.77	.25				
ELECTRICIANS:						
Electricians	7.18	.25	1%		1/2%	
Cable splicers	7.43	.25	1%		1/2%	
ELEVATOR CONSTRUCTORS	6.06	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (PROB)	50%JR					
GLAZIERS	4.80	.	.20			
IRONWORKERS:						
Structural; Ornamental; Reinforcing	6.25	.25	.45		.05	
LABORERS:						
Common laborers	3.87	.25	.10		.02	
Air tool operaotr (jackhammer, vibrator)	3.96	.25	.10		.02	
Bell hole man	3.98	.25	.10		.02	
Mason tenders	3.98	.25	.10		.02	
Mortar mixers	4.24	.25	.10		.02	
Plasterers' tenders	4.24	.25	.10		.02	
Pipelayers, concrete & clay (non-metallic)	3.87	.25	.10		.02	
LATHERS	6.725				.01	
MARBLE MASONS	5.99	.25	.20			
MARBLE MASONS' HELPERS	4.02					
MILLWRIGHTS	6.47	.28	.30		.02	
PAINTERS:						
Brush	4.80		.20			
Spray	5.05		.20			
Structural steel	5.05		.20			
Spray on structural steel; sand-blaster	5.30		.20			
PLASTERERS	6.625				.01	
PLUMBERS - PIPEFITTERS	6.77	.25	.30		.08	
ROOFERS:						
Roofers	4.50				.01	
Kettlemen	3.95				.01	
Waterproofer	4.20				.01	
Deckman	4.50				.01	

16 - Texas - 1 t (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
SHEET METAL WORKERS	$6.70	.20	.20		.05	
SPRINKLER FITTERS	7.60	.25	.40		.05	
STONEMASONS	6.92	.25	.20		.05	
TERRAZZO WORKERS	5.99	.25	.20			
TERRAZZO WORKERS' HELPERS:						
Terrazzo helpers	4.02					
Floor machine operators	4.22					
Base machine operators	4.37					
TILE SETTERS	5.99	.25	.20			
TILE SETTERS' HELPERS	4.02					
TRUCK DRIVERS	1.60					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate.
b - Paid Holidays - A through F.

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
ALL FOUNDATION drilling rigs; All rollers (5 tons or over); Backfiller; Backhoe; Blade graders (self-propelled); Bull clam; Bulldozers; Cableway; Clam shell operator; Crane (power operated, all types); Derrick (power operated, all types); Draglines; DW-10 caterpillar and similar tractors; Elevating graders (self-propelled); Euclid; Fork lift used on construction; Gasoline or diesel-driven welding machines (7 to 12); Gradall; Heavy duty mechanic; High lifts; Hoist (two drums or more); Locomotives; Mixer (14 cu. ft. or over); Mixmobile ; Paving mixers (all sizes); Piledrivers; Pumpcrete machine operator; Rock crusher operator on jcb; Scoopmobile; Scrapers; Shovel (power operated); Turnapulls; Trenching machines (all sizes); Winch truck; All other equipment of similar nature, coming within the heavy equipment class, when power operated	$6.52	.30	.20			
AIR COMPRESSOR (any time there are three or more attachments operating on a 125 cu. ft. air compressor or less, a light equipment operator shall be employed. Any compressor over 125 cu. ft. shall have a light equipment operator); Blade graders (towed); Building elevator used on construction; Flex planes; Form graders; Hoist (single drum); Mixer (less than 14 cu. ft.); Pneumatic roller; Pulsometers; Pump (2½ or larger shall require a light equipment operator); Three to six welding machines or any three pieces or equipment of equal or similar nature, coming within the light equipment class when power operated; Roller (under 5 ton); Truck crane drivers	5.86	.30	.20			
FIREMAN	4.96	.30	.20			
OILER	4.78	.30	.20			

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Tool Man	$2.00					
Asphalt Heaterman	2.50					
Asphalt Raker	2.50					
Batching Plant Scaleman	3.00					
Batterboard Setter	2.60					
Carpenter	2.75					
Carpenter Helper	2.25					
Concrete Finisher (Structures)	3.00					
Concrete Finisher Helper(Structures)	2.60					
Concrete Rubber	2.30					
Electrician	5.65					
Form Builder (Structures)	3.50					
Form Builder Helper (Structures)	2.65					
Form Setter (Structures)	3.00					
Form Setter Helper (Structures)	2.50					
Laborer, Common	2.00					
Laborer, Utility Man	2.15					
Mechanic	3.20					
Mechanic Helper	2.35					
Oiler	2.45					
Serviceman	2.65					
Painter (Structures)	2.75					
Pipelayer	2.50					
Pipelayer Helper	2.00					
Powderman	2.85					
Powderman Helper	2.00					
Reinforcing Steel Setter (Paving)	3.00					
Reinforcing Steel Setter(Structures)	2.95					
Reinforcing Steel Setter Helper	2.50					
Spreader Box Man	2.25					
Power Equipment Operators:						
Asphalt Distributor	2.75					
Asphalt Paving Machine	2.75					
Bulldozer, 150 H.P. and Less	3.00					
Bulldozer, over 150 H.P.	3.25					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.25					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	3.50					
Crusher or Screening Plant Operator	2.75					

AP-343 P. 5

16 - Texas - 3 g (2 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Front End Loader (2½ C.Y. and Less)	$2.75					
Front End Loader (Over 2½ C.Y.)	3.20					
Mixer (16 C.F. and Less)	2.50					
Motor Grader Operator, Fine Grade	3.50					
Motor Grader Operator	3.25					
Roller, Steel Wheel (Plant-Mix Pavements)	2.60					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.50					
Roller, Pneumatic (Self-Propelled)	2.25					
Scrapers (17 C.Y. and Less)	2.75					
Scrapers (Over 17 C.Y.)	3.00					
Tractor (Crawler Type) 150 H.P. and Less	2.25					
Tractor (Crawler Type) over 150 H.P.	2.50					
Tractor (Pneumatic) 80 H.P. and Less	2.00					
Tractor (Pneumatic) over 80 H.P.	2.50					
Traveling Mixer	2.50					
Trenching Machine, Light	3.25					
Wagon Drill, Boring Machine or Post Hole Driller Operator	2.50					
Truck Drivers:						
Single Axle, Light	2.00					
Single Axle, Heavy	2.50					
Tandem Axle or Semitrailer	2.25					
Winch	2.15					
Welder	4.00					
Welder Helper	2.75					

1 - Texas - LC b

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Lineman	$6.615	.17	1%		1/2%	
Ground mechanics	5.33	.17	1%		1/2%	
Groundmen	4.51	.17	1%		1/2%	
Groundmen, 1st 6 mos.	3.36	.17	1%		1/2%	

SUPERSEDEAS DECISION

STATE: Texas COUNTY: Travis
DECISION NO.: AP-344 DATE: Date of Publication
Supersedes Decision No. AM-11,422, dated June 2, 1972, in 37 FR 11145.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

18 - Texas - 1 f (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$7.26	.29	.20		.03	
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS; STONEMASONS	6.85	.35			.02	
CARPENTERS:						
Carpenters	6.145	.21	.30		.02	
Millwrights	6.395	.21	.30		.02	
CEMENT MASONS	5.71	.25				
ELECTRICIANS:						
Electricians	7.30		1%		1%	
Cable splicers	7.30		1%		1%	
ELEVATOR CONSTRUCTORS	6.51	.195	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.195	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (PROB)	50%JR					
GLAZIERS	5.35					
IRONWORKERS:						
Structural; Ornamental; Reinforcing	6.315	.25	.40		.10	
LABORERS:						
Laborers, unskilled	3.745	.175	.10			
Air tool operator (jackhammer, vibrator); mason tenders; pipelayers (concrete & clay)	3.895	.175	.10			
Mortar mixers; plasterers' tenders	4.07	.175	.10			
LATHERS	5.75	.125		1.00	.01	
MARBLE SETTERS	6.50					
MARBLE SETTERS' HELPERS	4.02					
PAINTERS:						
Painters, brush	5.50					
Taping & floating of sheetrock	5.50					
Paperhangers	5.75					
Spray	6.00					
Steam cleaning, sand blast & other powered equipment	6.00					
Chipper, burner, torch	5.75					
Skeleton steelwork erected	5.75					
Swinging stage, bosun chair, window jack or scaffolding (above 2nd floor) 25c per hour above all base rates						
PLASTERERS	7.10				.01	
PLUMBERS	7.00				.03	

18 - Texas - 1 f (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ROOFERS:						
Roofers	$5.23				.01	
Kettlemen	5.08				.01	
SHEET METAL WORKERS	6.70	.20	.20		.05	
SOFT FLOOR LAYERS	6.15		.10		.03	
SPRINKLER FITTERS	7.60	.25	.40		.05	
STEAMFITTERS	7.00				.03	
TERRAZZO WORKERS	6.50					
TERRAZZO WORKERS' HELPERS:						
Terrazzo helpers	4.02					
Floor machine operators	4.22					
Base machine operators	4.37					
TILE SETTERS	6.50					
TILE SETTERS' HELPERS	4.02					
TRUCK DRIVERS	1.60					
TRUCK DRIVERS WINCH	1.60					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate.
b - Paid Holidays - A through F.

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; C-Labor Day; E-Thanksgiving Day; F-Christmas Day.

AP-344 P. 3

18 - Texas - PEO - 1 r

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
Backfiller; Backhoe; Blade grader-self-propelled; Bull clam; Bulldozer and all types of cat tractors; Cableway; Clamshell operator; Crane-power operated, all types; Derricks-power operated, all types; Dragline; Elevating grader, self-propelled; Euclid operator; Foundation boring machine; Gradall; Heavy duty mechanic; High lifts and loader, over 1/3 cu. yd. capacity; Hoist-motor driven, two drums or more; Locomotive; Mixer, 14 cu. ft. or over; Mixmobile; Paving mixer-all types; Pumperete machine; Push cat operator; Rock crusher operated on job; Scoopmobile; Scraper; Shovel-power operated; Trenching machine-all types; Two 125 cu. ft. compressors; Welding machines-6 to 12; Winch truck; Well points, including installations	$6.375		.30			
Air compressor, anytime there are two or more attachments operating on a 125 cu. ft. air compressor, or less, a light equipment operator shall be employed, any compressor over 125 cu ft. shall have a light equipment operator; Blade grader-towed; Flex plane; Fork lift, 1500 lbs. capacity or less; Hoist, single drum; pump 2½ inches or larger; Pneumatic roller; Mixer-less than 14 cu. ft.; Pulsometer; Truck crane driver & oiler combination man; Form grader, gasoline or diesel driven welding machine, 3 to 6; High-lifts & loaders, 1/3 cu. yd. or less	5.585		.30			
Fireman	4.72		.30			
Oiler	4.62		.30			

AP-344 P. 4

18 - Texas - 3 g (1 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Tool Man	$2.30					
Asphalt Heaterman	2.40					
Asphalt Raker	2.95					
Batching Plant Scaleman	2.75					
Carpenter	3.50					
Carpenter Helper	2.45					
Concrete Finisher (Structures)	3.10					
Concrete Finisher Helper (Structures)	2.50					
Form Builder (Structures)	3.50					
Form Builder Helper (Structures)	2.55					
Form Setter (Structures)	3.25					
Form Setter Helper (Structures)	2.30					
Laborer, Common	2.00					
Laborer, Utility Man	2.10					
Mechanic	3.10					
Mechanic Helper	2.35					
Oiler	2.25					
Serviceman	3.00					
Pipelayer	2.75					
Pipelayer Helper	2.25					
Powderman	2.95					
Powderman Helper	2.00					
Reinforcing Steel Setter (Structures)	3.45					
Reinforcing Steel Setter Helper	2.95					
Spreader Box Man	2.55					
Power Equipment Operators:						
Asphalt Distributor	2.50					
Asphalt Paving Machine	2.75					
Bulldozer, 150 H.P. and Less	3.00					
Bulldozer, over 150 H.P.	3.25					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.00					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	3.65					
Foundation Drill Operator (Truck Mounted)	4.60					
Front End Loader (2½ C.Y. and Less)	3.00					
Front End Loader (Over 2½ C.Y.)	3.20					
Motor Grader Operator, Fine Grade	3.50					
Motor Grader Operator	3.25					

18 - Texas - 3 g (2 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Roller, Steel Wheel (Plant-Mix Pavements)	$2.95					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.50					
Roller, Pneumatic (Self-Propelled)	2.00					
Scrapers (17 C.Y. and Less)	2.65					
Scrapers (Over 17 C.Y.)	3.00					
Tractor (Crawler Type) 150 H.P. and Less	2.50					
Tractor (Crawler Type) Over 150 H.P.	2.75					
Tractor (Pneumatic) 80 H.P. and Less	2.35					
Tractor (Pneumatic) over 80 H.P.	2.60					
Trenching Machine, Heavy	3.25					
Wagon Drill, Boring Machine or Post Hole Driller Operator	2.50					
Truck Drivers:						
Single Axle, Light	2.00					
Single Axle, Heavy	2.50					
Tandem Axle or Semitrailer	2.25					
Weighman (Truck Scales)	2.00					
Welder	3.70					

