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Title 6—ECONOMIC STABILIZATION

Ruling—Internal Revenue Service, Department of the Treasury

[Price Commission Ruling 1972–275]

DEFINING FISCAL YEARS IN DETERMINING BASE PERIOD

Price Commission Ruling

Facts. A company uses a fiscal year ending June 30 for both accounting and tax purposes. On June 30, 1969, the company changes its fiscal year to the year ending December 31. However, its tax year does not change. Thus, the company has a 6-month fiscal year ending December 31, 1969, and a subsequent fiscal year ending December 31, 1970.

Issue. What are the company's "fiscal years" for determining profit margin during its base period?

Ruling. Economic Stabilization Regulations, 6 CFR 300.5 (1972) provides that "base period" means "any two, at the option of the person concerned, of that person's last 3 fiscal years ending before August 15, 1971 * * *." The term "fiscal years" means consecutive 12-month periods constituting a company's fiscal (accounting) years. Thus, the company's last 3 fiscal years for determining profit margin during its base period are the consecutive 12-month fiscal (accounting) years ending December 31, 1970, June 30, 1969, and June 30, 1968. Where a company has a taxable year different from its fiscal (accounting) year, the fiscal (accounting) year shall be used for determining profit margin during its base period.

Price Commission Ruling 1972–211, 37 F.R. 13650 (1972) holds that a short year cannot be used as a fiscal year for determining profit margin during the base period, and that the term "fiscal years" means consecutive 12-month periods constituting taxable years. Price Commission Ruling 1972–211 is hereby modified to the extent that it defines fiscal years in terms of taxable years.

Price Commission Ruling 1972–211 also states that if there had been a taxable short period within the last 3 taxable years only the 12-month taxable years ending since the short period are included within the base period. This portion of Price Commission Ruling 1972–211 is clarified by explaining that the base period may include, but is not limited to, the 12-month period or periods occurring after a short period. Thus, where a company has a short period occurring during its last 3 fiscal years, it shall use the 12-month periods occurring both before and after the short period in determining its last 3 fiscal (accounting) years if such periods end before August 15, 1971.

This ruling has been approved by the General Counsel of the Price Commission.

LEE H. HENKEL, Jr.,
Chief Counsel,
Internal Revenue Service.

Approved: November 7, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72–19777 Filed 11–16–72;8:50 am]

[Price Commission Ruling 1972–276]

CONTRACTS FOR THE SALE OF PRODUCTS OR SERVICES TO THE FEDERAL GOVERNMENT

Price Commission Ruling

Facts. Company A, a prenotification firm, is a manufacturer which enters into a contract with an agency of the Federal Government on September 1, 1972, for the sale of a product which A regularly sells to customers in the private sector. Under the terms of the contract A is able to obtain a slightly higher price from the Government than it charges to its private customers. A now wishes to charge its private customers the same price it charges the Government under the contract. A's opinion is that the price established in the contract is considered a prenotification and approval by the Price Commission under Economic Stabilization Regulations § 300.51(a), 37 F.R. 17476 (1972).

Issue. Does A have to specifically prenotify the Price Commission of the proposed price increase to its customers in the private sector?

Ruling. Yes. Section 300.51(a) relating to prenotification firms states in part that "[T]he entering into of a contract for purchase of a product or service by an agency of the Federal Government * * * is considered a prenotification and approval of the price stated in the contract * * *." This provision, however, means that the slightly higher price specified in the contract is considered approved by the Price Commission with respect to that contract only. It is inapplicable to other price increases contemplated by A which must be justified under Economic Stabilization Regulations, 6 CFR 300.12 (1972) and specifically prenotified in accordance with § 300.51(a).

This ruling has been approved by the General Counsel of the Price Commission.

LEE H. HENKEL, Jr.,
Chief Counsel,
Internal Revenue Service.

Approved: November 6, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72–19778 Filed 11–16–72;8:50 am]

[Price Commission Ruling 1972–277; Cost of Living Council Ruling 1972–119]

NEWLY ESTABLISHED RETAIL FIRM

Price Commission and Cost of Living Council Ruling

Facts. A new retailer A commences business in calendar year 1972. Retailer A is not a subsidiary or division of, or connected in any way with any other firm. Retailer A was established by two individuals, neither of whom had ever engaged in retail before.

Issue. By what method are A's price adjustments controlled under the Economic Stabilization Regulations?

Ruling. Unless it qualifies for exemption under the provisions of Economic Stabilization Regulations, 6 CFR 101.34 (j), 37 F.R. 3913 (1972), relating to price adjustments of retail firms, including restaurants, with annual sales or revenues of less than $100,000, or under the provisions of 6 CFR 101.51(b), 37 F.R. 8939 (1972), relating to price and pay adjustments (but not rent increases or adjustments) of a firm coming into existence on, or after January 1, 1972, with an average of 60 or fewer employees, price adjustments of firm A are controlled by the provisions of 6 CFR 300.13 (a), 37 F.R. 7621 (1972). See Cost of Living Council Ruling 1972–41, Price Commission Ruling 1972–118, March 24, 1972 (37 F.R. 6599, 1972), for the method of calculating a new firm's annual rate of sales or revenues on a quarterly basis.

Section 300.13(a) provides that a retailer may charge a price in excess of the base price whenever its customary initial percentage markup (CIPM) after November 13, 1971, is equal to or less than its last CIPM before November 14, 1971, or, at its option, its CIPM during its last fiscal year ending before August 15, 1971. It further provides that the aggregate effect of all its price changes shall not increase its profit margin over that which prevailed during the base period.

CIPM is defined in 6 CFR 300.5, 36 F.R. 23974 (1971), as the markup applied to cost (purchase price actually

paid by the selling person and transportation charges to be allocated to the merchandise) of merchandise when first offered for sale determined on an item, product line, department, store, or other pricing unit basis, according to the person's customary pricing practice. Profit margin is the ratio that operating income bears to net sales, 6 CFR 300.5, 37 F.R. 3913 (1972). Base period means any two of the last 3 fiscal years ending before August 15, 1971, and in determining a base period for the purpose of computing a profit margin during a base period, a weighted average of its profits during the 2 years chosen shall be used. 6 CFR 300.5, 36 F.R. 23974 (1971).

A is a newly established retailer offering new property for sale, as defined in § 300.409(a)(1), and base price for each item of merchandise is determined by a computation based on the average prices received in a substantial number of transactions by persons selling comparable property in the same marketing area. 6 CFR 300.409(c)(2), 36 F.R. 23974 (1971). Since it is a newly established retailer, A does not have either a CIPM before November 14, 1971, or a base-period profit margin. Thus, the initial selling price for A's items of merchandise shall not be established at a price greater than base prices. Thereafter, the CIPM shall be the percentage difference between cost and the price when first offered for sale, determined on an item, product line, department, store, or other pricing basis, according to the pricing practice initially chosen by A, and subsequent price adjustments shall not be subjected to the profit margin limitation under § 300.13(a)(2). Retailer A does not have a base-period profit margin because it did not have any fiscal years ending prior to August 15, 1971, and for that reason, is unable to establish a base-period profit margin under §§ 300.5 and 300.13(a).

This ruling has been approved by the General Counsels of the Price Commission and Cost of Living Council.

LEE H. HENKEL, Jr.,
Chief Counsel,
Internal Revenue Service.

Approved: November 13, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-19779 Filed 11-16-72;8:50 am]

[Price Commission Ruling 1972-278]

RENT—ALLOWABLE COSTS—NEW RENTAL UNITS

Price Commission Ruling; Correction

Price Commission Ruling 1972-269 published at page 23320 in the FEDERAL REGISTER issue dated November 2, 1972, is corrected by changing the citation in the last sentence of the second paragraph of the "Ruling" from "6 CFR 301.33(a)(2)(ii)" to "6 CFR 101.33(a)(2)(ii)."

Dated: November 7, 1972.

LEE H. HENKEL, Jr.,
Chief Counsel,
Internal Revenue Service.

Approved: November 7, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-19780 Filed 11-16-72;8:50 am]

[Price Commission Ruling 1972-279]

COMMUNITY ANTENNA TELEVISION

Price Commission Ruling

Facts. X, a corporation, provides community antenna television (CATV) service to persons located within Y city limits. X obtained authority to furnish CATV service within the city limits when the Y city council enacted an ordinance providing X with the franchise to render CATV service within the city limits. Statutory and case law of the state Z, where Y city is situated, did not confer on the city council jurisdiction to regulate rates charged by X but X did agree to submit to the city council's regulatory authority as a condition of doing business. Furthermore, Z's public utility commission does not regulate X's activities.

Issue. Is X considered a public utility for Economic Stabilization purposes?

Ruling. X is considered a public utility for Economic Stabilization purposes. Economic Stabilization Regulation, 6 CFR 300.16 (1972) defined a public utility to mean, "a person that furnishes utility services to the public * * *." The same section defined "utility service" to mean, "any commodity or service affected with a public interest * * *". "In United States v. Southwestern Cable Co.", 392 U.S. 157 (1968), the Supreme Court held CATV is subject to the regulatory authority of the Federal Communications Commission since CATV provides a public service affected with a public interest.

Regulation § 300.16 was superseded on September 16, 1972, by Economic Stabilization Regulation § 300.301-311, 37 F.R. 18893 (1972). The new definition of public utility in § 300.302 is expansive in nature. Section 300.302 defines a public utility to mean, "a person that furnishes service to the public * * *". X furnishes a service to the public.

Furthermore, the general operation of CATV resembles a public utility operation. X must attract large quantities of capital for construction of its communication facilities. The prices charged by CATV for its service must be sufficient to provide an adequate rate of return in order to attract the necessary capital. Therefore, price increases by CATV could not be reconciled with Price Commission regulations applicable to service organizations, since service organizations may only raise prices above base price to reflect incurred allowable costs, not to insure an adequate rate of return.

Regulation § 300.302 lists "telephone, and telegraph * * * services" as examples of public utility activities. CATV closely resembles the operation of a telephone or telegraph company in that its cables often parallel the same routes used by telephone and telegraph wire. In addition, the CATV service area is restricted and CATV functions in a noncompetitive atmosphere. (See Price Commission Ruling 1972-85, 37 F.R. 4371 (1972).)

Therefore, under both sets of regulations, CATV is considered a public utility. CATV cannot be considered a service organization since Economic Stabilization Regulation, 6 CFR 300.14 (1972) excludes public utilities from the definition of a service organization.

This ruling has been approved by the General Counsel of the Price Commission.

Dated: November 8, 1972.

LEE H. HENKEL, Jr.,
Chief Counsel,
Internal Revenue Service.

Approved: November 8, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-19781 Filed 11-16-72;8:50 am]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Animal and Plant Health Inspection Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS; EXTRAORDINARY EMERGENCY REGULATION OF INTRASTATE ACTIVITIES

PART 82—EXOTIC NEWCASTLE DISEASE; AND PSITTACOSIS OR ORNITHOSIS IN POULTRY

Area Released From Quarantine

Pursuant to the provisions of sections 1, 2, 3, and 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, sections 4, 5, 6, and 7 of the Act of May 29, 1884, as amended, and sections 3 and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 115, 117, 120, 123, 124, 125, 126, 134b, and 134f), Part 82, Title 9, Code of Federal Regulations, is hereby amended in the following respects:

In § 82.3, the reference to Colorado in the introductory portion of paragraph (a) and paragraph (a)(7) relating to the State of Colorado is deleted.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 115, 117,

120, 123–126, 134b, 134f; 29 F.R. 16210, as amended; 36 F.R. 20707, 21529, 21530, 37 F.R. 6327, 6505.)

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment excludes a portion of Jefferson County in Colorado from the areas quarantined because of exotic Newcastle disease. Therefore, the restrictions pertaining to the interstate movement of poultry, mynah, and psittacine birds, and birds of all other species under any form of confinement, and their carcasses and parts thereof, and certain other articles from quarantined areas, as contained in 9 CFR Part 82, as amended, will not apply to the excluded area. No area in Colorado remains under quarantine.

The amendment relieves certain restrictions presently imposed but no longer deemed necessary to prevent the spread of exotic Newcastle disease, and must be made effective immediately to be of maximum benefit to the affected persons. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of November 1972.

G. H. WISE,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.72-19811 Filed 11-16-72;8:46 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 72-SO-119, Amdt. 39-1559]

PART 39—AIRWORTHINESS DIRECTIVES

Grumman Model G-159 Airplanes

There have been failures of the attachment lugs of the elevator trim tab actuators on Grumman Model G-159 airplanes that could cause elevator flutter. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require inspection of the mounting lugs for cracks and remounting of the elevator trim tab actuators on Grumman Model G-159 airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

GRUMMAN. Applies to Model G-159 airplanes certificated in all categories.

Compliance required within 10 hours' time in service after the effective date of this AD unless already accomplished within the last 190 hours time in service and thereafter at intervals not to exceed 200 hours time in service from the last inspection.

To detect cracked mounting lugs of elevator trim tab actuators, Part Nos. 159SCC100-1 and 159SCC100-5 and to correct out-of-plane mounting, accomplish the following:

(a) Inspect the P/N 159SCC100-1 or 159SCC100-5 trim tab actuator mounting lugs for cracks and shim to correct any out-of-plane condition in accordance with Grumman Aerospace Corp. Gulfstream Customer Bulletin No. 208A through amendment 2 dated April 21, 1972 and Operational Summary No. 72-5B dated August 1972.

(b) If mounting lug cracks are found when conducting the inspections required by paragraph (a), before further flight, replace with a P/N 159SCC100-1, 159SCC100-5, or 159SCC100-11 actuator.

Compliance with this airworthiness directive is not required when the P/N 159SCC100-11 actuator is installed.

This amendment becomes effective November 24, 1972.

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

Issued in East Point, Ga., on November 9, 1972.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.72-19770 Filed 11-16-72;8:45 am]

[Airspace Docket No. 72-WA-58]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Area High Routes

The purpose of this amendment to Part 75 of the Federal Aviation Regulations is to change the reference facility for the second waypoint in area high route J812R. Changing the reference facility from Vero Beach, Fla., VORTAC to the Dayonta Beach, Fla., VORTAC will provide improved signal coverage on the segment of J812R involved.

Since this amendment is minor in nature with no substantive change in the regulation, notice, and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 4, 1973, as hereinafter set forth.

Section 75.400 (37 F.R. 2400, 15293) is amended as follows:

In J812R delete second waypoint information "Apopka, Fla. 28°25'30" N., 81°55'45" W., Vero Beach, Fla." and substitute "Apopka, Fla. 28°25'30" N., 81°-55'45" W., Daytona Beach, Fla." therefor.

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

Issued in Washington, D.C., on November 10, 1972.

CHARLES H. NEWPOL,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-19771 Filed 11-16-72;8:45 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 135—NEW ANIMAL DRUGS

Subpart C—Sponsors of Approved Applications

PART 135a—NEW ANIMAL DRUGS FOR OPTHALMIC AND TOPICAL USE USE

Triethanolamine Polypeptide Oleate-Condensate

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (12-817V) filed by The Purdue Frederick Co., 99 Saw Mill River Road, Yonkers, NY 10701, proposing revised labeling for the safe and effective use of triethanolamine polypeptide oleate-condensate for the removal of earwax in cats and dogs. The supplemental application is approved.

To facilitate referencing, the firm is being assigned a code number and placed in the list of sponsors in § 135.501 (21 CFR 135.501).

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 135 and 135a are amended as follows:

1. Section 135.501 is amended in paragraph (c) by adding a new code No. 083 as follows:

§ 135.501 Names, addresses, and code numbers of sponsors of approved applications.

* * * * * * *

(c) * * *

Code No.	*Firm name and address*
* * *	* * *
083	The Purdue Frederick Co., 99 Saw Mill River Road, Yonkers, NY 10701.

2. Part 135a is amended by adding a new section as follows:

§ 135a.44 Triethanolamine polypeptide oleate-condensate otic solution.

(a) *Specifications.* The drug contains 10 percent triethanolamine polypeptide oleate-condensate in propylene glycol with 0.5 percent chlorobutanol.

(b) *Sponsor.* See code No. 083 in § 135.501(c) of this chapter.

(c) *Conditions of use.* (1) It is used in dogs and cats to help remove excess or impacted earwax.

(2) The animal's head is tilted to the side and the ear canal filled with the drug. A cotton plug is placed in the canal after instilling the drug and the fluid allowed to remain for 15 to 30 minutes. The ear canal is flushed gently with lukewarm water using a soft rubber syringe and the procedure repeated if required.

(3) A veterinarian should be consulted if the animal has a history of allergy including skin sensitivity or if ear irritation occurs or if earwax remains after three instillations of the drug.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (11–17–72).

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

Dated: November 6, 1972.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc.72–19774 Filed 11–16–72;8:45 am]

Title 24—HOUSING AND URBAN DEVELOPMENT

Chapter I—Office of Assistant Secretary for Equal Opportunity, Department of Housing and Urban Development

SUBCHAPTER A—FAIR HOUSING

[Docket No. R–72–173]

PART 106—FAIR HOUSING ADMINISTRATIVE MEETINGS UNDER TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968

The purpose of this regulation is to establish procedures for the scheduling of public meetings to gather information to assist the Assistant Secretary for Equal Opportunity in achieving the aims and objectives of title VIII of the Civil Rights Act of 1968 for the promotion and assurance of fair housing and equal opportunity in housing without regard to race, color, religion, or national origin.

Notice of the proposed amendment to 24 CFR was published in the FEDERAL REGISTER on March 17, 1972 (37 F.R. 5637), and comments were received from several interested persons, organizations, and agencies. In response to the comments, § 106.3(b) has been revised to expand the list of persons who will be furnished copies of the notices of meetings. Section 106.9 has been amended to state that reports on meetings and recommendations of the Assistant Secretary may be made available to the public.

It should be noted that the meetings to be scheduled and held under this regulation are not hearings as are authorized to be held in connection with the investigation of title VIII complaints. In conducting investigations of title VIII complaints, subpenas may be used to require the appearance of witnesses and the production of documents. Subpenas will not be used in holding administrative meetings under this regulation.

Accordingly, Chapter I of 24 CFR is amended by adding a new Part 106 to read as follows:

Sec.
106.1 Purpose.
106.2 Definitions.
106.3 Initiation of meeting; notice.
106.4 Conduct of meetings.
106.5 Counsel and accompanying witnesses.
106.6 Intimidation of witnesses.
106.7 Transcript of meetings.
106.8 Attendance of news media at meetings.
106.9 Meeting report.

AUTHORITY: The provisions of this Part 106 issued under title 8 of the Civil Rights Act of 1968, 42 U.S.C. 3601, and section 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

§ 106.1 Purpose.

The purpose of this part is to establish procedures for public meetings or conferences that may be used to assist the Assistant Secretary in achieving the aims of title VIII for the promotion and assurance of equal opportunity in housing without regard to race, color, religion, or national origin, and, specifically, to carry out those responsibilities delegated to him by the Secretary of Housing and Urban Development under sections 808 (e) (1), (2), and (3), and 809 of title VIII.

§ 106.2 Definitions.

As used in this part:

(a) "Assistant Secretary" means the Assistant Secretary for Equal Opportunity in the Department of Housing and Urban Development.

(b) "Meeting" means a public meeting or conference held under the authority of title VIII and this part.

(c) "Title VIII" means title VIII of the Civil Rights Act of 1968, Public Law 90–284, 42 U.S.C. 3601–3619.

§ 106.3 Initiation of meeting; notice.

(a) Proceedings pursuant to this part shall be initiated by a notice issued by the Assistant Secretary. At least 30 days prior to the commencement of a meeting under this part, the Assistant Secretary shall cause such notice to be published in the FEDERAL REGISTER, specifying the date on which such meeting is to commence, the place at which it is to be held, and the subject of the meeting.

(b) Copies of such notice shall be furnished to all persons who are expected to testify or submit statements or other evidence and to the Community Relations Service, U.S. Department of Justice, the Housing Section, Civil Rights Division, U.S. Department of Justice, the U.S. Commission on Civil Rights, other appropriate Federal, State, and local agencies concerned with housing and community development, and such private organizations and groups as may be deemed concerned with the subject of the meeting.