13 - Texas - LC f

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION:						
Linemen	$6.63	.17	1%		1/2%	
Ground mechanics	5.49	.17	1%		1/2%	
Groundmen	4.60	.17	1%		1/2%	
Groundmen (1st 6 mos.)	3.51	.17	1%		1/2%	

SUPERSEDEAS DECISION

STATE: Texas COUNTY: El Paso
DECISION NO.: AP-345 DATE: Date of Publication
Supersedes Decision No. AM-11,426, dated June 23, 1972, in 37 FR 12437.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

12 - Texas - 1 b (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$5.68	.35	.42			
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS	5.60				.06	
CARPENTERS:						
Carpenters	5.05	.30			.01	
Millwrights	5.30	.30			.01	
Stationary radial arm power saw operator	5.175	.30			.01	
Floor layers	5.05	.30			.01	
CEMENT MASONS	4.125	.24				
ELECTRICIANS:						
Electricians	6.70	.25	1%		1/2%	
Cable splicers	6.95	.25	1%		1/2%	
ELEVATOR CONSTRUCTORS	5.41	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (PROB)	50%JR					
GLAZIERS	4.47	.24				
IRONWORKERS:						
Ironworkers (El Paso County)	6.00	.25	.40		.05	
Ironworkers (all areas outside El Paso County)	7.00	.25	.40		.05	
LABORERS:						
Powderman or blasterer	4.08	.26	.10			
Outside wagon drill; wagon drill tenders; miner	3.83	.26	.10			
Cement gun or gunite; mason tender; mortar mixer; machine man; track man; chuck tender	3.58	.26	.10			
Pipelayer, main sewer and drainage	3.455	.26	.10			
Jackhammer operator, asphalt raker; kettlemen; asphalt or pot man	3.33	.26	.10			
Common	3.18	.26	.10			
LATHERS	5.69	.20			.01	
MARBLE MASONS	5.60				.06	
PAINTERS:						
Brush, paperhangers, chipping and hand tools used for cleaning rollers	4.75	.24				
Steel after erection, steam cleaning, buffing with power driven tools and torches	5.14	.24				

12 - Texas - 1 b (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS (CONT'D):						
Spray, sandblasting, waterblasting, swing stage	$5.415	.24				
Tapers, bedders, rollers 9" in width	4.75	.24				
Ames tools	4.96	.24				
Striping machine	5.41	.24				
All commercial buildings, water tanks, radio towers and smoke stacks:						
Up to 100 feet	6.03	.24				
75 to 100 feet	6.28	.24				
100 to 200 feet	6.53	.24				
200 to 300 feet	6.78	.24				
300 to 400 feet	7.03	.24				
PILEDRIVERMEN	4.60					
PLASTERERS	5.35	.24			.01	
PLUMBERS	6.50				.01	
SHEET METAL WORKERS	7.10	.20			.05	
SOFT FLOOR LAYERS	4.56	.24				
SPRINKLER FITTERS	7.60	.25	.40		.05	
STONEMASONS	5.60				.06	
STEAMFITTERS	6.50				.01	
TERRAZZO WORKERS	5.60				.06	
TILE SETTERS	5.60				.06	
TILE SETTERS' HELPERS	3.10					
TRUCK DRIVERS:						
Up to and including 2 tons	3.50	.26				
Flat bed dump trucks, mechanically	3.60	.26				
Tank truck, up to 2500 gallons	3.50	.26				
Standard dump truck, up to and including 4 cu. yds.	3.60	.26				
Dump truck, over 4 cu. yds.	3.90	.26				
Truck over 4 tons including transit mix, all semitruck, etc.	3.90	.26				
Lowboy	3.90	.26				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate.
b - Paid Holidays - A through F.

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
Fireman, Oiler; Mechanic, Grease Truck and Welder's Helper; Screedman, Pneumatic roller towed by farm-type tractor or truck; Scale Operator and such as bin-a-batch; Rubber-tired farm type tractors and tractors under 35 h.p. without attachments	$4.21	.15	.10		.02	
Air Compressors, Power Plants, pumps and welding machines (an operating engineer will not be required for an air compressor under 315 c.f.m., a pump under three inches or a light plant generating fifteen kilowatts or less, or one welding machine, if and when there is another operating engineer employed on the job who services the units); concrete mixers, under 1 yard, and concrete batch plants, under 1 yard, gunnite and pumpcrete machines, mechanical bull floats, spreading and finishing machines. Screening Plants. Drilling machines, Diamond, rotary, core and cable drilling; well under 6 inches. Hoists, scoopmobiles, A frame Air tugger; building hoist, 1 drum hydrolift, Hydrocranes, winch truck. Loaders; Elevating, belt type loader, front end loader (under 2 yards) and over head loaders; fork lift and lumber staker on construction job site. Grease truck operator, (Head Oiler). Motorman and Industrial Locomotive. Tractors under 35 h.p. with attachments; and farm type tractors with back, or shovel type attachments	4.75	.15	.10		.02	
Concrete mixers 1 yard and over and batch plants 1 yard and over, single drum paving machines. Crushing plants. Drilling Machines, 6 inches and over. Front end loaders, 2 yards and over; Paving: Asphalt plants, boiler or retort heater, distributor, lay down machine, pug mill, breakdown and tandem rollers. Steam Engineer. Trenching Machines. Patrol, rough, not required to blue top or finish	4.83	.15	.10		.02	

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (CONT'D)						
Tractor Equipment; Athey and Barber Green Loader, Bulldozer, DW10, DW20, DW-21, Dumor, Elevating grader; Euclid, Highlander, Scraper, Traxcavator, Turnapull, Turnarocker and Tractors 35 h.p. and up	$4.88	.15	.10		.02	
Concrete Paving machines, double drum, Catcranes, Hysters, Cherry Picker, Attachment cranes, side and swing boom tractors, building hoist, 2 drum and up. Mechanic. Welder. Patrol, finish	4.95	.15	.10		.02	
Shovel, Backhoe, clam and dragline 3/4 yards and under; Cranes 25 tons and under	5.18	.15	.10		.02	
Guy and stiff leg derrick, Pile-drivers; Crawler or skid rig. Shovel, Backhoe, clam and dragline over 3/4 yards; Cranes over 25 tons	5.33	.15	.10		.02	
SHAFT AND TUNNEL OPERATIONS: Refrigeration, slusher, Jumbo form operators	4.83	.15	.10		.02	
Mucking machines	5.05	.15	.10		.02	
Mine Hoists	5.33	.15	.10		.02	

AP-345 P. 5

12 - Texas - 3 g (1 - 2)

INCIDENTAL PAVING	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Tool Man	$1.80					
Asphalt Heaterman	2.50					
Asphalt Raker	3.00					
Asphalt Shoveler	2.65					
Batching Plant Scaleman	2.55					
Carpenter	3.25					
Concrete Finisher (Paving)	3.25					
Concrete Finisher (Structures)	2.25					
Concrete Finisher Helper(Structures)	2.00					
Concrete Rubber	1.75					
Electrician	5.00					
Electrician Helper	3.00					
Form Builder (Structures)	2.55					
Form Builder Helper (Structures)	2.25					
Form Setter (Paving and Curb)	2.25					
Form Setter (Structures)	3.00					
Form Setter Helper (Structures)	2.25					
Laborer, Common	1.60					
Laborer, Utility Man	2.00					
Manhole Builder, Brick	2.75					
Mechanic	3.00					
Mechanic Helper	2.00					
Oiler	2.50					
Serviceman	2.50					
Piledriverman	2.50					
Pipelayer	2.25					
Powderman	3.30					
Powderman Helper	2.50					
Reinforcing Steel Setter (Paving)	2.00					
Reinforcing Steel Setter(Structures)	2.60					
Reinforcing Steel Setter Helper	1.75					
Spreader Box Man	2.30					
Swamper	2.00					
Power Equipment Operators:						
Asphalt Distributor	2.75					
Asphalt Paving Machine	3.00					
Bulldozer, 150 H.P. and Less	3.00					
Bulldozer, over 150 H.P.	3.25					
Concrete Paving Curing Machine	3.75					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.00					

AP-345 P. 6

12 - Texas - 3 g (2 - 2)

INCIDENTAL PAVING	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	$3.50					
Crusher or Screening Plant Operator	3.00					
Front End Loader (2½ C.Y. and Less)	2.75					
Front End Loader (Over 2½ C.Y.)	3.00					
Motor Grader Operator, Fine Grade	3.75					
Motor Grader Operator	3.25					
Roller, Steel Wheel (Plant-Mix Pavements)	2.45					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.25					
Roller, Pneumatic (Self-Propelled)	2.25					
Scrapers (17 C.Y. and Less)	3.00					
Scrapers (Over 17 C.Y.)	3.25					
Tractor (Crawler Type) over 150 H.P.	2.75					
Tractor (Pneumatic) 80 H.P. and Less	1.95					
Tractor (Pneumatic) over 80 H.P.	2.40					
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.00					
Truck Drivers:						
Single Axle, Light	2.25					
Single Axle, Heavy	2.25					
Tandem Axle or Semitrailer	2.25					
Transit-Mix	2.00					
Weighman (Truck Scales)	2.50					
Welder	3.00					
Welder Helper	2.50					

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Lineman - Technician	$5.90	.15	1%			
Cable splicers	6.15	.15	1%			
Equipment operators	5.90	.15	1%			
Groundman	75%JR	.15	1%			
Groundman (less than 6 months	60%JR	.15	1%			

SUPERSEDEAS DECISION

STATE: Texas

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

DECISION No.: AP-346

DATE: Date of Publication

Supersedes Decision No. AM-7,706, dated November 19, 1971, in 36 FR 22117.

DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

19 - Texas - 3 E (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others[1]
BRICKLAYERS	$5.50					
CARPENTERS	5.75					
CEMENT MASONS	5.15					
ELECTRICIANS	6.65		1%		1/2%	
LABORERS:						
Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Wheeler & Gray Counties:						
Laborers	3.15					
Mason tenders	3.30					
Potter, Carson, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Castro, Swisher & Childress Counties:						
Laborers	3.00					
Mason tenders	3.15					
PAINTERS	4.65			.20		
PLUMBERS	5.85		.30	.35		
SHEET METAL WORKERS	6.10					
TILE SETTERS	4.60					

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asphalt Heaterman	$3.20					
Asphalt Raker	3.50					
Batching Plant Scaleman	3.90					
Carpenter	3.25					
Carpenter Helper	2.25					
Concrete Finisher (Paving)	3.75					
Concrete Finisher Helper (Paving)	3.30					
Concrete Finisher (Structures)	3.80					
Concrete Finisher Helper (Structures)	2.60					
Concrete Rubber	3.25					
Form Builder (Structures)	3.55					
Form Liner (Paving and Curb)	3.50					
Form Setter (Structures)	4.35					
Form Setter Helper (Structures)	3.20					
Laborer, Common	2.15					
Laborer, Utility Man	2.70					
Mechanic	3.50					
Mechanic Helper	3.25					
Oiler	3.00					
Serviceman	3.10					
Pipelayer	2.60					
Powderman	3.50					
Powderman Helper	2.70					
Reinforcing Steel Setter (Structures)	2.85					
Reinforcing Steel Setter Helper	2.35					
Sign Erector	2.85					
Sign Erector Helper	2.50					
Spreader Box Man	3.20					
Power Equipment Operators:						
Asphalt Distributor	3.30					
Asphalt Paving Machine	4.20					
Bulldozer, 150 H.P. and Less	3.25					
Bulldozer, over 150 H.P.	3.50					
Concrete Paving Finishing Machine	3.75					
Concrete Paving Spreader	3.75					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.65					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	4.35					
Crusher or Screening Plant Operator	3.75					

AP-346 P. 3

19 - Texas - 3 g (2 - 2)

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Foundation Drill Operator (Truck Mounted)	$4.20					
Front End Loader (2½ C.Y. and Less)	3.25					
Front End Loader (Over 2½ C.Y.)	3.75					
Motor Grader Operator, Fine Grade	4.35					
Motor Grader Operator	3.75					
Roller, Steel Wheel (Plant-Mix Pavements)	3.30					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	3.00					
Roller, Pneumatic (Self-Propelled)	2.55					
Scrapers (17 C.Y. and Less)	3.00					
Scrapers (Over 17 C.Y.)	3.50					
Tractor (Crawler Type) 150 H.P. and Less	2.75					
Tractor (Crawler Type) over 150 H.P.	3.00					
Tractor (Pneumatic) 80 H.P. and Less	2.60					
Tractor (Pneumatic) over 80 H.P.	3.00					
Traveling Mixer	3.50					
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.00					
Truck Drivers:						
Single Axle, Light	2.50					
Single Axle, Heavy	2.90					
Tandem Axle or Semitrailer	2.25					
Weighman (Truck Scales)	2.25					
Welder	4.35					

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Loving, Winkler, Ector, Midland, Reeves, Ward, Crane, Upton & Pecos

DECISION No.: AP-347

DATE: Date of Publication

Supersedes Decision No. AM-7,713, dated November 19, 1971, in 36 FR 22118.

DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

29 - Texas - 3 g (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
BRICKLAYERS	$4.25					
BRICKLAYERS' HELPERS	3.50					
CARPENTERS	3.80					
CARPENTERS' HELPERS	2.25					
CEMENT FINISHERS	3.50					
ELECTRICIANS	5.10		1%		1/10%	
ELECTRICIANS' HELPERS	2.25					
LABORERS:						
Laborers	2.00					
PAINTERS, BRUSH	3.50					
PLUMBERS	4.50					
PLUMBERS' HELPERS	2.50					
ROOFERS	4.50					
SHEET METAL WORKERS	3.40					
SHEET METAL WORKERS' HELPERS	2.00					
TRUCK DRIVERS	2.00					

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Tool Man	$2.40					
Asphalt Heaterman	2.50					
Asphalt Raker	2.35					
Asphalt Shoveler	2.65					
Batching Plant Scaleman	2.85					
Carpenter	3.50					
Carpenter Helper	2.50					
Concrete Finisher (Paving)	3.00					
Concrete Finisher (Structures)	3.30					
Concrete Finisher Helper(Structures)	2.50					
Electrician	5.70					
Form Builder (Structures)	3.25					
Form Builder Helper (Structures)	2.25					
Form Setter (Paving and Curb)	3.25					
Form Setter Helper (Paving and Curb)	2.90					
Form Setter (Structures)	3.15					
Form Setter Helper (Structures)	2.50					
Laborer, Common	2.00					
Laborer, Utility Man	2.50					
Mechanic	3.25					
Mechanic Helper	2.60					
Oiler	2.50					
Serviceman	3.10					
Painter (Structures)	4.75					
Painter Helper (Structures)	2.70					
Pipelayer	2.50					
Powderman	3.00					
Powderman Helper	2.45					
Reinforcing Steel Setter(Structures)	3.40					
Reinforcing Steel Setter Helper	2.45					
Spreader Box Man	2.60					
Power Equipment Operators:						
Asphalt Distributor	2.75					
Asphalt Paving Machine	3.00					
Bulldozer, 150 H.P. and Less	3.00					
Bulldozer, over 150 H.P.	3.25					
Concrete Paving Saw	2.50					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.25					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	3.75					

AP-347 P. 3

29 - Texas - 3 g (2 - 2)

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Crusher or Screening Plant Operator	$3.00					
Front End Loader (2½ C.Y. and Less)	2.95					
Front End Loader (Over 2½ C.Y.)	3.00					
Motor Grader Operator, Fine Grade	3.50					
Motor Grader Operator	3.25					
Roller, Steel Wheel (Plant-Mix Pavements)	2.60					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.25					
Roller, Pneumatic (Self-Propelled)	2.25					
Scrapers (17 C.Y. and Less)	3.00					
Scrapers (Over 17 C.Y.)	3.25					
Tractor (Crawler Type) over 150 H.P.	3.00					
Tractor (Pneumatic) 80 H.P. and Less	2.30					
Tractor (Pneumatic) over 80 H.P.	2.50					
Trenching Machine, Light	2.50					
Wagon Drill, Boring Machine or Post Hole Driller Operator	2.50					
Truck Drivers:						
Single Axle, Light	2.25					
Single Axle, Heavy	2.25					
Tandem Axle or Semitrailer	2.00					
Transit-Mix	2.60					
Weighman (Truck Scales)	2.00					
Welder	3.15					

SUPERSEDEAS DECISION

STATE: Texas
DECISION NO.: AP-348
COUNTY: Galveston
DATE: Date of Publication
Supersedes Decision No. AM-7,703, dated November 19, 1971, in 36 FR 22116.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
BRICKLAYERS	$6.00					
CARPENTERS	4.25					
CARPENTERS' HELPERS	2.50					
ELECTRICIANS	4.75	.17	1%+.21		.01	
LABORERS:						
Laborers	2.50					
Mason tenders	2.75					
LATHERS	6.025	.125	.15		.01	
PAINTERS, BRUSH	5.00					
PAINTERS' HELPERS	2.50					
PLUMBERS	6.10	.25	.20		.02	
SHEET METAL WORKERS	3.85					

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Tool Man	$3.00					
Asphalt Heaterman	3.00					
Asphalt Raker	2.75					
Batching Plant Scaleman	2.60					
Carpenter	3.75					
Carpenter Helper	3.00					
Concrete Finisher (Paving)	3.75					
Concrete Finisher Helper (Paving)	3.00					
Concrete Finisher (Structures)	3.75					
Concrete Finisher Helper(Structures)	3.00					
Concrete Rubber	3.00					
Electrician	5.50					
Form Builder (Structures)	3.50					
Form Builder Helper (Structures)	2.50					
Form Liner (Paving and Curb)	3.65					
Form Setter (Paving and Curb)	3.25					
Form Setter Helper(Paving and Curb)	2.75					
Form Setter (Structures)	3.75					
Form Setter Helper (Structures)	2.80					
Laborer, Common	2.25					
Laborer, Utility Man	2.75					
Manhole Builder, Brick	3.75					
Mechanic	3.75					
Mechanic Helper	3.15					
Oiler	3.25					
Serviceman	3.25					
Painter (Structures)	4.50					
Painter Helper (Structures)	3.00					
Piledriverman	4.00					
Pipelayer	3.50					
Pipelayer Helper	3.25					
Pneumatic Mortarman	2.75					
Reinforcing Steel Setter (Paving)	3.00					
Reinforcing Steel Setter(Structures)	3.75					
Reinforcing Steel Setter Helper	2.55					
Steel Worker (Structural)	3.35					
Steel Worker Helper (Structural)	2.75					
Sign Erector	3.00					
Spreader Box Man	3.25					
Power Equipment Operators:						
Asphalt Distributor	3.25					
Asphalt Paving Machine	3.75					

AP-348 P. 3

14 - Texas - 3 g (2 - 2)

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Broom or Sweeper Operator	$3.00					
Bulldozer, 150 H.P. and Less	3.25					
Bulldozer, over 150 H.P.	3.75					
Concrete Paving Curing Machine	3.35					
Concrete Paving Finishing Machine	3.75					
Concrete Paving Joint Machine	3.10					
Concrete Paving Mixer	4.00					
Concrete Paving Spreader	3.60					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.75					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	4.00					
Crusher or Screening Plant Operator	4.10					
Front End Loader (2½ C.Y. and Less)	3.45					
Front End Loader (Over 2½ C.Y.)	3.50					
Motor Grader Operator, Fine Grade	4.00					
Motor Grader Operator	3.60					
Roller, Steel Wheel (Plant-Mix Pavements)	3.00					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.75					
Roller, Pneumatic (Self-Propelled)	3.00					
Scrapers (17 C.Y. and Less)	3.00					
Scrapers (Over 17 C.Y.)	3.25					
Tractor (Crawler Type) 150 H.P, and Less	2.90					
Tractor (Crawler Type) over 150 H.P.	3.45					
Tractor (Pneumatic) 80 H.P. and Less	2.65					
Tractor (Pneumatic) over 80 H.P.	3.00					
Traveling Mixer	2.50					
Truck Drivers:						
Single Axle, Light	2.50					
Single Axle, Heavy	2.95					
Tandem Axle or Semitrailer	2.50					
Lowboy-Float	3.25					
Transit-Mix	2.75					
Winch	2.75					
Welder	4.00					
Welder Helper	3.25					

SUPERSEDEAS DECISION .

STATE: Texas
COUNTY: Galveston
DECISION NO.: AP-349
DATE: Date of Publication
Supersedes Decision No. AP-307, dated August 11, 1972, in 37 FR 16370.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

33 - Texas - 1 k (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others [footnote]
ASBESTOS WORKERS	$7.02	.50	.495		.03	
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS	7.30	.175	.30		.03	
CARPENTERS:						
Carpenters	6.35	.40	.22		.05	
Millwrights	6.52	.48	.22		.05	
Piledrivermen	6.35	.40	.22			
CEMENT MASONS	6.25	.40	.37			
ELECTRICIANS	7.21	.17	1%+.21		.01	
ELEVATOR CONSTRUCTORS	6.60	.195	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.195	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	6.75	.225	.20		.01	
IRONWORKERS:						
Structural; Ornamental; Reinforcing	6.975	.25	.40		.05	
LABORERS:						
Common	4.55	.18	.10		.02	
Air tool operator (jackhammer - vibrator)	4.725	.18	.10		.02	
Mason tenders	4.725	.18	.10		.02	
Pipelayers (concrete & clay)	4.725	.18	.10		.02	
Sandblasters	4.725	.18	.10		.02	
Power buggy operators	4.725	.18	.10		.02	
Lather tenders	4.825	.18	.10		.02	
Mortar mixers	4.825	.18	.10		.02	
Well driller	5.10	.18	.10		.02	
Well drillers' helpers	4.675	.18	.10		.02	
Blaster, powderman	4.975	.18	.10		.02	
Plasterer tender & hod carrier	4.825	.18	.10		.02	
MARBLE MASONS	6.50					
PAINTERS:						
Painters	5.25	.175	.45	.30	.02	
Painters on swinging stage work or using materials injurious to the skin	5.50	.175	.45	.30	.02	
PIPEFITTERS:						
East of the Trinity River	7.075	.225	.20		.02	
West of the Trinity River	7.325	.275	.50		.04	
PLASTERERS	6.825	.27	.30		.05	
PLUMBERS	7.075	.225	.20		.02	

33 - Texas - 1 k (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ROOFERS:						
Roofers	$5.93	.20	.10	.15	.03	
Kettleman	5.00	.20	.10	.15	.03	
Helpers	3.80	.20	.10	.15	.03	
SHEET METAL WORKERS	5.72		.125			
SOFT FLOOR LAYERS	6.15		.10		.03	
SPRINKLER FITTERS	7.60	.25	.40		.05	
STONEMASONS	7.30	.175	.30		.03	
TERRAZZO WORKERS	6.50					
TILE SETTERS	6.50					
TRUCK DRIVERS:						
Under 1½ tons; wash, grease, tireman, fuel pump operation when used on construction jobs	5.05					
1½ thru 2½ tons; dump truck less than 7 yds.	5.34					
Over 2½ tons; farm tractor; fork lifts, floats	5.50					
Euclids (not self-loading)	5.60					
Warehousemen	5.24					
Material checkers; pick-up drivers	6.01					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate.
b - Paid Holidays - A through F.

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

AP-349 P. 3

14 - Texas - PEO - 1 L (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
HEAVY EQUIPMENT						
Heavy Duty Mechanic; Blade Grader, Self-propelled; Bull Clam; Back Filler; Derrick-power operated (all types); Clam shell; Draglines; Push Cat Operator; Bull Dozer & all types Cat Tractors; Cable-Way; Backhoe; Shovel, power operated; Crane, power operated (all types); Elevating Grader, Self-propelled; Hoist, Motor-Driven, Two Drums or More; Mix Mobile; Water Well Drilling Machines, Used on Construction; Building Elevator, used on Construction; Tug Boat Operator, Assigned to Construction; Winch Truck; Locomotive Crane; Concrete Mixer, 14 cu. ft. or more; Paving Mixer (all types); Pile Driver; Scraper, Heavy Type, over 3 cu. yds.; Trenching Machines (all sizes); Gradall; High-Lift; Foundation Boring Machine; Gasoline or Diesel-Driven Welding Machines, 7 or more; Pumpcrete Machine Operator; Turnapulls; DW-10 Caterpillar, S-18 Euclid and Similar Tractors; Asphalt Plant Mixer Operator on Job; Crusher Operator on job; Scoopmobiles; Forklift used on construction (not including warehousing); Well Point Pump; Concrete Batch Plant Operator; Pneumatic Rollers, Self-Propelled; All other equipment of similar nature coming under the Heavy Equipment Class, when power operated	$6.65	.30	.30		.01	

AP-349 P. 4

14 - Texas - PEO - 1 L (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (CONT'D)						
LIGHT EQUIPMENT						
Air Compressors; Blade Grader, Towed; Flex Plane; Form Grader; Concrete Mixer, less than 14 cu. ft.; Pumps; Pulsometer; Truck crane Driver; Gasoline or diesel Driven Welding Machines (on 3 or more, up to 6 machines); Hoist, Single Drum; Scraper, 3 cu. yds. or less; Wagon Drill Operator, Conveyor; Generator, Gasoline or diesel-driven, over 1500 watts; Rubber Tired Farm Tractor with attachments; A light Equipment Operator may run 1 or 2 105 cfm compressors; All other equipment of similar nature coming under the Light Equipment Class, when power operated	$6.01	.30	.30		.01	
FIREMAN	5.59	.30	.30		.01	
OILER	5.46	.30	.30		.01	

4 - Texas - LC 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION						
Linemen	$7.465	.17	1%		1/2%	
Ground mechanics	6.42	.17	1%		1/2%	
Groundmen	5.15	.17	1%		1/2%	
Groundmen (1st 6 mos.)	3.77	.17	1%		1/2%	