(c) Persons and organizations desiring to submit information concerning the subject of the meeting, or to testify at such meeting, should address such information to: Assistant Secretary for Equal Opportunity, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410, or such local address as may be specified in the notice.

§ 106.4 Conduct of meetings.

(a) The Assistant Secretary or his designee shall announce in an opening statement the subject of the meeting.

(b) The Assistant Secretary or his designee shall determine the order of presentation of evidence and appearance of witnesses, and announce the rules governing the meeting.

(c) Meetings shall be conducted with reasonable dispatch and due regard shall be had for the convenience of witnesses.

(d) The questioning of witnesses shall be conducted only by the Assistant Secretary or his designee, or by counsel for any person, organization, or witness on direct or cross-examination, as the Assistant Secretary or his designee may determine.

§ 106.5 Counsel and accompanying witnesses.

Any person agreeing to appear in person before the Assistant Secretary or his designee at a meeting will be accorded the right to be accompanied by persons he may designate, including counsel.

§ 106.6 Intimidation of witnesses.

Witnesses at meetings are protected from threats and intimidation by the provisions of 18 U.S.C. 1505 and 42 U.S.C. 3631 which provide for criminal penalties.

§ 106.7 Transcript of meetings.

(a) An accurate transcript shall be made of the testimony of all witnesses at meetings. Transcripts shall be recorded by any person designated by the Assistant Secretary.

(b) Transcript copies of testimony given at meetings may be obtained by the public upon the payment of the cost thereof.

(c) Any person who has testified at a meeting may, within 2 weeks after copies of the transcript are available, ask to correct errors in the transcript of his testimony or examination. Such requests shall be granted only to make the transcript conform to the testimony presented at the meeting.

§ 106.8 Attendance of news media at meetings.

Reasonable access, as determined by the Assistant Secretary or his designee,

shall be provided for coverage of meetings to the various means of communication, including newspapers, magazines, radio, newsreels, and television. However, no witness shall be televised, filmed, or photographed during the meetings without his consent, nor shall his testimony be broadcast or recorded for broadcasting if he objects.

§ 106.9 Meeting report.

Evidence and information obtained during a meeting will serve as the basis of a report on the meeting by the Assistant Secretary. The report will contain such material and recommendations as the Assistant Secretary may determine to publish or otherwise make available to the public.

Effective date. These regulations shall be effective as of December 15, 1972.

MALCOLM E. PEABODY, Jr.,
Acting Assistant Secretary for Equal Opportunity.

[FR Doc.72-19815 Filed 11-16-72;8:47 am]

Title 32—NATIONAL DEFENSE

Chapter XVI—Selective Service System

CLASSIFICATION PROCEDURES

Whereas, on October 12, 1972, the Director of Selective Service published a notice of proposed amendments to Selective Service Regulations, 37 F.R. 21544, of October 12, 1972, and

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

Now therefore by virtue of the authority vested in me by the Military Selective Service Act, as amended (50 App. U.S.C. sections 451 et seq.) and Executive Order 11623 of October 12, 1971, the Selective Service Regulations, constituting a portion of Chapter XVI of Title 32 of the Code of Federal Regulations, are hereby amended, effective 11:59 p.m., e.s.t., on November 18, 1972, as follows:

PART 1611—DUTY AND RESPONSIBILITY TO REGISTER

§ 1611.2 [Amended]

Section 1611.2(c) is revoked.

PART 1624—APPEARANCE BEFORE LOCAL BOARD

Section 1624.4(b) is amended to read as follows:

§ 1624.4 Procedure during personal appearance before local board.

* * * * *

(b) At any such appearance, the registrant may present evidence, including witnesses, may discuss his classification, may point out the class or classes in which he thinks he should have been placed, and may direct attention to any information in his file which he believes the local board has overlooked or to which he believes it has not given sufficient weight. The registrant may present such further information as he believes will assist the local board in determining his proper classification. The information furnished should be as concise as possible under the circumstances. The registrant may summarize in writing the oral information that he or his witnesses presented. Such summary shall be placed in the registrant's file.

* * * * *

In § 1624.6 *Procedure of local board following personal appearance*, paragraph (a) is amended to read as follows:

§ 1624.6 Procedure of local board following personal appearance.

(a) After the registrant has appeared before the local board, it shall again classify the registrant and, as soon as practicable thereafter, it shall mail notice thereof on Notice of Classification (SSS Form 110) to the registrant. Only those members of the local board before whom the registrant appeared shall classify him. In the event that the local board classifies the registrant in a class other than that which he requested, it shall record its reasons therefor in his file. The local board shall inform the registrant of such reasons in writing at the time it mails his Notice of Classification (SSS Form 110).

* * * * *

PART 1626—APPEAL TO LOCAL BOARD

Section 1626.4(e) is amended to read as follows:

§ 1626.4 Review by appeal board.

* * * * *

(e) At any such personal appearance, there shall be present a quorum of the members of the board to which the registrant may present evidence, may discuss his classification, may point out the class or classes in which he thinks he should have been placed, and may direct attention to any information in his file which he believes the local board has overlooked or to which he believes it has not given sufficient weight. The registrant may present such further information as he believes will assist the board in determining his proper classification. The information furnished should be as concise as possible under the circumstances. The registrant may summarize in writing the oral information that he presented. Such summary shall be placed in the registrant's file.

* * * * *

PART 1627—APPEAL TO THE PRESIDENT

Section 1627.4(e) is amended to read as follows:

§ 1627.4 Procedures of the National Selective Service Appeal Board.

* * * * *

(e) At any such appearance, the registrant may discuss his classification, may point out the class or classes in which he thinks he should have been placed, and may direct attention to any information in his file which he believes the local board or the appeal board has overlooked or to which sufficient weight has not been given. The registrant may present such further information as he believes will assist the National Board in determining his proper classification. The information furnished should be as concise as possible under the circumstances. The registrant may summarize in writing the oral information that he presented. Such summary shall be placed in the registrant's file.

* * * * *

BYRON V. PEPITONE,
Acting Director.

NOVEMBER 13, 1972.

[FR Doc.72-19804 Filed 11-16-72;8:46 am]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGD 72-18R]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Saginaw River, Mich.

This amendment changes the regulations for the drawbridges across the Saginaw River at Bay City, Milwaukee, and Saginaw. This change was circulated as a public notice dated March 1, 1972, by the Commander, Ninth Coast Guard District and was published in the FEDERAL REGISTER as a notice of proposed rule making (CG 72-18) on February 2, 1972 (37 F.R. 2522). Six comments were received. Two had no objection or no comment. One objected to Saturday hours, however, vehicular traffic counts and bridge openings as shown by the drawtenders log for this period justifies this action. Three objected as a result of a newspaper article which inferred incorrectly that the Belinda Street Bridge would be closed to vessels. Letters of clarification were written to these objectors and no further comment was received.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising § 117.700 to read as follows:

§ 117.700 Saginaw River, Mich.; bridges.

(a) The owner of or agencies controlling each bridge shall provide the necessary drawtenders and the proper mechanical appliances for the safe, prompt opening of the draw for the passage of vessels.

(b) From March 16 through December 15 the draw of railroad bridges shall open as soon after receiving an opening signal as possible, however, passage of a vessel shall not be delayed for more than 15 minutes.

(c) Sound signals: These signals may be made by a whistle, horn, or other sound producing device or by shouting.

(1) The opening signal from a vessel is one long blast followed by one short blast.

(2) The acknowledging signal from the drawtender when the draw shall open is one long blast followed by one short blast.

(3) The acknowledging signal from the drawtender when the draw cannot open is four short, rapid blasts.

(d) Visual signals shall be used in conjunction with sound signals when sound signals cannot be heard.

(1) The vessel shall signal for an opening of the draw with a white flag by day or a green light at night, swung in full circles at arm's length in full sight of the bridge and facing the draw.

(2) When the draw will open, the drawtender shall acknowledge with a white flag by day or a green light at night, swung up and down vertically.

(3) When the draw cannot open, the drawtender shall acknowledge with a red flag by day or a red light at night, swung to and fro horizontally in full sight of the vessel until answered from the vessel by the same signal. In lieu of this procedure the drawtender may have two red lights mounted 30 inches between centers, horizontally, in an elevated position above the bridge and visible both upstream and downstream which will flash alternately when the draw cannot open.

(e) Public vessels of the United States, vessels in distress, and state or local government vessels used for public safety shall be passed through the draw of these bridges as soon as possible at any time, even though closed periods be in effect. Four short blasts is the opening signal from these vessels.

(f) Trains and vehicles shall not be stopped on a bridge for the purpose of delaying its opening, nor shall vessels be handled so as to hinder or delay the operation of the draw. All passages across or through a bridge shall be prompt to prevent unnecessary delay to either land or water traffic.

(g) The draw need not open to provide additional clearance for appurtenances unessential for navigation of the vessel, or for appurtenances essential for navigation but which may be altered by hinging, telescoping, collapsing, or otherwise, so as to require no greater clearance than the highest fixed and essentially unalterable point of the vessel.

(h) Bay City highway and railroad bridges:

(1) From December 16 through March 15 the draws of the highway bridges shall open on signal if at least 12 hours' notice has been given to the dispatcher, police department, Bay City.

(2) From March 16 through December 15 the draws of the Belinda Street, Third Street, Veterans Memorial and Lafayette Street Bridges shall open on signal, except that:

(i) From 6:30 a.m. to 8:30 a.m. and 3:30 p.m. to 5:30 p.m., the draws need not open for the passage of vessels of less than 50 gross tons, except on Sundays, and

(ii) From 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m., the draws need not open for the passage of downbound vessels of over 50 gross tons, except on Sundays and legal holidays observed in the locality, and

(iii) From 8 a.m. to 8 p.m. the draw of the Belinda Street Bridge need not open for the passage of pleasure craft on Saturdays, Sundays, and legal holidays observed in the locality except from 3 minutes before to 3 minutes after the hour and half hour.

(3) The draws of the Detroit and Mackinac, and the Penn Central Railroad bridges shall open on signal from March 16 through December 15.