INCIDENTAL PAVING & UTILITIES (EXCLUDING GALVESTON ISLAND)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Tool Man	$3.00					
Asphalt Heaterman	3.00					
Asphalt Raker	2.75					
Batching Plant Scaleman	2.60					
Carpenter	3.75					
Carpenter Helper	3.00					
Concrete Finisher (Paving)	3.75					
Concrete Finisher Helper (Paving)	3.00					
Concrete Finisher (Structures)	3.75					
Concrete Finisher Helper(Structures)	3.00					
Concrete Rubber	3.00					
Electrician	5.50					
Form Builder (Structures)	3.50					
Form Builder Helper (Structures)	2.50					
Form Liner (Paving and Curb)	3.65					
Form Setter (Paving and Curb)	3.25					
Form Setter Helper (Paving and Curb)	2.75					
Form Setter (Structures)	3.75					
Form Setter Helper (Structures)	2.80					
Laborer, Common	2.25					
Laborer, Utility Man	2.75					
Manhole Builder, Brick	3.75					
Mechanic	3.75					
Mechanic Helper	3.15					
Oiler	3.25					
Serviceman	3.25					
Painter (Structures)	4.50					
Painter Helper (Structures)	3.00					
Piledriverman	4.00					
Pipelayer	3.50					
Pipelayer Helper	3.25					
Pneumatic Mortarman	2.75					
Reinforcing Steel Setter (Paving)	3.00					
Reinforcing Steel Setter(Structures)	3.75					
Reinforcing Steel Setter Helper	2.55					
Steel Worker (Structural)	3.35					
Steel Worker Helper (Structural)	2.75					
Sign Erector	3.00					
Spreader Box Man	3.25					
Power Equipment Operators:						
Asphalt Distributor	3.25					
Asphalt Paving Machine	3.75					

INCIDENTAL PAVING & UTILITIES (EXCLUDING GALVESTON ISLAND)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Broom or Sweeper Operator	$3.00					
Bulldozer, 150 H.P. and Less	3.25					
Bulldozer, over 150 H.P.	3.75					
Concrete Paving Curing Machine	3.35					
Concrete Paving Finishing Machine	3.75					
Concrete Paving Joint Machine	3.10					
Concrete Paving Mixer	4.00					
Concrete Paving Spreader	3.60					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.75					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	4.00					
Crusher or Screening Plant Operator	4.10					
Front End Loader (2½ C.Y. and Less)	3.45					
Front End Loader (Over 2½ C.Y.)	3.50					
Motor Grader Operator, Fine Grade	4.00					
Motor Grader Operator	3.60					
Roller, Steel Wheel (Plant-Mix Pavements)	3.00					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.75					
Roller, Pneumatic (Self-Propelled)	3.00					
Scrapers (17 C.Y. and Less)	3.00					
Scrapers (Over 17 C.Y.)	3.25					
Tractor (Crawler Type) 150 H.P. and Less	2.90					
Tractor (Crawler Type) over 150 H.P.	3.45					
Tractor (Pneumatic) 80 H.P. and Less	2.65					
Tractor (Pneumatic) over 80 H.P.	3.00					
Traveling Mixer	2.50					
Truck Drivers:						
Single Axle, Light	2.50					
Single Axle, Heavy	2.95					
Tandem Axle or Semitrailer	2.50					
Lowboy-Float	3.25					
Transit-Mix	2.75					
Winch	2.75					
Welder	4.00					
Welder Helper	3.25					

SUPERSEDEAS DECISION

STATE: Texas COUNTY: Harris
DECISION NO.: AP-350 DATE: Date of Publication
Supersedes Decision No. AP-305, dated August 4, 1972, in 37 FR 15831.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

14 - Texas - 1 j (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others/
ASBESTOS WORKERS	$7.02	.50	.495		.03	
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS	7.20	.275	.30		.03	
CARPENTERS:						
Carpenters	6.35	.40	.22		.05	
Millwrights	6.52	.48	.22		.05	
Piledrivermen	6.35	.40	.22			
CEMENT MASONS	6.25	.40	.37		.05	
ELECTRICIANS	7.65	.25	1%+.15		.015	
ELEVATOR CONSTRUCTORS	6.60	.195	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.195	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	6.75	.225	.20		.01	
IRONWORKERS:						
Structural; Ornamental; Reinforcing	6.975	.25	.40		.05	
LABORERS:						
Common	4.55	.18	.10		.02	
Air tool operator (jackhammer-vibrator)	4.725	.18	.10		.02	
Mason tenders	4.725	.18	.10		.02	
Pipelayers (concrete and clay)	4.725	.18	.10		.02	
Sandblasters	4.725	.18	.10		.02	
Power buggy operator	4.725	.18	.10		.02	
Lather tender	4.825	.18	.10		.02	
Mortar mixers	4.825	.18	.10		.02	
Well driller	5.10	.18	.10		.02	
Well driller helpers	4.675	.18	.10		.02	
Blaster, powdermen	4.975	.18	.10		.02	
Plaster tender & hod carrier	4.825	.18	.10		.02	
LATHERS	6.75	.20	.15		.02	
PAINTERS:						
East Harris County:						
All brush painting, hand roller	6.68					
All spray painting, sandblasting, waterblasting	7.055					
Steeple jack work, hot materials	7.305					

AP-350 P. 2

14 - Texas - 1 j (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS (CONT'D):						
Remainder of County:						
Brush	$6.11	.275	.30	.30	.03	
Roller, steam cleaning, pneumatic tools	6.11	.275	.30	.30	.03	
Spray	6.485	.275	.30	.30	.03	
Sandblasting-waterblasting	6.485	.275	.30	.30	.03	
Steeple jack work, hot materials	6.735	.275	.30	.30	.03	
PIPEFITTERS	7.325	.275	.50		.04	
PLASTERERS	6.825	.27	.30		.02	
PLUMBERS	6.95	.22	.42	.50	.05	
ROOFERS:						
Roofers	5.93	.20	.10	.15	.03	
Kettlemen	5.00	.20	.10	.15	.03	
Helpers	3.80	.20	.10	.15	.03	
SHEET METAL WORKERS	6.985	.225	.275	.20	.015	
SOFT FLOOR LAYERS	6.15		.10		.03	
SPRINKLER FITTERS	7.60	.25	.40		.05	
TILE SETTERS, MARBLE MASONS, MOSAIC & TERRAZZO WORKERS	5.00					
TRUCK DRIVERS:						
Under 1½ tons; wash, grease, tireman, fuel pump operation when used on construction jobs	5.05					
1½ thru 2½ tons; dump truck less than 7 yds.	5.34					
Over 2½ tons; farm tractors; fork lifts, floats	5.50					
Euclids (not self-loading)	5.60					
Warehousemen	5.24					
Material checkers; pick-up drivers	6.01					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rates.
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.

14 - Texas - PEO - 1 L (1 - 2)

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
HEAVY EQUIPMENT						
Heavy Duty Mechanic; Blade Grader, Self-propelled; Bull Clam; Back Filler; Derrick-power operated (all types); Clam shell; Draglines; Push Cat Operator; Bull Dozer & all types Cat Tractors; Cable-Way; Backhoe; Shovel, power operated; Crane, power operated (all types); Elevating Grader, Self-propelled; Hoist, Motor-Driven, Two Drums or more; Mix Mobile; Water Well Drilling Machine, Used on Construction; Building Elevator, used on Construction; Tug Boat Operator, Assigned to Construction; Winch Truck; Locomotive Crane; Concrete Mixer, 14 cu. ft. or more; Paving Mixer (all types); Pile Driver; Scraper, Heavy Type, over 3 cu. yds.; Trenching Machines (all sizes); Gradall; High-Lift; Foundation Boring Machine; Gasoline or Diesel-Driven Welding Machines, 7 or more; Pumpcrete Machine Operator; Turnapulls; DW-10 Caterpillar, S-18 Euclid and Similar Tractors; Asphalt Plant Mixer Operator on Job; Crusher Operator on job; Scoopmobiles; Forklift used on construction (not including warehousing); Well Point Pump; Concrete Batch Plant Operator; Pneumatic Rollers, Self-Propelled; All other equipment of similar nature coming under the Heavy Equipment Class, when power operated	$6.65	.30	.30		.01	

14 - Texas - PEO - 1 L (2 - 2)

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LIGHT EQUIPMENT						
Air Compressors; Blade Grader, Towed; Flex Plane; Form Grader; Concrete Mixer, less than 14 cu. ft.; Pumps, Pulsometer; Truck crane Driver; Gasoline or diesel Driven Welding Machines (on 3 or more, up to 6 machines); Hoist, Single Drum; Scraper, 3 cu. yds. or less; Wagon Drill Operator; Conveyor; Generator, Gasoline or diesel-driven, over 1500 watts; Rubber Tired Farm Tractor with attachments; A light Equipment Operator may run 1 or 2 105 cfm compressors; All other equipment of similar nature coming under the Light Equipment Class, when power operated	$6.01	.30	.30		.01	
FIREMAN	5.59	.30	.30		.01	
OILER	5.46	.30	.30		.01	

4 - Texas - LC 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION						
Linemen	$7.465	.17	1%		1/2%	
Ground mechanics	6.42	.17	1%		1/2%	
Groundmen	5.15	.17	1%		1/2%	
Groundmen (1st 6 mos.)	3.77	.17	1%		1/2%	

AP-350 P. 5

14 - Texas - 3 g (1 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Tool Man	$3.00					
Asphalt Heaterman	3.00					
Asphalt Raker	2.75					
Batching Plant Scaleman	2.60					
Carpenter	3.75					
Carpenter Helper	3.00					
Concrete Finisher (Paving)	3.75					
Concrete Finisher Helper (Paving)	3.00					
Concrete Finisher (Structures)	3.75					
Concrete Finisher Helper(Structures)	3.00					
Concrete Rubber	3.00					
Electrician	5.50					
Form Builder (Structures)	3.50					
Form Builder Helper (Structures)	2.50					
Form Liner (Paving and Curb)	3.65					
Form Setter (Paving and Curb)	3.25					
Form Setter Helper (Paving and Curb)	2.75					
Form Seter (Structures)	3.75					
Form Setter Helper (Structures)	2.80					
Laborer, Common	2.25					
Laborer, Utility Man	2.75					
Manhole Builder, Brick	3.75					
Mechanic	3.75					
Mechanic Helper	3.15					
Oiler	3.25					
Serviceman	3.25					
Painter (Structures)	4.50					
Painter Helper (Structures)	3.00					
Piledriverman	4.00					
Pipelayer	3.50					
Pipelayer Helper	3.25					
Pneumatic Mortarman	2.75					
Reinforcing Steel Setter (Paving)	3.00					
Reinforcing Steel Setter(Structures)	3.75					
Reinforcing Steel Setter Helper	2.55					
Steel Worker (Structural)	3.35					
Steel Worker Helper (Structural)	2.75					
Sign Erector	3.00					
Spreader Box Man	3.25					
Power Equipment Operators:						
Asphalt Distributor	3.25					
Asphalt Paving Machine	3.75					

AP-350 P. 6

14 - Texas - 3 g (2 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Broom of Sweeper Operator	$3.00					
Bulldozer, 150 H.P. and Less	3.25					
Bulldozer, over 150 H.P.	3.75					
Concrete Paving Curing Machine	3.35					
Concrete Paving Finishing Machine	3.75					
Concrete Paving Joint Machine	3.10					
Concrete Paving Mixer	4.00					
Concrete Paving Spreader	3.60					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.75					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	4.00					
Crusher or Screening Plant Operator	4.10					
Front End Loader (2½ C.Y. and Less)	3.45					
Front End Loader (Over 2½ C.Y.)	3.50					
Motor Grader Operator, Fine Grade	4.00					
Motor Grader Operator	3.60					
Roller, Steel Wheel (Plant-Mix Pavements)	3.00					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.75					
Roller, Pneumatic (Self-Propelled)	3.00					
Scrapers (17 C.Y. and Less)	3.00					
Scrapers (Over 17 C.Y.)	3.25					
Tractor (Crawler Type) 150 H.P. and Less	2.90					
Tractor (Crawler Type) over 150 H.P.	3.45					
Tractor (Pneumatic) 80 H.P. and Less	2.65					
Tractor (Pneumatic) over 80 H.P.	3.00					
Traveling Mixer	2.50					
Truck Drivers:						
Single Axle, Light	2.50					
Single Axle, Heavy	2.95					
Tandem Axle or Semitrailer	2.50					
Lowboy-Float	3.25					
Transit-Mix	2.75					
Winch	2.75					
Welder	4.00					
Welder Helper	3.25					

[FR Doc.72-16422 Filed 9-28-72;8:45 am]

federal register

FRIDAY, SEPTEMBER 29, 1972
WASHINGTON, D.C.

Volume 37 ■ Number 190

PART III

FEDERAL COMMUNICATIONS COMMISSION

■

The Public and Broadcasting

■

PROCEDURAL MANUAL

FEDERAL COMMUNICATIONS COMMISSION

[FCC 72-829]

BROADCAST PROCEDURE MANUAL

SEPTEMBER 26, 1972.

Notice is hereby given of the issuance of a pamphlet entitled, "The Public and Broadcasting—A Procedure Manual." In the manual, an effort is made to outline the respective roles of the broadcast station, the Commission, and the concerned citizen in the establishment and preservation of quality broadcasting services, to outline procedures available to the citizen, and to provide practical advice concerning their use. We are hopeful that the manual will encourage participation by members of the community and that it will direct such participation along lines which are most effective and helpful to the Commission.

Action by the Commission, September 20, 1972. Commissioners Burch (Chairman), Johnson, H. Rex Lee, Reid, Wiley, and Hooks.

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

THE PUBLIC AND BROADCASTING—A PROCEDURE MANUAL

TABLE OF CONTENTS

INTRODUCTION

PROCEEDINGS INVOLVING PARTICULAR APPLICANTS AND LICENSEES

INITIATING A PROCEEDING

Complaints generally.
Political broadcasting.
Fairness doctrine.
Personal attacks.
Political editorials.

PARTICIPATION IN APPLICATION PROCEEDINGS

General.
Informal objection.
Petition to deny.

PARTICIPATION IN A HEARING PROCEEDING

RULE MAKING

Petition for rule making.
Rule making without prior notice and public procedure.
Rule making with prior notice and public procedure.
Petition for waiver of a rule.

REFERENCE MATERIALS

THE PUBLIC AND BROADCASTING—A PROCEDURE MANUAL

INTRODUCTION

1. Establishing and maintaining quality broadcasting services in a community is the responsibility of broadcast station licensees and the Federal Communications Commission.[1] It is also, however, a matter in which members of the community have a vital concern and in which they can and should play a prominent role.

2. Licensees of radio and television stations are required to make a diligent, positive, and continuing effort to discover and fulfill the problems, needs, and interests of the communities they serve. The Commission encourages a continuing dialog between stations and community members as a means of ascertaining the community's problems, needs, and interests and of devising ways to meet and fulfill them. Members of the community can help a station to provide better broadcast service and more responsive programing by making their needs, interests, and problems known to the station and by commenting, whether favorably or unfavorably, on the programing and practices of the station. Complaints concerning a station's operation should be communicated promptly to the station, and every effort should be made, by both the complainant and the licensee, to resolve any differences through discussion at the local level.

3. The Commission is responsible for seeing that stations do in fact meet their obligations to the community. It considers complaints by members of the community against a station and before issuing or renewing a broadcast station license, must find that its action will serve the public interest, convenience, and necessity. However, to effectively invoke the Commission's processes, the citizen must not only concern himself with the quality of broadcasting but must know when, how, and to whom, to express his concern. On the one hand, the Commission is in large measure dependent on community members to bring up matters which warrant its attention. On the other, if resolute efforts are not first made to clear up problems at the local level, the Commission's processes become clogged by the sheer bulk of the matters brought before it.

4. If direct contact with a station does not produce satisfactory results, there are a number of formal and informal ways for members of the community to convey their grievances to the Commission and to participate in proceedings in which the performance of a station is judged and legitimate grievances are redressed. The purpose of this manual is to outline procedures available to the concerned citizen and to provide information and practical advice concerning their use. It is not a substitute for the rules of practice and procedure (47 CFR Part 1).[2] We are hopeful, however, that it will help community members to participate effectively and in a manner which is helpful to the Commission.

PROCEEDINGS INVOLVING PARTICULAR APPLICANTS AND LICENSEES

INITIATING A PROCEEDING

5. *Complaints generally.* A complaint against a broadcast station[3] can be filed with the Commission by any person at any time. You can go about it any way you wish; there are no particular procedural requirements, except as noted below. You should, however, bear the following facts in mind:

(a) During fiscal year 1971, the Commission received 53,503 complaints, comments, and inquiries concerning broadcast stations. Of this total, 23,424 were complaints.

(b) Almost all of these communications are initially considered and dealt with by approximately five Commission employees who are specially assigned this function. Additional personnel are assigned to a matter only if, on the initial examination, the complaint appears to warrant extensive inquiry, investigation or formal proceedings.

In light of this situation, there are a number of practical steps you can take which will be helpful to the Commission and will increase your effectiveness in making a complaint. These are set out below:

(1) Limit your complaint to matters on which the Commission can act. With minor exceptions (the provision of

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[1] The Federal Communications Commission is an independent Government agency responsible for regulating interstate and foreign communication by radio and wire. One of its responsibilities is to determine who is to operate the limited number of broadcast stations, to regulate the manner in which they are operated, and to generally supervise their operation, to the end that such operation may serve the interests of the public. This booklet deals only with this one aspect of the Commission's responsibilities.

The FCC is composed of seven members, who are appointed by the President subject to confirmation by the Senate. Normally, one Commissioner is appointed or reappointed each year, for a term of 7 years. One of the Commissioners is designated by the President to serve as Chairman, or chief executive officer, of the Commission.

The Commissioners, functioning as a unit, supervise all activities of the Commission. They are assisted by a staff of approximately 1,500 persons. Note that the term "Commission" refers both to the seven Commissioners as a unit and to the entire agency, including the staff. For a general description of the Commission and its organization, see 47 CFR 0.1–0.5. For a full description of the Commission's functions and of authority delegated by the Commission to its staff, see 47 CFR Part 0. (The Commission's rules are printed in Volume 47 of the Code of Federal Regulations (CFR). See paras. 60 and 61 below.)

[2] The manual reflects procedures and policies in effect on September 20, 1972. Persons using this manual are cautioned that these procedures and policies are subject to change and that any changes made after September 20, 1972, are not reflected in this manual. In particular, it is noted that broad studies of the fairness doctrine (Docket 19260) and the renewal procedures (Dockets 19153 and 19154) were in progress when this manual was issued.

[3] Complaints relating to some of the operations of networks and other organizations associated with broadcasting can also be filed.

"equal time" for candidates for public office, for example), we cannot direct that a particular program be put on or taken off the air. Nor are we arbiters of taste. Our concern, moreover, is with matters which affect the community generally (the public interest) rather than with the personal preferences or grievances of individals. Another publication, "The FCC and Broadcasting," contains more detailed information (in areas in which numerous complaints are received) regarding what the Commission can and cannot do. Copies will be furnished by the Complaints and Compliance Division of the Commission's Broadcast Bureau upon request.

(2) Submit your complaint first to the station involved. The station may well recognize the merit of your complaint and take corrective action, or may explain the matter to your satisfaction. If you are not satisfied with the station's response, it will aid and expedite action on your complaint to the Commission to enclose a copy of your complaint to the station and all subsequent correspondence between you and the station. (Though this way of proceeding is generally far preferable to complaining initially to the Commission, this is not always the case. If, for example, the complainant has reason for not disclosing his identity to the station, he may complain directly to the Commission, requesting that his identity not be disclosed.)

(3) Submit your complaint promptly after the event to which it relates.

(4) Include at least the following information in your letter of complaint:

a. The full name and address of the complainant.

b. The call letters and location of the station.

c. The name of any program to which the complaint relates and the date and time of its broadcast.

d. A statement of what the station has done or failed to do which causes you to file a complaint. Be as specific as possible: Furnish names dates, places and other details.

e. A statement setting forth what you want the station and/or the Commission to do.

f. A copy of any previous correspondence between you and the station concerning the subject of the complaint.

(5) Try to appreciate that the person reviewing your complaint must make rapid judgments regarding the gravity of the matters related and the action to be taken. There are a number of simple things you can do to make his job easier and to aid your own cause: State the facts fully and at the beginning. Subject to fully stating the facts, be as brief as possible. If the facts are self-explanatory, avoid argument; let the facts speak for themselves. Avoid repetition or exaggeration. If you think a specific law or regulation has been violated, tell us what it is. If possible, use a typewriter, but if you do write by hand, take special pains to write legibly.

6. A complaint received by the Commission is dealt with as follows:

(1) If the complaint does not allege a substantial violation of statute or of Commission rule or policy, if inadequate information is submitted, or if the factual statement is not sufficiently specific, a letter (which is often a form letter) explaining these matters is directed to the complainant.

(2) If the complaint does allege specific facts sufficient to indicate a substantial violation, it is investigated, either by correspondence with the station (which may produce a satisfactory explanation or remedial action) or, in rare instances, by field inquiry. (Since the Commission's investigatory staff is small, the number of complaints which can be investigated by field inquiry is limited.) If further information from the complainant is needed, he is asked to furnish it. If the staff concludes that there has been a violation, it may recommend to the Commission that sanctions be imposed on the station; it may direct remedial action (such as equal opportunities for a candidate for public office); or, where extenuating circumstances are present (as where the violation follows from an honest mistake or misjudgment or where the station otherwise has a good record), it may note the violation but not recommend a sanction. Possible Commission actions range from the imposition of monetary forfeitures not exceeding $10,000 and short-term renewal of license to revocation of license or denial of an application for renewal of license. The imposition of sanctions involves formal proceedings (which may include a hearing) and, in connection with such proceedings, the complainant may be asked to submit a sworn statement or to appear and give testimony at a hearing before an administrative law judge. In some circumstances, the complainant is entitled, and may choose, to participate as a party to the proceeding. A hearing is ordered in a renewal or revocation proceeding only if substantial questions have been raised concerning the licensee's qualifications.

7. Four types of complaint require compliance with specific procedures and submission of specific information. These complaints involve compliance with the requirement of equal time for political candidates, the fairness doctrine, the personal attack rule, and the rule governing political editorials. Generally, these matters should be taken up with the station before a complaint is filed with the Commission. However, where time is an important factor, you may find it advisable to complain simultaneously to the station and the Commission. In such circumstances, complaints are often submitted and answered by telegraph and, where the matter is most urgent, by telephone.

8. *Political broadcasting.* Section 315 of the Communications Act, 47 U.S.C. 315,[4] provides that if any Commission licensee shall permit any person "who is a legally qualified candidate for any public office" to use a broadcast station, he shall afford to all other candidates for that office equal opportunities to use the station's facilities. Appearances by candidates on the following types of programs are exempt from the equal opportunities requirement:

1. Bona fide newscast;
2. Bona fide news interview;
3. Bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary); or
4. On-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto).

However, where candidates appear on programs exempt from the equal opportunities requirement, broadcasters must nevertheless meet the obligation imposed upon them under the Communications Act (to operate in the public interest) and the fairness doctrine (to afford reasonable opportunity for the discussion of conflicting views on controversial issues of public importance). See paragraph 12 below. The equal opportunities and fairness doctrine requirements are applied to networks as well as to stations.

9. A request for equal opportunities must be made directly to the station or network and must be submitted within 1 week after the first broadcast giving rise to your right of equal opportunities. This is most important, as your right is lost by failure to make a timely request. To make it as clear as possible, we offer the following example:

A, B, and C are legally qualified candidates for the same public office. A makes an appearance on April 5 on a program not exempted by the statute. On April 12, B asks for an equal opportunity to appear on the station and does, in fact, appear on April 15. On April 16, C asks for an equal opportunity to appear. However, he is not entitled to do so, as he has failed to make his request within 1 week after A's appearance. If the station allows him to appear, it must subsequently grant any timely request for equal opportunities submitted by A and B.

There is an exception to this requirement where the person requesting equal opportunities was not a candidate at the time of the first broadcast giving rise to the right of equal opportunities. See 47 CFR 73.120(e).

10. If you are a candidate or his designated agent and think that the candidate has been denied equal opportunities, you may complain to the Commission. A copy of this complaint should be sent to the station. Your letter of complaint should state (1) the name of the station or network involved; (2) the name of the candidate for the same office and the date of his appearance on the station's facilities; (3) whether the candidate who appeared was a legally qualified candidate for the office at the time of his appearance (this is determined by reference to the law of the State in which the election is being held); (4) whether the candidate seeking equal time is a legally qualified candidate for the same office; and (5) whether you or your candidate made a request for equal opportunities to the licensee within 1 week of

[4] The Communications Act is printed in title 47 of the United States Code (U.S.C.). See paragraph 59 below.

the day on which the first broadcast giving rise to the right to equal opportunities occurred.

11. A political broadcasting primer ("Use of Broadcast Facilities by Candidates for Public Office"), containing a summary of rulings interpreting the equal opportunities requirement, has been published in the FEDERAL REGISTER and in the FCC Reports [5] (35 F.R. 13048, 24 F.C.C. 2d 832) and is available from the Commission upon request, as is a question and answer pamphlet ("Use of Broadcast and Cablecast Facilities by Candidates for Public Office") (37 F.R. 5796, 34 F.C.C. 2d 510). See also 47 U.S.C. 315 and 47 CFR 73.120.

12. *Fairness doctrine.* Under the fairness doctrine, if there is a presentation of a point of view on a controversial issue of public importance over a station (or network), it is the duty of the station (or network), in its overall programing, to afford a reasonable opportunity for the presentation of contrasting views as to that issue. This duty applies to all station programing and not merely to editorials stating the station's position. The station may make offers of time to spokesmen for contrasting views or may present its own programing on the issue. It must present suitable contrasting views without charge if it is unable to secure payment from, or a sponsor for, the spokesman for such views. The broadcaster has considerable discretion as to the format of programs, the different shades of opinion to be presented, the spokesman for each point of view, and the time allowed. He is not required to provide equal time or equal opportunities; this requirement applies only to broadcasts by candidates for public office. The doctrine is based on the right of the public to be informed and not on the proposition that any particular person or group is entitled to be heard.