(i) The draws shall open on signal from December 16 through March 15 if at least 12 hours notice has been given.

(i) I–75 highway bridge at Milwaukee:

(1) The draw shall open on signal from December 16 through March 15 if at least 12 hours notice has been given.

(2) The draw shall open on signal from March 16 through December 15. However, vessels should schedule passages through the draw during other than peak vehicular traffic periods as determined by the Michigan State Highway Department.

(j) Bridges at Saginaw:

(1) Sixth Avenue: The draw shall open on signal from 7 a.m. to 11 p.m. from April 1 through November 15. At all other times the draw shall open on signal if at least 3 hours notice has been given.

(2) The draws of all bridges above the Sixth Avenue Bridge shall open on signal if at least 3 hours notice has been given.

(3) Advanced notice as required by this paragraph shall be given to the bridge operations officer, police department, Saginaw.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05–1 (c)(4))

Effective date. This revision shall become effective on January 1, 1973.

Dated: November 10, 1972.

J. D. McCann,
Captain, U.S. Coast Guard, Acting Chief, Office of Marine Environment and Systems.

[FR Doc.72–19817 Filed 11–16–72;8:48 am]

SUBCHAPTER S—BOATING SAFETY

[CGD 72–54CR]

PART 174—STATE NUMBERING AND CASUALTY REPORTING SYSTEMS

Owner or Operator Casualty Reporting Requirements; Correction

In F.R. Doc. 72–17045 published at page 21404 in the October 7, 1972, issue of the Federal Register, a reference to § 173.61 in paragraph (e) of § 174.105, was published in error. The text of the section referred to as § 173.61 was eliminated in the final stages of drafting the regulations; however, through oversight, the reference to the nonexistent section appeared in both the notice of proposed rule making (37 F.R. 7751) and the final rule in § 174.105(e). This document corrects that oversight.

Accordingly, Part 174 of Title 33, Code of Federal Regulations is amended as follows:

1. By revoking paragraph (e) of § 174.105.

(Secs. 18, 39, 85 Stat. 213, 220, 228; 46 U.S.C. 1451, 1467, 1488; 49 CFR 1.46(O)(1))

Effective date. This amendment becomes effective on July 1, 1973.

Dated: November 14, 1972.

A. C. Wagner,
Rear Admiral, U.S. Coast Guard Chief, Office of Boating Safety.

[FR Doc.72–19820 Filed 11–16–72;8:49 am]

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

Fox River, Wis.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.460 governing the use, administration, and navigation of the locks and canals on the Fox River, Wis., is hereby amended with respect to the table in paragraph (a)(6)(iv) to reduce the hours when prior notice is required for operation of the lock at Rapide Croche and Little Kaukauna, Wis., effective on publication in the Federal Register (11–17–72), as follows:

§ 207.460 Fox River, Wis.

(a) *Use, administration and navigation of the locks and canals.* * * *

(6) *Provisions for lockage service.* * * *

(iv) * * *

NORMAL AND ADDITIONAL LOCKAGE TIMES

Lock location	Normal lockage times without prior request	Additional lockage times with prior request (note 1)	Notes
Menasha	8 a.m. to 12 midnight.	None	None
Appleton	10 a.m. to 6 p.m.	8 a.m. to 10 a.m. 6 p.m. to 12 midnight.	2 3-4
Cedars	do	do	3-4
Little Chute	do	do	3-4
Combined	do	do	3-4
Kaukauna	do	do	3-4
Rapide Croche	do	do	3-4
		8 a.m. to 10 a.m.	2
Little Kaukauna	do	6 p.m. to 12 midnight.	3, 4, 5
		8 a.m. to 10 a.m.	2
De Pere	8 a.m. to 12 midnight.	None	None

* * * * *

[Regs., October 25, 1972, 1502-01 Fox River, Wis.—DAEN-CWO-N]

(Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

For the Adjutant General.

E. W. GANNON,
Lieutenant Colonel, U.S. Army
Chief, Plans Office, TAGO.

[FR Doc.72-19796 Filed 11-16-72;8:48 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 72-1009]

PART 76—CABLE TELEVISION SERVICE

Special Relief

Memorandum opinion and order. In the matter of amendment of Part 76, Subpart A of the Commission's rules and regulations concerning procedures in the Cable Television Service.

1. Section 76.27 of the rules requires that an objection to an application for certificate of compliance be filed within 30 days of public notice of its filing. Section 76.7 of the rules allows interested persons to petition for special relief, e.g., ask that the Commission waive a provision of the rules relating to cable television systems or impose additional or different requirements. There is no time limit on the filings of petitions for special relief. To allow a later filed petition for special relief filed pursuant to § 76.7 of the rules to have the same effect as a timely filed objection could have the practical effect of eliminating the 30-day filing limit of § 76.27 of the rules by encouraging objecting parties not to object pursuant to § 76.27 of the rules but instead to delay objection until Commission action seems close and then to object under § 76.7 of the rules.

2. It is impossible to prevent this procedure entirely since the Commission can hardly establish formal filing requirements which would shut it off from consideration of serious public interest allegations. On the other hand, it seems reasonable to try to discourage such tactics as much as possible. A similar problem used to occur in connection with petitions for reconsideration filed in connection with broadcast applications which had not been protested before Commission action. This problem was largely solved in the broadcast area by adoption of § 1.106(c) of the rules. We believe a similar procedure will be helpful in connection with petitions for special relief directed against applications for certificates of compliance. Consequently, we are adding a new paragraph (i) to § 76.7 of the rules to require that a person who files a petition for special relief pursuant to § 76.7 of the rules, which if timely filed could have been asserted in an objection under § 76.27 of the rules, must show either good cause for not filing under § 76.27 of the rules or that consideration of the facts is in the public interest. This action is consistent with our statement in "Plymouth CATV Services, Inc.," FCC 72-953, —, FCC 2d —, that we planned such a change.[1]

3. Since this amendment relates to Commission procedure, the prior notice provisions of section 4 of the Administrative Procedure Act, 5 U.S.C. 553, do not apply.

Authority for the rule amendment adopted herein is contained in sections 2, 3, 4 (i) and (j) of the Communications Act of 1934, as amended.

Accordingly, it is ordered, That effective November 22, 1972, Part 76 of the Commission's rules and regulations is amended as set forth below.

(Secs. 2, 3, 4, 48 Stat. as amended, 1064, 1065, 1066; 47 U.S.C. 152, 153, 154)

Adopted: November 8, 1972.

Released: November 13, 1972.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

In § 76.7 a new paragraph (i) is added to read as follows:

§ 76.7 Special relief.

* * * * *

(i) If the relief requested could have been earlier filed pursuant to § 76.27, the petition will be dismissed unless the petitioner shows that:

(1) The facts relied on relate to events which have occurred or circumstances which have changed since the last opportunity to present such matters pursuant to § 76.27.

(2) The facts relied on were unknown to petitioner until after his last opportunity to present such matters, and he could not through the exercise of ordinary diligence have learned of the facts in question prior to such opportunity.

(3) Consideration of the facts relied on is required in the public interest.

[FR Doc.72-19824 Filed 11-16-72;8:48 am]

[1] The amendment we adopt today does not apply to petitions now on file, but applies only perspectively from the effective date.

[2] Commissioners Johnson and Hooks absent; Commissioners H. Rex Lee, Reid, and Wiley concurring in the result.

Title 50—WILDLIFE AND FISHERIES

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

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Moosehorn National Wildlife Refuge, Maine

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (11-17-72).

§ 28.7 Special regulations: Operation of vehicles.

MAINE

MOOSEHORN NATIONAL WILDLIFE REFUGE

The use of snowmobiles is permitted on the Baring and Edmunds Units subject to the following special conditions:

(1) Use is restricted to the period December 1, 1972 through April 15, 1973.

(2) Use shall be in accordance with all applicable State laws and regulations governing snowmobiles.

(3) Use is limited to designated roads and trails delineated on maps available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective during the period specified herein.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

NOVEMBER 8, 1972.

[FR Doc.72-19799 Filed 11-16-72;8:45 am]

PART 33—SPORT FISHING

Arrowwood National Wildlife Refuge, N. Dak.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (11-17-72).

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Sport fishing on the Arrowwood National Wildlife Refuge, N. Dak., is permitted only on the areas designated by

signs as open to fishing. These areas comprising 1,550 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge shall extend from December 1, 1972 through March 25, 1973.

(2) The use of boats, without motors, is permitted.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through March 25, 1973.

EARL R. CUNNINGHAM,
Acting Refuge Manager, Arrowwood National Wildlife Refuge, Edmunds, N. Dak.

NOVEMBER 2, 1972.

[FR Doc.72-19801 Filed 11-16-72;8:46 am]

PART 33—SPORT FISHING

Horicon National Wildlife Refuge, Wis.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (11-17-72).

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

WISCONSIN

HORICON NATIONAL WILDLIFE REFUGE

Sport fishing on the Horicon National Wildlife Refuge, Mayville, Wis., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 15 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from January 1 through February 28, 1973, inclusive.

(2) Permit is required to take carp for sale.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through February 28, 1973.

ROBERT G. PERSONIUS,
Refuge Manager, Horicon National Wildlife Refuge, Mayville, Wisconsin

NOVEMBER 10, 1972.

[FR Doc.72-19800 Filed 11-16-72;8:45 am]

Title 7—AGRICULTURE

Chapter III—Animal and Plant Health Inspection Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Japanese Beetle

REGULATED AREAS

Pursuant to the provisions of sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), and § 301.48-2 of the Japanese Beetle Quarantine regulations, 7 CFR 301.48-2, as amended, a supplemental regulation designating regulated areas, 7 CFR 301.48-2a, is hereby amended.

§ 301.48-2a Regulated areas; suppressive and generally infested areas.

The civil divisions and parts of civil divisions described below are designated as Japanese bettle regulated areas within the meaning of the provisions of this subpart, and such regulated areas are hereby divided into generally infested areas or suppressive areas as indicated below:

ALABAMA

(1) *Generally infested area.* None.

(2) *Suppressive area.*

Calhoun County. Sections 35 and 36, T. 15 S., R. 7 E.; and secs. 1, 2, 11, and 12, T. 16 S., R. 7 E.