13. If you believe that a broadcaster (station or network) is not meeting its obligation to the public under the fairness doctrine, you should complain first to the broadcaster. If you believe that a point of view is not being presented and wish to act as spokesman for that point of view, you should first notify the broadcaster. Barring unusual circumstances, complaints should not be made to the Commission without affording the broadcaster an opportunity to rectify the situation, comply with your request, or explain its position.

14. If you do file a fairness doctrine complaint with the Commission, a copy should be sent to the station. The complaint should contain specific information concerning the following matters: (1) The name of the station or network involved; (2) the controversial issue of public importance on which a view was presented; (3) the date and time of its broadcast; (4) the basis for your claim that the issue is controversial and of public importance (either nationally or in the station's local area at the time of the broadcast); (5) an accurate summary of the view or views broadcast; (6) the basis for your claim that the station or network has not broadcast contrasting views on the issue or issues in its overall programing; and (7) whether the station or network has afforded, or has expressed the intention to afford, a reasonable opportunity for the presentation of contrasting viewpoints on that issue.

15. A fairness primer ("Applicability of the Fairness Doctrine in the Handling of Controversial Issues of Public Importance"), containing a summary of rulings interpreting the fairness doctrine, has been published in the FEDERAL REGISTER and the FCC reports (29 F.R. 10416, 40 F.C.C. 598), and is available from the Commission upon request.

16. *Personal attacks.* The personal attack rule requires that when, during the presentation of views on a controversial issue of public importance, an attack is made upon the honesty, character, integrity, or like personal qualities of an identified person or group, the broadcaster must, within 1 week after the attack, transmit to the person or group attacked (1) notification of the date, time and identification of the broadcast; (2) a script or tape (or an accurate summary if a script or tape is not available) of the attack; and (3) an offer of a reasonable opportunity to respond over the station's facilities free of charge. See 47 CFR 73.123(a). The personal attack rule does not apply to attacks made in the course of a bona fide newscast, a bona fide news interview, or on-the-spot coverage of a bona fide news event (including commentary or analysis by newsmen offered as part of such programs). Though the specific requirements of notice and an offer of an opportunity to respond do not apply to such programs, the other requirements of the fairness doctrine do apply. For other circumstances in which the personal attack rule does not apply, see 47 CFR 73.123(b). See also, the fairness primer, described above in paragraph 15.

17. If you believe that you or your group has been personally attacked during presentation of a controversial issue, and if you are not offered an opportunity to respond, you should complain first to the station or network involved. If you are not satisfied with the response, you may then complain to the Commission.

18. If you file a complaint with the Commission, a copy should be sent to the station. The complaint should contain specific information concerning the following matters: (1) The name of the station or network involved; (2) the words or statements broadcast; (3) the date and time the broadcast was made; (4) the basis for your view that the words broadcast constitute an attack upon the honesty, character, integrity, or like personal qualities of you or your group; (5) the basis for your view that the personal attack was broadcast during the presentation of views on a controversial issue of public importance; (6) the basis for your view that the matter discussed was a controversial issue of public importance, either nationally or in the station's local area, at the time of the broadcast; and (7) whether the station within 1 week of the alleged attack: (i) Notified you or your group of the broadcast; (ii) transmitted a script, tape, or accurate summary of the broadcast if a script or tape was not available; and (iii) offered a reasonable opportunity to respond over the station's facilities.

19. *Political editorials.* When a broadcast station, in an editorial, endorses a legally qualified candidate for public office, it is required to transmit to other qualified candidates for the same office (1) notice as to the date and time of the editorial, (2) a script or tape of the editorial, and (3) an offer of a reasonable opportunity for the other candidates or their spokesmen to respond to the editorial over the licensee's facilities free of charge. Where a broadcast station, in an editorial, opposes a legally qualified candidate for public office, it is required to send the notice and offer to the candidate opposed. The notice and offer must be sent within 24 hours after the editorial is broadcast. If the editorial is to be broadcast within 72 hours of election day, the station must transmit the notice and offer "sufficiently far in advance of the broadcast to enable the candidate or candidates to have a reasonable opportunity to prepare a response and to present it in timely fashion." See 47 CFR 73.123(c). See also, the fairness primer described above in paragraph 15.

20. If you are a candidate or his authorized spokesman and believe that the station, in an editorial, has opposed the candidate or supported his opponent and has not complied fully with these requirements, you should complain to the station or network involved. If, in response to your complaint, the station does not offer what you consider to be a reasonable opportunity to respond to the editorial, you may complain to the Commission. Send a copy of your complaint to the station.

PARTICIPATION IN APPLICATION PROCEEDINGS

21. *General.* Public expression regarding the operation of broadcast stations is not limited to letters of complaint. You can also support or object to applications filed with the Commission, such as an application for a new license, a change in existing facilities (for example, an increase in tower height or transmitter power or a change in studio location), or the renewal or transfer of a current license. You may proceed either formally, by filing a "petition to deny," or informally, by filing an "informal objection." (See below.) You may raise any public interest question relating to the application or the applicant. Allegations have been made in the past, for example, that the station's programing does not serve the needs and interests of the community or that the station has engaged in discriminatory employment practices. The question raised need not relate directly to the authority sought by the applicant. Your purpose in participating could properly be to effect a

[5] See paragraph 62 below.

change in the station's policies or practices, by negotiation or by Commission direction, rather than to have the application denied. It is desirable and important that you discuss your grievances with the station, as they occur, and try to work out a mutually acceptable solution, either prior to or in lieu of filing an objection to the grant of an application. The Commission does not look with favor on objections to a grant where grievances have been "stored up" during the license term, without being brought to the station's attention, and are disclosed for the first time in objections to an application.

22. With certain minor exceptions, all broadcast applicants are required to give notice to the community that they have filed an application with the Commission. See 47 CFR 1.580. Notice is published in local newspapers and (in the case of most existing licensee-applicants) is broadcast over their facilities. Public notice of the filing of the application is also given by the Commission. Applicants and licensees are required to maintain locally for public inspection copies of applications and other documents as specified in the Commission's rules. See 47 CFR 1.526. The notice given locally by the station will state the address at which these documents can be inspected. Additional papers relating to the station, including those kept locally, are available for inspection at the Commission's office in the District of Columbia.[6] Except in the case of certain minor applications (see 47 U.S.C. 309), the Commission must give notice of the acceptance of the application for filing at least 30 days before acting on it. See paragraphs 33 and 34 below.

23. *Informal objection.* If you have information which you believe should be considered by the Commission in determining whether the grant of an application would serve the public interest, convenience and necessity, you may file an "informal objection". See 47 CFR 1.587. Such objections may be filed in writing with the Secretary of the Commission, Washington, D.C. 20554, at any time prior to action on the application, and must be signed by the person making them. There are no other requirements.

24. The informal objection procedure is designed for use by persons who cannot qualify as "parties in interest" (see paragraph 30 below) or who (though they qualify as parties in interest) do not choose to assert the rights or to assume the burdens of parties to the proceeding. In addition, pleadings, or communications, submitted by persons who desire to participate as parties to the proceeding but which fail to meet the requirements for "petitions to deny" (see paragraph 29 below) are treated as informal objections.

25. Informal objections are dealt with much in the same manner as complaints and should include at least the minimum information required for an effective complaint (see paragraph 5, above). They are associated with the application to which they relate, however, and are reviewed by elements of the staff responsible for taking or recommending action on that application.

26. If in the judgment of the Commission's staff the objection does not raise a substantial public interest question, it will not be referred to the Commission (that is, the Commissioners) for consideration. In such cases, the staff will give notice of Commission or staff action on the application to persons who have filed an objection, advising them that their objection has been rejected by the staff as a basis for denying the application. An application for review of staff action by the Commission may be filed. Such an application must be filed prior to seeking judicial review. See 47 U.S.C. 155(d)(7); 47 CFR 1.115.

27. If in the judgment of the staff the objection raises a substantial public interest question, it is made the subject of field inquiry or is forwarded to the applicant for comment. If the applicant is asked to comment, he is required to serve a copy of his comments on the person who filed the objection, and that person is entitled to file a reply. If there is still a substantial question, it is referred to the Commission and is dealt with on its merits in conjunction with action on the application. If the Commission concludes that a substantial and material question of fact has been presented or if it is for any reason unable to find that a grant of the application would serve the public interest, it will order a hearing. Otherwise, it will grant the application. If a hearing is ordered, a person who has filed an informal objection will not ordinarily be named as a party to the proceeding, but may seek to participate as a witness or, within 30 days after publication of the hearing issues in the FEDERAL REGISTER, petition for intervention as a party. See paragraph 39 below.

28. If the objection is considered and disposed of in a Commission opinion granting the application, you may within 30 days petition for reconsiderations or seek judicial review. If you appeal or petition for reconsideration, you should be prepared to show that you are aggrieved or adversely affected by the Commission action (47 U.S.C. 402(b)(6) and 405). If you have not participated in proceedings resulting in a grant of the application (as by filing an informal objection), or if the Commission has not been afforded an opportunity to pass on the questions you intend to raise in court, you must file a petition for reconsideration before seeking judicial review.

29. *Petition to deny.* A petition to deny, which is a formal objection to grant of an application, is subject to the following statutory requirements (47 U.S.C. 309(d)):

(1) The petition must contain specific allegations of fact sufficient to show that the petitioner is a party in interest and which, if true, would demonstrate that a grant of the application would be inconsistent with the public interest, convenience and necessity.

(2) "Such allegations of fact shall, except for those of which official notice may be taken, be supported by affidavit of a person or persons with personal knowledge thereof."

(3) The petitioner must serve a copy of the petition upon the applicant.

(4) The petition must be filed with the Commission within the time prescribed by the rules.

The requirements are discussed below at paragraphs 30–34. A petition opposing grant of an application which does not meet these requirements is treated as an informal objection. If you intend to appeal a grant of the application or wish to participate in any hearing held to determine whether the application should be granted or denied, or if you wish to assure Commission (rather than staff) action on your objections to the application, it is advisable to file a petition to deny rather than an informal objection. If you file a petition to deny, subsequent communication with Commissioners and certain other Commission personnel is limited by the rules governing ex parte communications, 47 CFR 1.1201–1.1251.[7]

30. There is no hard and fast rule for determining whether a member of the listening public or a community group qualifies as a party in interest. Generally, under court precedents, members of the listening public who show that they would be aggrieved or adversely affected by a Commission action granting an application of a station in their area have standing to raise public interest questions. It is important to bear in mind this last point—that arguments for denial of the application must be directed to the public interest rather than to your own personal interest. For example, you may show that you are hurt by the activities or failing of the station to which

[6] Most Commission records are routinely available for inspection under the Public Information Act (5 U.S.C. 552) and Commission rules implementing that Act (47 CFR 0.441–0.467). See, in particular, §§ 0.453 and 0.455. A person wishing to inspect such records has only to go to the office where they are kept and ask to see them. Requests for inspection of records not routinely available for inspection may be submitted, and are considered, under procedures set out in § 0.461 of the rules (47 CFR 0.461). Copies of records may be obtained for a fee from a private firm which contracts with the Commission to perform this service (see 47 CFR 0.465).

[7] It is important that you not communicate privately concerning the merits or outcome of any aspect of the case with persons who may participate in deciding it. Written communications must be served on parties to the proceeding. Oral communication must be preceded by notice to the parties affording them an opportunity to be present. Persons who may participate in the decision are (1) the Commissioners and their personal office staffs, (2) the Chief of the Office of Opinions and Review and his staff, (3) the Review Board and its staff, (4) the Chief Administrative Law Judge, the administrative law judges, and the staff of the Office of Administrative Law Judges, (5) the General Counsel and his staff, and (6) the Chief Engineer and his staff.

you object, as by showing that you live or work in the area served by the station and, if the charges relate to racial discrimination, that you are a member of a racial minority being discriminated against; but the substance of your arguments must be related to the interests of the community as a whole. Since the purpose of your participation is to argue for the interests of your community as a whole, it is relevant to show your ties to the community and knowledge of its problems and needs. To make a stronger showing,[8] it is also helpful to demonstrate that you are well qualified to represent the interests of the community and to aid the Commission in reaching a decision that best serves the interests of the community. You may, for example, have a background which specifically qualifies you on matters relating to your charges against the station. You may have a background in broadcasting or previous experience in Commission proceedings which would contribute to your effectiveness as a representative of the community. You may have access to information concerning the station's operations which is not generally available, as would be indicated by previous correspondence (or discussion) with the station concerning the charges set out in your petition. You may be the only member of the community who is prepared to assume the personal and financial burden which participation in Commission proceedings involves. It will help to show that others join with you in your petition or that you are serving as an authorized spokesman for a representative community group or groups. If other members of the public have separately petitioned to deny the application, you should endeavor to show that the contribution you can make would be superior to or different from that made by others. You should consider the possibility of joining with other members of the public for the purpose of participating in the hearing. If a large number of persons or groups seek to participate on behalf of the public, it is possible that some would be required to consolidate their efforts.