Cleburne County. That portion of the county lying within the corporate limits of the city of Heflin.

Jackson County. That portion of the county lying within the corporate limits of the city of Scottsboro.

Jefferson County. Secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 17 S., R. 1 W.; and secs. 1, 12, 13, and 24, T. 17 S., R. 2 W.

Lee County. Secs. 7, 8, 17, 18, 19, and 20, T. 19 N., R. 27 E.

Winston County. Secs. 6 and 7, T. 10 S., R. 10 W.

* * * * *

A. In § 301.48-2a relating to the State of Georgia the entire description for that State is changed to read as follows:

GEORGIA

(1) *Generally infested area.*

Banks County. The entire county.

Barrow County. The entire county.

Bartow County. That portion of the county lying within 827 and 936 Georgia Militia Districts.

Bibb County. That portion of the county lying within an area bounded on the west by Georgia Highway 11, on the south by Rocky Creek, and on the east and north by Ocmulgee River.

Burke County. That portion of Georgia Militia District 66 lying north of Brier Creek, west of Highway 23, and north of Newberry Creek; that portion of Georgia Militia District 67 lying east of Highway 23 and 56; that portion of Georgia Militia District 65 lying north and west of the Keysville-Hephzibah Road, and that portion of Georgia Militia Districts 69 and 72 lying within a circle having a radius of 3 miles with the center at the intersection of the Savannah and Atlanta Railroad and the Georgia and Florida Railroad.

Cherokee County. The entire county, excluding Georgia Militia Districts 971, 960, 1028, and 817.

Clarke County. That portion of the county lying within Georgia Militia Districts 219, 1347, 241, and 216.

Clayton County. The entire county.

Cobb County. The entire county, excluding Georgia Militia Districts 851, 1318, and that portion of 991 lying southwest of U.S. Highway 41.

Columbia County. That portion of the county lying south of I-20 and east of Little Kiokee Creek.

Dawson County. The entire county.

De Kalb County. The entire county excluding that area lying south of Rockbridge Road and west of Panthersville Road and I-285.

Douglas County. That portion of the county lying within Georgia Militia Districts 1273, 784, 736, and 1272.

Elbert County. That portion of the county lying within Georgia Militia Districts 201, 197, and 315.

Fannin County. The entire county except Georgia Militia Districts 980 and 1130.

Fayette County. That portion of the county lying within Georgia Militia Districts 1248, 549, 496, 709, and 1262, and that portion of Georgia Militia District 496 lying north of State Highway 54, including the city of Fayetteville.

Forsyth County. The entire county.

Franklin County. The entire county.

Fulton County. The entire county, excluding Georgia Militia Districts 1165, 757, and 652.

Gilmer County. The entire county except Georgia Militia District 958.

Gordon County. That portion of the county lying within Georgia Militia Districts 1057 and 874.

Gwinnett County. The entire county.

Habersham County. The entire county.

Hall County. The entire county.

Hart County. The entire county.

Henry County. That portion of the county lying within Georgia Militia Districts 888, 775, and 622.

Jackson County. The entire county.

Lumpkin County. The entire county.

Madison County. The entire county.

Murray County. That portion of Georgia Military District 825 lying east of the L. & N. Railroad.

Newton County. That portion of the county lying within Georgia Militia District 462.

Oconee County. That portion of the county lying within Georgia Militia Districts 240, 239, and 224.

Oglethorpe County. That portion of the county lying within Georgia Militia Districts 226, 1303, 235, 236, and 227.

Paulding County. That portion of the county lying within Georgia Militia District 1596.

Pickens County. The entire county.

Rabun County. The entire county.

Richmond County. The entire county.

Spalding County. That portion of the county lying within the corporate limits of the city of Griffin and that area south of city to the county line lying east of Carver Road and west of Potato Creek.

Stephens County. The entire county.

Towns County. The entire county.

Union County. The entire county.

Walton County. That portion of the county lying within Georgia Militia Districts 250, 415, 421, 419, and 1663.

White County. The entire county.

(2) *Suppressive area.* None.

B. In § 301.48–2a relating to the State of Illinois under generally infested area in the counties of Cook and Iroquois, the following properties are added or redescribed as follows:

ILLINOIS

(1) *Generally infested area.*

* * * * *

Cook County. * * * and secs. 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, and 14, T. 35 N., R. 14 E.; and secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32, T. 35 N., R. 15 E. (all in Bloom Township).

* * * * *

Iroquois County. That portion of the county lying east of State Highway 49, secs. 1 and 2, T. 26 N., R. 10 E.; secs. 25, 26, 27, 34, 35, and 36, T. 27 N., R. 10 E.; sec. 6, T. 26 N., R. 11 E.; secs. 30 and 31, T. 27 N., R. 11 E.; secs. 18, 19, 30, and 31, T. 27 N., R. 13 W.; and secs. 13, 14, 23, 24, 25, 26, 35, and 36, T. 27 N., R. 14 W.

* * * * *

C. In § 301.48–2a relating to the State of Indiana the entire description for that State is changed to read as follows:

INDIANA

(1) Generally infested area.

Allen County. The entire county.

Benton County. The entire county.

Boone County. The entire county.

Carroll County. The entire county.

Cass County. The entire county.

Clark County. That portion of the county bounded by a line beginning at a point where State Highway 62 intersects the Floyd-Clark County line; thence extending northeastward along said highway to the point where it junctions with State Highway 131; thence northeastward along said highway to the point where it intersects Interstate Highway I65; thence continuing in a northeastward direction along the bituminous surfaced road located on the northern boundary of secs. 20 and 21 to the point where it junctions with Allison Lane; thence southeastward along said lane to the Ohio River; thence westward along the Ohio River to the point where it intersects the Floyd-Clark County line; thence north along said line to the point of beginning.

Clay County. Secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21, and 22, T. 13 N., R. 6 W. and secs. 1, 2, 3, 4, 9, 10, 11, 12, 14, 15, 16, 21, 22 and 23 T. 13 N., R. 7 W.

Clinton County. The entire county.

Daviess County. The entire county.

Dearborn County. T. 4 N., R. 1 W.; T. 5 N., R. 1 W.; T. 6 N., R. 1 W.; E½ and secs. 20, 21, 28, 29, 30, 31, 32, and 33, T. 7 N., R. 1 W.; secs. 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 16, and 17 T. 4 N., R. 2 W.; E½ and secs. 4, 5, 8, 9, 16, 17, 21, 28, and 33, T. 5 N., R. 2 W.; secs. 13 and 24, T. 6 N., R. 2 W.

De Kalb County. The entire county.

Delaware County. Secs. 2, 3, 10, 11, 14, and 15, T. 20 N., R. 10 E.

Dubois County. Secs. 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33, and 34, T. 1 N., R. 3 W.; secs. 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 1 N., R. 4 W. lying within the county; secs. 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36, T. 1 N., R. 5 W.; secs. 5 and 6, T. 1 S., R. 3 W.; secs. 1, 2, 3, 4, 5, 6, 8, and 9, T. 1 S., R. 4 W.; and sec. 1, T. 1 S., R. 5 W.

Elkhart County. The entire county.

Fulton County. The entire county.

Greene County. Secs. 28, 29, 30, 31, 32, and 33, T. 6 N., R. 3 W. and secs. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 6 N., R. 4 W.

Hendricks County. Secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 23, and 24, T. 15 N., R. 1 E.; and secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 15 N., R. 2 E.

Huntington County. The entire county.

Jackson County. Secs. 1, 2, 11, 12, 13, 14, 23, and 24, T. 4 N., R. 2 E.; secs. 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, T. 5 N., R. 2 E; secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, and 24, T. 4 N., R. 3 E.; secs. 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, and 34, T. 5 N., R. 3 E.; secs. 7, 18, and 19, T. 4 N., R. 4 E.; secs. 12, 13, and 24, T. 6 N., R. 5 E.; and secs. 7, 8, 9, 16, 17, 18, 19, 20, and 21, T. 6 N., R. 6 E.

Jasper County. The entire county.

Jefferson County. Secs. 1, 2, 11, 12, 13, 24, and 25, T. 3 N., R. 9 E.; secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, and 30, T. 2 N., R. 10 E.; secs. 2, 3, 4, 5, 6, 7, 8, 18, 19, 30, 31, and 32, T. 3 N., R. 10 E.; secs. 20, 21, 22, 27, 28, 29, 32, 33, 34, and 35, T. 4 N., R. 10 E.; sec. 2, T. 3 N., R. 11 E.; and secs. 26, 27, 34, and 35, T. 4 N., R. 11 E.

Jennings County. Sec. 1, T. 5 N., R. 7 E.; sec. 6, T. 5 N., R. 8 E.; E½ and secs. 4, 5, 8, 9, 16, 17, 20, 21, 28, 29, 32, and 33, T. 6 N., R. 7 E.; secs. 22, 23, 25, 26, 27, 28, 32, 33, 34, 35, and 36, T. 7 N., R. 7 E.; sec. 6, T. 5 N., R. 8 E.; secs. 3, 4, 5, 6, 7, 18, 19, 20, 21, 28, 29, 30, and 31, T. 6 N., R. 8 E.; secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 7 N., R. 8 E.; and secs. 28, 29, 32, and 33, T. 7 N., R. 9 E.

Kosciusko County. The entire county.

Lagrange County. The entire county.

Lake County. The entire county.

La Porte County. The entire county.

Lawrence County. That portion of the county lying west and south of a line starting at the intersection of State Highway 37 and the Lawrence-Monroe County line, thence southerly along State Highway 37 to the junction of State Highways 37 and 58, thence southeasterly along said highway to the junction of State Highway 50, thence easterly along State Highway 50 to its intersection with the Lawrence-Jackson County line.

Marion County. The entire county.

Marshall County. The entire county.

Martin County. The entire county.

Miami County. The entire county.

Montgomery County. The entire county.

Newton County. The entire county.

Noble County. The entire county.

Ohio County. Secs. 1, 2, 3, 4, 9, 10, 11, 15, and 16, T. 3 N., R. 1 W.; and secs. 8, 9, 10, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36, T. 4 N., R. 1 W.