31. In determining whether the grant of an application is consistent or inconsistent with the public interest, the Commission is guided by the Communications Act, other laws pertinent to the facts of the case and the matters at issue, its own rules and regulations and policy statements, and past decisions of both the Commission and the courts. Although the facts set out in the petition to deny and the precise public interest question presented may be novel, it would be rare indeed if none of these guides could be brought to bear upon the question. It is possible, of course, to simply set out allegations of fact in a petition to deny and assert that they show that "a grant of the application would be prima facie inconsistent with the public interest" (47 U.S.C. 309(d)). Obviously, however, it is far more effective for you, and helpful to the Commission, if the facts alleged are related specifically to the policy and precedent guidelines utilized by the Commission in making its determination. An experienced attorney will be familiar with these materials and will know how to use them in effectively presenting your position.

32. Note that the statute requires specific allegations of fact. Hearsay, rumor, opinion, or broad generalizations, do not meet this requirement. Note also that the allegations must "be supported by affidavit of a person or persons with personal knowledge" of the facts. The petitioner need not, himself, have personal knowledge of the facts if he submits affidavits signed by others who do. An affidavit is a written statement, the truth of which is sworn to or affirmed before an officer who has authority to administer an oath, such as a notary public. Service of the petition is accomplished by delivering or mailing a copy to the applicant, on or before the day on which the document is filed. See 47 CFR 1.47. If the applicant is represented by an attorney, it is the attorney who should be served. A certificate of service, signed by the person who delivered or mailed the petition and reciting the fact and method of service, must be attached to the petition.

33. With minor exceptions (see 47 U.S.C. 309 (c) and (f)), no broadcast application may be granted earlier than 30 days following the Commission's issuance of a public notice stating that the application, or any substantial amendment thereof, has been "accepted for filing" (47 U.S.C. 309(b)). Except in the case of standard broadcast (AM radio) applications and renewal applications, the petition to deny must be filed within this 30-day period. In the case of standard broadcast (other than renewal) applications, the Commission issues a second public notice stating that the application is "available and ready for processing" and specifying a "cutoff" date, on which processing of the application will commence. Petitions to deny must be filed before the cutoff date. See 47 CFR 1.580(i).

34. Applications for renewal of licenses of broadcast stations (except experimental and developmental stations) must be filed 90 days prior to the expiration date of the license (47 CFR 1.539).[9] A petition to deny a renewal application must be filed by the end of the first day of the last full calendar month of the expiring license term (47 CFR 1.580(i) and 1.516(e)). Thus, for example, the license of a television station located in Illinois would ordinarily expire on December 1, 1973; the renewal application would be filed on or before September 1, 1973, and a petition to deny would have to be filed on or before November 1, 1973. There are two exceptions to the foregoing. First, the Commission may previously have issued a short-term license to the station in question; the license would in that case expire on a date specified by the Commission in its order making the short-term grant rather than on the date specified in footnote 9. Second, if the renewal application is filed late, the deadline for filing a petition to deny is the 60th day after the Commission has given public notice that the late filed application has been accepted for filing.

35. The applicant may file an opposition to your petition to deny within 10 days after the petition is filed. You may file a reply to the opposition within 5 days after the opposition is due. Note that the papers must reach the Commission within these periods. Reasonable requests for extensions of time will be granted if both parties consent or upon a showing of good cause. Note that requirements applicable to the petition to deny (service, supporting affidavits, etc.) also apply to the opposition and the reply. The purpose of a reply pleading is to respond to points made in the opposition pleading; it is not intended to give a petitioner an opportunity to present

[8] We do not wish to imply that a showing with respect to all of these matters, or as to any particular matter, is necessarily required to sustain your claim, or that other information may not also be appropriate. To the extent that the suggested information is set forth, however, it will enhance your showing. Do not, however, be discouraged by the number of factors listed. Our intent is to give you a general idea as to the type of information which can be submitted in support of a claim—not to indicate that the required showing is necessarily difficult to make.

[9] Licenses for standard broadcast (AM), FM and television broadcast stations ordinarily expire at 3-year intervals from the following dates:

(1) For stations located in Iowa and Missouri, February 1, 1971.

(2) For stations located in Minnesota, North Dakota, South Dakota, Montana, and Colorado, April 1, 1971.

(3) For stations located in Kansas, Oklahoma, and Nebraska, June 1, 1971.

(4) For stations located in Texas, August 1, 1971.

(5) For stations located in Wyoming, Nevada, Arizona, Utah, New Mexico, and Idaho, October 1, 1971.

(6) For stations located in California, December 1, 1971.

(7) For stations located in Washington, Oregon, Alaska, Guam, and Hawaii, February 1, 1972.

(8) For stations located in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, April 1, 1972.

(9) For stations located in New Jersey and New York, June 1, 1972.

(10) For stations located in Delaware and Pennsylvania, August 1, 1972.

(11) For stations located in Maryland, District of Columbia, Virginia, and West Virginia, October 1, 1972.

(12) For stations located in North Carolina and South Carolina, December 1, 1969.

(13) For stations located in Florida, Puerto Rico, and Virgin Islands, February 1, 1970.

(14) For stations located in Alabama and Georgia, April 1, 1970.

(15) For stations located in Arkansas, Louisiana, and Mississippi, June 1, 1970.

(16) For stations located in Tennessee, Kentucky, and Indiana, August 1, 1970.

(17) For stations located in Ohio and Michigan, October 1, 1970.

(18) For stations located in Illinois and Wisconsin, December 1, 1970.

For the expiration date of licenses of other classes of broadcast stations (for example, television booster and translator stations), see 47 CFR 74.15.

new matters. Also, pursuant to § 1.45(c) of the Commission rules (47 CFR 1.45(c)), additional pleadings may not be filed unless specifically requested and authorized by the Commission.

36. Questions raised in a petition to deny are dealt with on their merits in conjunction with action on the application in an opinion issued by the Commission (that is, by the Commissioners and not by the staff under delegated authority). The Commission will either deny your petition and grant the application, deny your petition and set the application for hearing on issues other than those you have raised, or grant your petition and set the application for hearing on some or all of the issues you have raised. If the application is granted, you may petition for reconsideration (see 47 U.S.C. 405; 47 CFR 1.106) or appeal to the U.S. Court of Appeals for the District of Columbia Circuit (see 47 U.S.C. 402(b)(6)). If a hearing is ordered and you are not named as a party, you may petition for reconsideration or (if you have previously made clear your wish to participate as a party) you may appeal; you may also file a petition to intervene (see 47 U.S.C. 309(e); 47 CFR 1.223) or seek participation as a witness. See paragraph 39 below.

37. If you file a petition to deny but do not intend to participate as a party to a hearing on the application, you should so advise the Commission in your petition. Otherwise, it will be assumed that you are asserting the right to participate and offering to prove the allegations set out in your petition; and, if a hearing is ordered and you have established your right to participate, you will be named as a party and may be assigned the burden of proceeding with the introduction of evidence and the burden of proof on the issues raised in your petition. You will be expected to appear at the hearing, present evidence, and proceed in other respects as a party. You are not required to retain an attorney. However, it is most advisable that you do so, as it is unlikely that you will be able to participate effectively without the assistance of counsel. If you do intend to retain counsel, it is advisable to do so at an early date, so as to have his assistance in preparing the petition to deny.

PARTICIPATION IN A HEARING PROCEEDING

38. The rules governing hearing proceedings are set out in Subpart B of Part 1 of Title 47 of the Code of Federal Regulations. If you do not retain an attorney, it is important that you familiarize yourself thoroughly with those rules. It is also important that you become familiar with Subpart A, the general rules of practice and procedure, many of which apply in hearing proceedings. Though the following outline of the procedural stages of a hearing proceeding may be helpful, effective participation will require a more detailed knowledge of the rules.

39. When the Commission determines that a hearing should be held, it issues an order (called a designation order) specifying the issues upon which evidence will be received and naming known parties in interest as parties to the proceeding. Shortly thereafter, the Chief Administrative Law Judge issues an order naming a presiding officer, setting a time and place for an initial prehearing conference, and specifying the place of the hearing and the date for its commencement. If you are named as a party, and wish to participate, you should, within 20 days after the designation order is mailed, file a notice of appearance stating that you will appear at the hearing. See 47 CFR 1.221. This notice and (except as otherwise expressly provided) all papers subsequently filed must be served on all other parties to the proceeding. See 47 CFR 1.47 and 1.211; see also, the rules governing ex parte presentations, 47 CFR 1.1201–1.1251. The notice of appearance should list the address at which you wish other parties to serve papers on you. If you are not named as a party, you may petition to intervene. See 47 CFR 1.223. To intervene as of right, you must show that you are a party in interest (see paragraph 30 above) and must file the petition within 30 days after the designation order is published in the FEDERAL REGISTER. It is not necessary for you to have participated in earlier stages of the proceeding. If the petition is filed late or if it fails to show that petitioner is a party in interest, his intervention as a party lies within the discretion of the presiding officer. You may appeal to the Review Board, as a matter of right, from an order denying your petition to intervene. See 47 CFR 1.301(a)(1). (For a description of the Review Board and its functions, see 47 CFR 0.361 and 0.365.) If the petition is denied, the person objecting may nevertheless request Commission counsel to call him as a witness. He may request other parties to the proceeding to call him as a witness. And, if these measures fail, he may appear at the hearing and ask that the presiding officer allow him to testify. If he shows that his testimony will be relevant, material, and competent, he will be allowed to testify. See 47 CFR 1.225(b). A person who has been permitted to participate as a party may move before the Chief Administrative Law Judge to hold the hearing in the community where the station is located, rather than in the District of Columbia. Action on that request lies within the discretion of the Chief Administrative Law Judge. Subject to budgetary limitations, hearings are held in the local community when it appears that there will be a sizable number of witnesses who live in that community.

40. If you are permitted to participate as a party, a number of new rights accrue to you. If you are dissatisfied with the issues listed by the Commission, you may petition for the addition or deletion of an issue or for the modification of those which are listed. See 47 CFR 1.229. Such petitions are acted on by the Review Board. You may utilize procedures for the discovery of facts relevant to the proceeding. See 47 CFR 1.311–1.325. You may file pleadings and oppose or support any motion or petition filed by any other party to the proceeding. You may ask the presiding officer to issue subpenas requiring the attendance of witnesses or the production of documents at the hearing. See 47 CFR 1.331–1.340. You may examine witnesses, object to the introduction of evidence, and cross-examine the witnesses of other parties. You are expected to be present at the hearing (either personally or by attorney) and to participate in the proceedings. If you subpena witnesses, you are responsible for payment of witness fees.

41. About 4 weeks after the proceeding is designated for hearing, the presiding officer holds an initial prehearing conference. See 47 CFR 1.248. Additional conferences may be held. At such conferences, the presiding officer works with counsel for the parties to devise a schedule for the completion of procedures (such as discovery and summary decision procedures) to be followed by counsel and to settle as many matters as possible before the evidentiary hearing. Counsel may, for example, enter into stipulations regarding undisputed facts and reach agreement as to the scope of the issues set for hearing. They may also agree as to the authenticity of exhibits and as to the qualifications of expert witnesses. Such agreement aids counsel in the preparation of his case, allowing him to concentrate on matters which remain in dispute. It also saves the time and expense which would otherwise be involved in establishing the facts agreed upon by testimony at the hearing. By the time you attend the conference, you should have a clear understanding of what you intend to prove, how (by what witnesses and exhibits) you intend to prove it, and of any collateral procedures you intend to follow, so that you can make full use of the prehearing technique.

42. A Commision hearing is much like a trial in a civil case in a court of law. Instead of a judge, there is a presiding officer, usually one of the Commission's administrative law judges. The administrative law judge is independent of the remainder of the agency and, with minor exceptions, his sole function is to preside over and initially decide Commission hearing proceedings. The Commission's Broadcast Bureau usually participates as a party to the proceeding, on behalf of the public, and is represented at the hearing by an attorney from its Hearing Division. At the hearing proper, witnesses testify under oath, are examined and cross-examined, and a transcript is made of their testimony; exhibits are offered in evidence; the rules of evidence are applied; and various motions are made, argued, and acted on. The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, constitute the exclusive record for decision.

43. When the testimony of all witnesses has been heard, the presiding officer closes the record (47 CFR 1.258)

and certifies the transcript and exhibits as to identity (47 CFR 1.260). Parties are afforded an opportunity to move for correction of the transcript (47 CFR 1.261) and to file proposed findings of fact and conclusions of law, which may be supported by a brief (47 CFR 1.263, 1.264). The presiding officer then prepares and issues an initial decision, which becomes effective 50 days after its issuance unless it is appealed by a party or reviewed by the Commission on its own motion (47 CFR 1.267 and 1.277(d)).