Orange County. T. 1 S., R. 2 W.; T. 1 N., R. 2 W.; T. 2 N., R. 2 W.; T. 3 N., R. 2 W.; secs. 1, 12, 15, 16, 21, 22, 27, and 28, T. 1 S., R. 1 W.; secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 1 N., R. 1 W.; secs. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, and 32, T. 2 N., R. 1 W.; secs. 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, and 33, T. 3 N., R. 1 W.; and secs. 6 and 7, T. 1 S., R. 1 E.

Parke County. Secs. 34 and 35, T. 14 N., R. 6 W.; secs. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36. T. 14 N., R. 7 W.; secs. 15 through 18 and S½ T. 14 N., R. 8 W.; secs. 13, 22, 23, 24, 25, 26, 27, 35, and 36, T. 14 N., R. 9 W.

Porter County. The entire county.

Pulaski County. The entire county.

Putnam County. Secs. 4, 5, 6, 7, 8, 9, T. 16 N., R. 3 W.; secs. 1, 2, 3, 10, 11, and 12, T. 16 N., R. 4 W.

St. Joseph County. The entire county.

Starke County. The entire county.

Steuben County. The entire county.

Sullivan County. Secs. 2 and 3, T. 8 N., R. 9 W. and secs. 25, 26, 27, 28, 33, 34, 35, and 36, T. 9 N., R. 9 W.

Switzerland County. Secs. 30 and 31, T. 2 N., R. 1 E.; sec. 6, T. 1 N., R. 1 W.; secs. 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, and 36, T. 2 N., R. 1 W.; secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, and 18, T. 1 N., R. 2 W.; and secs. 1, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 27, and 28, T. 2 N., R. 3 W.

Tippecanoe County. The entire county.

Vanderburgh County. The entire county.

Vigo County. The entire county.

Wabash County. The entire county.

Washington County. Secs. 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, and 24, T. 3 N., R. 2 E.; secs. 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 4 N., R. 2 E.; and secs. 17, 18, 19, 20, 29, and 30, T. 4 N., R. 3 E.

Wayne County. The entire county.

Wells County. The entire county.

White County. The entire county.

Whitley County. The entire county.

(2) *Suppressive area.* None.

D. In § 301.48–2a relating to the State of Kentucky under generally infested area, the following counties are added or redescribed and should be listed in alphabetical order as follows:

KENTUCKY

(1) *Generally infested area.*

* * * * *

Clark County. The entire county.

* * * * *

Daviess County. That portion of the county bounded by a line beginning at the junction of the L. & N. Railroad and the sewage treatment plant; thence east to the Ohio River; thence along the south bank of the Ohio River to the northeast boundary of the Elmer Smith powerplant; thence south and east along said boundary to the junction of U.S. Highway 60; thence south along U.S. Highway 60 to the junction of the L. & N. Railroad spur; thence south along the L. & N. Railroad spur to the L. & N. Railroad main line; thence west and north along the L. & N. Railroad main line to the point of beginning.

* * * * *

Fayette County. The entire county.

* * * * *

Jefferson County. The entire county.

* * * * *

Madison County. The entire county.

* * * * *

Oldham County. The entire county.

* * * * *

(2) *Suppressive area.* None.

* * * * *

E. In § 301.48–2a relating to the State of Michigan under generally infested area, the following counties are redescribed and should be listed in alphabetical order as follows:

MICHIGAN

(1) *Generally infested area.*

Barry County. Secs. 18, 19, 27, 28, 29, 30, 31, 32, 33, 34, T. 1 N., R. 7 W.; and secs. 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36, T. 1 N., R. 8 W.

Berrien County. Secs. 1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, and 24, T. 8 S., R. 17 W.; and secs. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, T. 8 S., R. 18 W.; and secs. 13, 14, 15, 22, 23, and 24, T. 8 S., R. 19 W.

* * * * *

Cass County. Secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 7 S., R. 13 W.; secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, T. 8 S., R. 14 W.; secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, T. 8 S., R. 15 W.; secs. 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 7 S., R. 16 W.; secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, T. 8 S., R. 16 W.

* * * * *

MISSOURI

(1) *Generally infested area.* None.

(2) *Suppressive area.*

City of St. Louis. That part of the city bounded by a line beginning at a point where the Mississippi River intersects an imaginary line extended from Humboldt Avenue; thence southwesterly along said imaginary line and Humboldt Avenue to a second projected imaginary line extending southwesterly from Humboldt Avenue across Bellefontaine Cemetery to a point where the second imaginary line intersects West Florissant Avenue and Kingshighway Memorial Boulevard; thence southerly along said boulevard to its intersection with Shaw Boulevard; thence easterly along Shaw Boulevard to its intersection with Grand Boulevard; thence southerly along Grand Boulevard to its intersection with Russell Boulevard; thence easterly along Russell Boulevard to its intersection with Russell Avenue; thence easterly along said avenue and a projected imaginary line to a point where the imaginary line intersects the Mississippi River; thence northerly along said river to point of beginning.

That part of the city bounded by a line beginning at a point where Utah Street intersects Gustine Street; thence southerly along Gustine Street to its intersection with Taft Street; thence westerly along Taft Street to its intersection with Gravois Avenue; thence southerly along Gravois Avenue to its intersection with Neosho Street; thence westerly along Neosho Street to its intersection with Ridgewood Avenue; thence northerly along Ridgewood Avenue to its intersection with Chippewa Street; thence west on Chippewa Street to its intersection with Kingshighway Memorial Boulevard; thence northerly along said boulevard to its intersection with Fyler Street; thence east along Fyler Street to its intersection with Morganford Road; thence north on Morganford Road to its intersection with Utah Street; thence east on Utah Street to the point of beginning.

That part of the city bounded by a line beginning at a point where the city limits intersect Southwest Avenue; thence easterly along Southwest Avenue to its intersection with Watson Road; thence southwesterly along Watson Road to its intersection with Pernod Avenue; thence westerly along Pernod Avenue and a projected imaginary line to a point where the imaginary line intersects the city limits; thence northerly along said city limits to point of beginning.

St. Louis County. That part of the county bounded by a line beginning at a point where the county line—St. Louis city limits intersect Southwest Avenue; thence westerly along Southwest Avenue to its intersection with Manchester Avenue; thence west along Manchester Avenue to its intersection with Laclede Station Road; thence south along Laclede Station Road to Deer Creek; thence easterly along Deer Creek to its intersection with the county line—St. Louis city limits thence northerly along said county line—city limits to point of beginning.

That part of the county bounded by a line beginning at a point where the Chicago, Rock Island and Pacific Railroad intersects U.S. Routes 40 and 61; thence northeasterly along the said railroad to its intersection with City Road; thence southeasterly along City Road to its intersection with Olive Boulevard; thence southwesterly along Olive Boulevard to its intersection with White Road; thence southeasterly along White Road to its intersection with Conway Road; thence westerly along Conway Road to its intersection with U.S. Routes 40 and 61; thence northwesterly along U.S. Routes 40 and 61 to point of beginning.

* * * * *

F. In § 301.48–2a relating to the State of South Carolina under generally infested area, the following counties are added or redescribed and should be listed in alphabetical order as follows:

SOUTH CAROLINA

(1) *Generally infested area.*

* * * * *

Anderson County. That portion of the county lying north of Interstate Highway 85.

Calhoun County. That portion of the county lying north and west of U.S. Highway 601.

* * * * *

(2) *Suppressive area.* None.

G. In § 301.48–2a relating to the State of Tennessee under generally infested area, the following counties are added or redescribed and should be listed in alphabetical order as follows:

TENNESSEE

(1) *Generally infested area.*

* * * * *

Carter County. The entire county.

* * * * *

Hamblen County. That portion of the county lying east of Tennessee Highway 66 and south of U.S. Highway 11 East.

Hawkins County. That portion of the county lying within the incorporate city boundaries of Bulls Gap. That portion of the county bounded by a line beginning at the juncture of Federal Aid Secondary Road 2367 and U.S. Highway 11 West; thence northeast along U.S. Highway 11 West to its juncture with Federal Aid Secondary Road 2527; thence along said road to its jupcture with Federal Aid Secondary Road 2462; thence northeast along said road to the Hawkins-Sullivan County line; thence south along said county line to its intersection with Federal Aid Secondary Road 2463; thence southwest and west along said road to a point where it junctures at the Holston River with Federal Aid Secondary Road 2367; thence west along said road to the point of beginning.

* * * * *

Monroe County. * * * That portion of the county lying north of the Little Tennessee River.

Morgan County. That portion of the county bounded by a line beginning at a point where the Emory River intersects the Morgan-Roane County line; thence north along said river to the White Oak Creek; thence northwest along said creek where it terminates; thence diagonally across the Federal Aid Secondary Road 2590 to the first northbound gravel road; thence north along said road to where it junctures with the boundary of the Catoosa Wild Life Management Area; thence east along boundary of said Catoosa Wild Life Management Area to the point where it meets the Emory River at the point of the juncture of the Crooked Fork Creek; thence north along said creek to the point where it intersects U.S. Highway 27; thence south along said highway to the Morgan-Roane County line; thence west along said county line to the point of beginning.

Polk County. That portion of the county bounded on the south by a line beginning at the Georgia-North Carolina State line; thence west along Tennessee-Georgia State line to a point where State line intersects the Ocoee River; thence northwest along said river to a point where it junctures with the Hiwassee River; thence northwest along said river to the Polk-McMinn County line.

Roane County. That portion of the county bounded on the northwest by the south shoreline of the Tennessee River and on the northeast by U.S. Highway 70.

* * * * *

Sullivan County. The entire county.

Unicoi County. The entire county.

* * * * *

(2) *Suppressive area.* None.

* * * * *

(Secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended; 37 F.R. 6327, 6505, 10554; 35 F.R. 7001, 7 CFR 301.48–2)

This amendment shall become effective upon publication in the FEDERAL REGISTER (11–17–72).

The Deputy Administrator of the plant protection and quarantine programs has determined that infestations of the Japanese beetle exist or are likely to exist in the civil divisions and parts of civil divisions listed as regulated areas or that it is necessary to regulate such areas because of their proximity to Japanese beetle infestations or their inseparability for quarantine enforcement purposes from Japanese beetle infested localities.

The Deputy Administrator has further determined that each of the quarantined States, wherein only portions of the State have been designated as regulated areas, is enforcing a quarantine or regulation with restrictions on intrastate movement of the regulated articles substantially the same as the restrictions on interstate movement of such articles imposed by the quarantine and regulations in this subpart, and that designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the Japanese beetle. Therefore, such civil divisions and parts of civil divisions listed above are designated as Japanese beetle regulated areas.

This amendment adds to the Japanese beetle regulated areas all or parts of the following previously nonregulated city and counties: Calhoun, Cleburne, Jackson, Jefferson, Lee, and Winston Counties in Alabama; Bartow, Burke, Columbia, Gordon, Murray, and Paulding Counties in Georgia; Sullivan, Dubois, and Greene Counties in Indiana; the City of St. Louis and St. Louis County in Missouri; Anderson County in South Carolina; Daviess, Madison, and Oldham Counties in Kentucky; and Hamblen and Morgan Counties in Tennessee. The Japanese beetle regulated area has been extended in some previously regulated counties.

This document imposes restrictions that are necessary in order to prevent the dissemination of the Japanese beetle and should be made effective promptly to accomplish its purpose in the public interest. Accordingly, it is found upon good cause, under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to the foregoing regulation are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 10th day of November 1972.

LEO G. K. IVERSON,
Deputy Administrator, Plant Protection and Quarantine Programs.

[FR Doc.72–19763 Filed 11–16–72;8:45 am]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 4]

PART 722—COTTON

Subpart—Base Acreage Allotments for 1971, 1972, and 1973 Crops of Upland Cotton

MISCELLANEOUS AMENDMENTS

On September 28, 1972, notice of proposed rule making regarding determinations with respect to base acreage allotments for 1971, 1972, and 1973 crops of upland cotton was published in the FEDERAL REGISTER (37 F.R. 20254). Interested persons were invited to submit written data, views, and recommendations regarding the determinations within 15 days. No comments were received in response to this notice.

This amendment is issued pursuant to applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.). The purposes of the amendment are as follows:

1. To provide that planted and considered planted credit be given to cotton on federally-owned land when there is a restrictive lease in effect prohibiting its production and when leased back with uninterrupted possession to the former owner after acquisition under the right of eminent domain.

2. To provide for restructuring of the regulations relative to new farm eligibility for uniformity and to provide that the spouse's farm and nonfarm income be used in computing the income requirement for a new farm allotment.

3. To provide for the transfer from federally-owned land only in those cases where the land was leased back with uninterrupted possession to the former owner. Currently the regulations provide that no transfer is permitted from federally-owned land.

Since farmers are now making plans for their 1973 cotton crop, it is essential that these regulations be made effective at the earliest possible date. Accordingly, this document is being made effective upon date of its publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on November 10, 1972.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

1. Paragraph (f) of § 722.404 is amended by adding a new subparagraph (9) to read as follows:

§ 722.404 Definitions.

* * * * *

(f) * * *

(9) Acreage on federally owned land having a restirctive lease in effect prohibiting production of upland cotton when the land is leased back with uninterrupted possession to the former owner after acquisition under the right of eminent domain.

* * * * *

2. Section 722.407 is revised to read as follows:

§ 722.407 Base Acreage Allotments for new cotton farms.

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

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

(1) *Interest in another farm.* Neither the farm owner nor the farm operator shall own or operate any other farm in the United States for which an upland cotton base acreage allotment is established for the current year.

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

(3) *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 from farming.

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

(*a*) *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) but shall not include estimated return from the production of any requested new cotton farm base acreage allotment.

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

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

(ii) *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.

(iii) *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.

(iv) *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.

(c) *Eligibility requirements for the farm.* The eligibility requirements for the farm are as follows:

(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 cotton production. Also continuous production of cotton 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 cotton base-acreage allotment was permanently transferred by sale or owner shall not be eligible for a new cotton farm base-acreage 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 cotton base-acreage allotment was permanently released shall not be eligible for a new cotton farm base-acreage 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 upland cotton base-acreage allotment because the owner did not designate an allotment for such land when the parent farm was reconstituted pursuant to Part 719 of this chapter shall not be eligible for a new cotton farm base-acreage 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 cotton base-acreage allotment was pooled pursuant to Part 719 of this chapter, which is subsequently returned to agricultural production, shall not be eligible for a new cotton farm base-acreage allotment for a period of 3 years from the date the former owner was displaced.

(d) *Establishment of base-acreage allotments for new cotton farms.* If the applicant's farm is eligible for a cotton base-acreage allotment, such base-acreage allotment shall be established by the county committee on the basis of land, labor, and equipment available for the production of cotton; crop-rotation practices; and the soil and other physical

facilities affecting the production of cotton. The allotment so determined for any such farm shall not exceed the smallest of: (1) The factored base-acreage allotments established pursuant to § 722.406 for old cotton farms in the county which are similar except for the acreage planted to cotton during the farm-base years, (2) the base-acreage allotment requested, or (3) acreage of the requested commodity intended to be planted in the current year. The sum of the base-acreage allotments determined by the county committee for new cotton farms shall not exceed the reserves available for such farms in the county. The base-acreage allotments for new cotton farms shall be subject to review and approval by a representative of the State committee.

(e) *Reduction or cancellation of new cotton farm base-acreage allotments for misrepresentation.* If a new cotton farm base-acreage allotment is established under this section and it is later determined by the county committee or State committee, or the deputy administrator, that the new farm base-acreage allotment was obtained by misrepresentation by or on behalf of the farm operator or owner, the new farm base-acreage allotment established for the farm shall be canceled if the farm is not eligible for a new cotton farm base-acreage allotment or reduced to the amount which would be proper on the basis of the facts and a notice of revised allotment shall be issued. Any reduction or cancellation of a new cotton base-acreage allotment by the county committee shall be subject to the approval of the State committee. A cotton base-acreage allotment established for a farm in any year subsequent to the establishment of a new cotton farm base-acreage allotment for such farm shall be revised to reflect any reduction or cancellation of the new farm base-acreage allotment and a notice of revised allotment shall be issued.

3. Paragraph (h) of § 722.421 is revised to read as follows:

§ 722.421 Additional conditions and limitations.

* * * * *

(h) *Federally owned land.* No transfer under section 344a 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.

(Secs. 301, 344a, 350, 375, 52 Stat. 38, as amended, 79 Stat. 1197, as amended, 79 Stat. 1193, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1301, 1344b, 1350, 1375)

Effective date: Date of publication in the FEDERAL REGISTER (11-17-72).

[FR Doc.72-19851 Filed 11-16-72;8:51 am]

PART 722—COTTON

Subpart—1973 Crop of Upland Cotton; Base Acreage Allotments and National Production Goal

Sections 722.463 to 722.465 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.) (referred to as the "act"), with respect to the 1973 crop of upland cotton (referred to as "cotton"). The purpose of these provisions is to: (1) Proclaim a national production goal; (2) establish a national base acreage allotment; and (3) apportion the national base acreage allotment to States. Section 722.466 is issued pursuant to the Agricultural Act of 1949, as amended (7 U.S.C. 1421 et seq.), and provides for a cropland set-aside percentage of zero. The latest available statistics of the Federal Government have been used in making determinations under these provisions.

Notice that the Secretary was preparing to make determinations with respect to these provisions was published in the FEDERAL REGISTER on September 16, 1972 (37 F.R. 18923), in accordance with 5 U.S.C. 553. The views and recommendations received in response to such notice have been duly considered.

In order that State and county ASC committees may complete the necessary work for issuing farm allotment notices in a timely manner for cotton producers to complete their plans for the 1973 crop of cotton, it is essential that these provisions be made effective as soon as possible. Accordingly, §§ 722.463 to 722.466 shall be effective upon filing this document with the Director, Office of the Federal Register. The material previously appearing in these sections under centerhead "1972 Crop or Upland Cotton; Base Acreage Allotments" remains in full force and effect as to the crop to which it was applicable.

§ 722.463 National production goal for the 1973 crop of cotton.

The national production goal for the 1973 crop of cotton is hereby proclaimed to be in the amount of 12,075,000 standard bales of cotton determined in accordance with the formula prescribed under section 342a of the act, based on the following data:

	480 lbs., net weight bales
(1) Estimated domestic consumption, 1973-74 marketing year	8,000,000
(2) Estimated exports, 1973-74 marketing year	3,500,000
(3) Allowance for market expansion (5 percent of sum of (1) and (2))	575,000
(4) Adjustments to assure adequate stocks	0
Total	12,075,000
(5) 50 percent of the average offtake for the preceding 3 marketing years (1970, 1971, and estimated 1972)	5,824,750

§ 722.464 National base acreage allotment for the 1973 crop of cotton.

The national base acreage allotment for the 1973 crop of cotton shall be 10 million acres, determined in accordance with section 350(a) of the act.

§ 722.465 Apportionment of national base acreage allotment to the States.

The national base acreage allotment of 10 million acres is apportioned to the States in accordance with section 350 (b) of the act as follows:

States:	*State allotment (acres)*
Alabama	587,316
Arizona	208,060
Arkansas	831,428
California	462,725
Florida	18,893
Georgia	506,201
Illinois	1,771
Kansas	7
Kentucky	4,238
Louisiana	348,292
Mississippi	956,654
Missouri	223,759
Nevada	2,202
New Mexico	107,762
North Carolina	270,800
Oklahoma	464,480
South Carolina	413,183
Tennessee	332,009
Texas	4,250,719
Virginia	9,501

§ 722.466 Cropland set-aside percentage.

There will be no requirement for the 1973 crop of cotton that producers set aside an acreage of cropland equal to a percentage of the farm-base acreage allotment.

(Secs. 301, 342a, 350, 103; 52 Stat. 38, as amended, 84 Stat. 1371, 84 Stat. 1374; 7 U.S.C. 1301, 1342a, 1350, 1444)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on November 15, 1972.

EARL L. BUTZ,
Secretary.