44. If you are dissatisfied with the initial decision you may, within 30 days, file exceptions to the decision, which may be accompanied by a brief. See 47 CFR 1.271–1.279. You may also, within this period, file a statement supporting the initial decision. Reply briefs may be filed within 10 days. In cases involving the revocation or renewal of a broadcast station license, the decision is reviewed by the Commission. In other broadcast cases, unless the Commission specifies otherwise, the decision is reviewed by the Review Board (47 CFR 0.365(a)). After exceptions have been filed, the parties may request an opportunity for oral argument before the Commission or the Review Board, as the case may be (47 CFR 1.277). Such requests are ordinarily granted. Thereafter the Commission (or the Board) issues a final decision (47 CFR 1.282). Within 30 days after release of a final Commission decision, you may petition for reconsideration (47 U.S.C. 405; 47 CFR 1.106) or file a notice of appeal with the U.S. Court of Appeals for the District of Columbia Circuit (47 U.S.C. 402(b)). In the case of a Review Board decision, you may, within 30 days, file either a petition for reconsideration by the Board or an application for review of the decision by the Commission. See 47 U.S.C. 155(d); 47 CFR 1.101, 1.102, 1.104, 1.106, 1.113, 1.115, and 1.117. You must seek Commission review of a Board decision before seeking judicial review.

RULE MAKING

45. A rule is similar to a law. It is a statement of policy to be applied generally in the future. A rule making proceeding is the process, required by law, through which the Commission seeks information and ideas from interested persons, concerning a particular rule or rule amendment, which will aid it in making a sound policy judgment. There are other ways, when a rule is not under consideration, in which the Commission seeks information needed to meet its regulatory responsibilities. It may issue a Notice of Inquiry, in which interested persons are asked to furnish information on a given matter and their views as to whether and how the Commission should deal with it. If needed information cannot be obtained in proceedings on a Notice of Inquiry, the Commission can order an investigatory hearing, in which witnesses and records can be subpenaed. If the information obtained indicates that rules should be adopted, the Commission then initiates a rule making proceeding.

PETITION FOR RULE MAKING

46. The principal rules relating to broadcast matters are set out in the rules and regulations of the Commission as Subpart D of Part 1, Part 73 and Part 74. Other provisions relating to broadcasting will be found in Parts 0 and 1. If you think that any of these rules should be changed or that new rules relating to broadcasting should be adopted by the Commission, you are entitled to file a petition for rule making. 5 U.S.C. 553(e); 47 CFR 1.401–1.407. No specific form is required for such a petition, but it should be captioned "Petition for Rule Making" to make it clear that you regard your proposal as more than a casual suggestion. An original and 14 copies of the petition and all other pleadings in rule making matters should be filed.

47. The petition "shall set forth the text or substance of the proposed rule * * * together with views, arguments and data deemed to support the action requested * * *." 47 CFR 1.401(c). This is important, for unless statements supporting or opposing your proposal are filed, you are afforded no further opportunity, prior to Commission action on the petition, to explain or justify your proposal.

48. When a petition for rule making is received, it is given a file number (such as RM–1000) and public notice of its filing is given. The public notice briefly describes the proposal and invites interested persons to file statements supporting or opposing it. Statements must be filed within 30 days after the notice is issued and must be served on the petitioner, who may reply to such a statement within 15 days after it is filed. The reply must be served on the person who filed the statement to which the reply is directed.

49. If a petition for rule making is repetitive or moot or for other reasons plainly does not warrant consideration by the Commission, it can be dismissed or denied by the Chief of the Broadcast Bureau. See 47 CFR 0.280(bb). In that event, petitioner may file an application for review of the Bureau Chief's action by the Commission. See 47 CFR 1.115. In most cases, however, the petition for rule making is acted on by the Commission. Action is ordinarily deferred pending passage of the time for filing statements and replies. Where the changes proposed obviously have (or lack) merit, however, action may be taken without waiting for the submission of statements or replies. In acting on a petition for rule making, the Commission will issue (1) an order amending the rules, as proposed or modified, or (2) a notice of rule making proposing amendment of the rules, as proposed or modified, or (3) an order denying the petition. In the event of adverse action by the Commission, you may petition for reconsideration (47 CFR 1.106).

RULE MAKING WITHOUT PRIOR NOTICE AND PUBLIC PROCEDURE

50. Rule making proceedings are conducted under section 4 of the Administrative Procedure Act, 5 U.S.C. 553. See also, 47 CFR 1.411–1.427. section 4 provides that an agency may make rules without prior notice and public procedure in any of the following circumstances:

(a) Where the subject matter involves a military or foreign affairs function of the United States.

(b) Where the subject matter relates to agency management or personnel or to public property, loans, grants, benefits, or contracts.

(c) Where the rules made are interpretative rules, general statements of policy, or rules of agency organization, procedure or practice.

(d) Where the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rules issued) that notice and public procedure are impracticable, unnecessary, or contrary, to the public interest.

The rules of organization practice and procedure (47 CFR Parts 0 and 1) are rather frequently amended, often without prior notice and public procedure. However, prior public comment is requested if the matters involved are particularly significant or there is doubt or controversy concerning the wisdom, precise effect, or details of the rule. Where notice is omitted pursuant to (d) above, it is in circumstances where the effect of the rule could be undermined by actions taken during the period allowed for comment, where the rule merely repeats the provisions of a statute, where the provisions of the rule are beneficial to all and there is no reason to expect unfavorable public comment, or in other similar circumstances constituting good cause under the statute. The other exceptions to the requirement of prior notice are of lesser importance.

51. If you are dissatisfied with a rule made by the Commission without prior notice, you may file a petition for reconsideration. You may also request that the effect of the rule be stayed pending action on your petition. All orders changing the Commission's rules are published in the FEDERAL REGISTER, and the 30-day period for filing the petition for reconsideration runs from the date of publication.

RULE MAKING WITH PRIOR NOTICE AND PUBLIC PROCEDURE

52. Except in circumstances listed in paragraph 50 above, the Commission is required to give prior notice and to afford an opportunity for public comment before making or changing a rule. If you have something to say concerning the proposed rule, you are entitled to file comments. Notice is given by issuance of a notice of proposed rule making, and by publishing that notice in the FEDERAL REGISTER. The text of the proposed rule is usually set out in the notice. On occasion, however, the notice will instead indicate the subject involved and the result intended, leaving the precise method for obtaining that result to a later stage of the proceeding following consideration of public comment. Whether or not the text is set out, the notice contains an

explanation of the proposed rule and a statement both as to the Commission's reasons for proposing the rule and its authority to adopt it. The notice also lists the dates by which comments and reply comments should be submitted and states whether there are limitations on Commission consideration of nonrecord communications concerning the proceeding.[10] Requests for extension of the time allowed for filing comments and reply comments may be filed.

53. Rule making proceedings are relatively informal. When a notice of proposed rule making is issued, the proceeding is given a docket number (such as Docket No. 15000). Papers relating to the proceeding are placed in a docket file bearing this number. This file is available for inspection in the Commission's Public Reference Room in Washington, D.C. Because comments and reply comments are sometimes filed by hundreds of persons, the Commission does not require that copies be served on others. To find out what others have said in their comments, you may inspect the docket file or arrange with a private firm (for a fee) to furnish copies of comments filed in the proceeding. See 47 CFR 0.465. Often, those who have filed comments will furnish copies as a courtesy upon request. All papers placed in the docket file are considered by the Commission before taking final action in the proceeding. To assure that your views are placed in the docket file and considered by the Commission, all comments, pleadings, and correspondence relating to the proceeding should (in the caption or otherwise) show the docket number.

54. The rules require that an original and 14 copies of comments be filed, that they be typed, doubled-spaced, timely filed, and so forth. See, e.g., 47 CFR 1.419. As a practical matter, it is important for you to meet these requirements. The 14 copies are needed for distribution to Commissioners and members of the staff involved in making a decision. If you submit only an original, it will be placed in or associated with the docket file and considered by the staff member assigned to write a decision but probably will not be seen by other Commission officials. Handwritten communications are also placed in the docket file and so considered. You should appreciate, however, that you are more likely to get your point of view across to the persons making the decision if your presentation is typewritten. In making a rule, the Commission is interested in getting as much information and the best thinking possible from the public before making a decision and does not reject comments on narrow technical grounds. However, failure to comply with the filing requirements adversely affects your right to have the comments considered and to complain if they do not receive what you consider to be full consideration.

55. The comments should explain who you are and what your interest is. They should recite the facts and authority which support your position. They should not ignore facts and authorities which tend to support a different position, but should deal with them and demonstrate that the public interest requires that the matter be resolved as you propose. They should be carefully worded and well organized and free of exaggeration or vituperative comment. They should be explicit. If the details of the proposed rule or one of several provisions only are objectionable, this should be made clear. Counterproposals may be submitted. If the rule would be acceptable only with certain safeguards, these should be spelled out, with the reasons why they are needed.

56. In rule making proceedings, the Commission's responsibility is to make a policy judgment and, in making that judgment, to obtain and consider comments filed in the proceeding. It may tap other sources of information. Unless otherwise expressly stated in the notice,[11] staff members working on the proceeding are generally prepared to meet with and discuss the proposed rule with anyone who is sufficiently interested. They may initiate correspondence or organize meetings to further develop pertinent information and ideas. They will utilize information available in the Commission's files and draw upon the knowledge and experience of other Commission personnel or of other Government agencies. Generally, the Commission hears oral argument only in rule making proceedings involving policy decisions of the greatest importance. However, you may request the Commission to hear argument in any proceeding, and that request will be considered and ruled upon. When argument is heard, interested persons appear before the Commissioners, orally present their views, and are questioned by the Commissioners. Other devices, such as panel discussions, have, on occasion, been used to further develop the information and ideas presented. An evidentiary hearing is not usual in rule making proceedings. Nevertheless, if you think the circumstances require an evidentiary hearing, you are entitled to ask that one be held.

57. After comments and reply comments and the record of oral argument (if any) have been reviewed, a policy judgment is made and a document announcing and explaining it is issued. There are a number of possibilities. The proposed rules may be adopted, with or without changes. They may be adopted in part and, in that event, further comment may be requested on portions of the proceeding which remain. The Commission may decide that no rules should be adopted or that inadequate information has been obtained and, thus, either terminate the proceeding or issue a further notice of proposed rule making requesting additional comment on particular matters. If final action as to all or any part of the proceeding is taken, the final action taken is subject to reconsideration (47 U.S.C. 405).

PETITION FOR WAIVER OF A RULE

58. Except as they implement mandatory statutory provisions, all of the Commission's rules are subject to waiver. 47 CFR 1.3. If there is something the rules prohibit which you wish to do, or if there is something the rules require which you do not wish to do, you may petition for waiver of the rules in question. The petition must contain a showing sufficient to convince the Commission that waiver is justified on public interest grounds (that is, the public interest would be served by not applying the rule in a particular situation) or, in some instances, on grounds of hardship or undue burden.

REFERENCE MATERIALS

59. Laws relating to communications have been compiled in title 47 of the United States Code, which is available in most libraries. The basic law under which the Commission operates is the Communications Act of 1934, as amended, 47 U.S.C. 151–609. A pamphlet containing the Communications Act, the Administrative Procedure Act, and other statutory materials pertaining to communications may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, for $2.55. Ask for the "The Communications Act of 1934" and "Packets 1–5". The pamphlet, with the packets of revised pages, shows all changes in the Act through January 1969.

60. The Commission's rules and regulations have been compiled in Chapter I of title 47 of the Code of Federal Regulations, which is available in many libraries. Chapter I is divided into four subchapters, which are printed in separate volumes, which may be purchased separately from the Superintendent of Documents. Those wishing to participate in broadcast matters will need two of these volumes:

Subchapter A—General—$1.75.
Subchapter C—Broadcast Radio Services—$1.75.

These volumes are revised annually.

61. The Commission's rules may also be purchased from the Superintendent of Documents in looseleaf form on a subscription basis. The rules are divided into 10 volumes, each containing several related parts. Each volume may be purchased separately. The purchase price includes a subscription to replacement pages reflecting changes in the rules until such time as the volume is revised. Those wishing to participate in broadcast matters will need two of these volumes:

[10] In rule making proceedings which involve "conflicting private claims to a valuable privilege," fairness precludes nonrecord communication between Commission personnel involved in making a decision and interested persons concerning the merits of the proceeding. Sangamon Valley Television Corp. v. F.C.C., 269 F. 2d 221, 224. In such proceedings, limitations on communication with the Commission are stated in the notice of proposed rule making.

[11] See footnote 10 above.

Volume I—containing Parts 0, 1, 13, 17, and 19—$4.50.
Volume III—containing Parts 73, 74, 76, and 78—$10.50.

62. All documents adopted by the Commission which have precedential or historical significance are published in the FCC reports, which are available in some libraries. The reports are usually published weekly in pamphlet form. The pamphlets are available from the Superintendent of Documents on a subscription basis and are subsequently compiled and published in bound volumes. The annual subscription price for the weekly pamphlets is $14. The cost of the bound volumes varies.

63. A list of the Commission's printed publications (with prices) will be furnished by the Commission on request.

[FR Doc.72-16581 Filed 9-28-72;8:45 am]