[FR Doc.72-19938 Filed 11-15-72;4:11 pm]

[Amdt. 9]

PART 722—COTTON

Subpart—Acreage Allotments for the 1966 and Succeeding Crops of Extra Long Staple Cotton

MISCELLANEOUS AMENDMENTS

On September 28, 1972, notice of proposed rulemaking regarding determinations with respect to acreage allotments for 1966 and succeeding crops of extra long staple cotton was published in the FEDERAL REGISTER (37 F.R. 20255). Interested persons were invited to submit written data, views, and recommendations regarding the determinations within 15 days. No comments were received in response to this notice.

This amendment is issued pursuant to applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.). The purposes of the amendment are as follows:

1. To provide for restructuring of the regulations relative to new farm eligibility for uniformity and to provide that the spouse's farm and nonfarm income be used in computing the income requirement for a new farm allotment.

2. To provide for the transfer from federally owned land only in those cases where the land was leased back with uninterrupted possession to the former owner. Currently the regulations provide that no transfer is permitted from federally owned land.

Since farmers are now making plans for their 1973 cotton crop, it is essential that these regulations be made effective at the earliest possible date. Accordingly, this document is being made effective upon date of its publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on November 10, 1972.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

1. Paragraphs (c), (d), and (e) of § 722.512 are redesignated (d), (e), and (f), respectively, and reference in redesignated paragraph (f) is changed to read "paragraph (d) of this section," and paragraphs (a) and (b) of § 722.512 are amended to read as follows:

§ 722.512 Allotments for new ELS cotton farms.

(a) *Written application.* The owner or operator shall 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 owner or operator.* A new farm allotment may be established if each of the following conditions are met:

(1) *Interest in another farm.* Neither the farmowner nor the farm operator shall own or operate any other farm in the United States for which an ELS cotton allotment is established for the current year.

(2) *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 ELS cotton on the farm.

(3) *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 from farming.

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

(*a*) *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) but shall not include estimated return from the production of the requested new farm allotment.

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

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

(ii) *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.

(iii) *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.

(iv) *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.

(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 ELS cotton production. Also continuous production of ELS cotton 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 ELS cotton 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 ELS cotton 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 ELS cotton allotment because the owner did not designate an ELS cotton allotment for such land when the parent farm was reconstituted pursuant to Part 719 of this chapter shall not be eligible for a new ELS cotton 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 ELS cotton 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.

2. Paragraph (c) of § 722.530 is deleted. Paragraphs (d), (e), (f), (g), and (h) are redesignated (c), (d), (e), (f), and (g), respectively. The redesignated paragraph (g) is amended to read as follows:

§ 722.530 Additional conditions and limitations.

* * * * *

(g) *Federally owned land.* No transfer under §§ 722.526 to 722.531 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.

(Secs. 344, 347, 375, 63 Stat. 670, as amended, 675, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1347, 1375)

Effective date: Date of publication in the FEDERAL REGISTER (11–17–72).

[FR Doc.72–19850 Filed 11–16–72;8:51 am]

PART 730—RICE

Subpart—1972–73 Marketing Year

DETERMINATION OF COUNTY NORMAL YIELDS FOR 1972 CROP

The regulations contained in § 730.1507 are issued pursuant to and in conformity

with the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended. Section 301(b)(13), subparagraphs (D) and (F), of the Act provide definitions for county normal yields as follows:

(D) "Normal yield" for any county, in the case of rice * * * shall be the average yield per acre of rice * * * for the county during the 5 calendar years immediately preceding the year for which such normal yield is determined * * * adjusted for abnormal weather conditions and for trends in yields. If for any such year data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations issued by the Secretary, taking into consideration the yields obtained in surrounding counties during such year and the yield in years for which data are available, shall be used as the actual yield for such year.

* * * * *

(F) In applying subparagraphs (D) and (E), if on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause the yield for any year of such 5-year period is less than 75 per centum of the average; 75 per centum of such average shall be substituted therefor in calculating the normal yield per acre. If, on account of abnormally favorable weather conditions, the yield for any year of such 5-year period is in excess of 125 per centum of the average, 125 per centum of such average shall be substituted therefor in calculating the normal yield per acre.

Prior to the issuance of the regulations for determining county normal yields for 1972 and the determination of county normal yields thereunder, public notice (36 F.R. 13838) was given in accordance with 5 U.S.C. 553. No data, views, or recommendations pertaining thereto were submitted pursuant to such notice. Since farmers will be harvesting rice in areas prior to the date that county normal yields would ordinarily become effective (30 days after publication in the FEDERAL REGISTER), it is hereby found that the proclamations and determinations herein shall become effective upon the date of filing of this document with the Director, Office of the Federal Register.

Section 730.1507 is issued to provide the regulations for determining county normal yields and to proclaim the yields for the 1972 crop of rice determined thereunder.

§ 730.1507 County normal yield for 1972 crop rice.

(a) *Regulations.* County normal yields for 1972 crop rice shall be determined by computing the average yield per harvested acre of rice for each county producing rice during the years 1967 through 1971, adjusted for abnormal weather conditions and other uncontrollable natural causes and for trends in yields. Where data for any year are not available, or there was no actual yield, an appraised yield for such year shall be determined on the basis of the yields obtained in surrounding counties during such year and the yield in years for which data are available. Adjustments for abnormal weather conditions and other uncontrollable natural causes shall be as follows: For any annual yield, including an appraised yield, which is less than 75 per centum of the 5-year (1967–71) average yield, 75 per centum of such average shall be substituted therefor; and for any annual yield, including an appraised yield, which is in excess of 125 per centum of the 5-year (1967–71) average yield, 125 per centum of such average shall be substituted therefor. The adjustment for trends in yields shall be made by adopting as the county normal yield the simple average of (1) the 1967–71 average yield per harvested acre of rice for the county, adjusted for abnormal weather conditions and other uncontrollable natural causes as provided in the preceding sentence, and (2) the 1970–71 average yield per harvested acre of rice for the county, similarly adjusted, except that no trend adjustment shall be made unless the 2-year adjusted average is higher than the 5-year adjusted average. Notwithstanding the adjustments as indicated above, no county normal yield shall be less than the unadjusted 5-year (1967–71) average yield.

(b) *Statistical data.* Section 301(c) of the Agricultural Adjustment Act of 1938, as amended, provides that "The latest available statistics of the Federal Government shall be used by the Secretary in making the determinations required to be made by the Secretary under this act." In accordance therewith, the annual yields of rice for counties in the States of Arkansas, California, Louisiana, Mississippi, Missouri, and Texas used in the determination of county normal yields in this section shall be the latest official yields determined by the Statistical Reporting Service of the Department, on the basis of its estimate of harvested acres and production of rice in applicable counties of those States during each of the years 1967 through 1971, except that if such a yield for any year is not available, an appraised yield shall be used for such year. In the minor rice-producing States of Florida, North Carolina, Oklahoma, South Carolina, and Tennessee where no official estimates of rice yields were available, the annual rice yields for the years 1967 through 1971 used in determining the county normal yields in this section for the applicable counties in these States shall be those obtained by special surveys covering all farms producing rice in any of the calendar years 1967 through 1971.

(c) *Proclamation of county normal yields.* County normal yields for 1972 crop rice, determined in accordance with paragraphs (a) and (b) of this section, are as follows:

1972 COUNTY NORMAL RICE YIELDS

ARKANSAS

County	Normal yield per harvested acre (pounds)
Arkansas	4,821
Ashley	4,569
Chicot	4,655
Clark	3,997
Clay	4,830
Conway	4,513
Craighead	5,052
Crittenden	4,482
Cross	5,076
Dallas	4,017
Desha	4,663
Drew	4,368
Faulkner	4,472
Grant	4,303
Greene	4,779
Hot Spring	4,178
Independence	4,678
Jackson	4,734
Jefferson	4,508
Lafayette	3,963
Lawrence	4,897
Lee	4,351
Lincoln	4,580
Little River	4,379
Lonoke	4,871
Miller	3,907
Mississippi	4,957
Monroe	4,639
Perry	4,499
Phillips	4,482
Poinsett	5,131
Prairie	4,702
Pulaski	4,575
Randolph	4,602
St. Francis	4,427
White	4,575
Woodruff	4,695
State	4,778

CALIFORNIA

Butte	5,205
Colusa	5,415
Fresno	4,695
Glenn	5,605
Imperial	4,000
Kern	4,360
Kings	4,519
Madera	4,700
Merced	5,405
Placer	5,395
Riverside	4,100
Sacramento	5,535
San Joaquin	5,610
Stanislaus	5,150
Sutter	5,580
Tulare	4,380
Yolo	5,340
Yuba	5,335
State	5,388

FLORIDA

Collier	1,182
Hardee	967
Hendry	2,200
Highlands	859
Hillsborough	1,200
Lee	1,182
Martin	900
Palm Beach	1,758
State	1,533

LOUISIANA (PARISHES)

Acadia	3,922
Allen	4,018
Ascension	3,864
Assumption	3,804
Avoyelles	3,943
Beauregard	3,719
Bossier	4,100
Calcasieu	3,368
Cameron	3,849
Catahoula	4,317
Concordia	4,020
East Carroll	3,660
Evangeline	4,092
Franklin	3,890
Grant	4,000
Iberia	3,373
Iberville	3,414
Jefferson Davis	3,873
Lafayette	3,765
Lafourche	2,798
Madison	4,039
Morehouse	4,559
Ouachita	4,200
Pointe Coupee	4,040

LOUISIANA (PARISHES)—continued

County	Normal yield per harvested acre (pounds)
Rapides	4,098
Richland	4,252
St. Charles	2,975
St. James	3,289
St. John the Baptist	3,278
St. Landry	3,963
St. Martin	3,410
St. Mary	2,770
St. Tammany	2,894
Tensas	3,677
Terrebonne	3,177
Vermilion	3,715
West Baton Rouge	4,290
West Carroll	3,940
State	3,760
MISSISSIPPI	
Bolivar	4,337
Coahoma	4,427
De Soto	4,200
Hancock	3,736
Humphreys	4,353
Issaquana	3,871
Laflore	4,435
Panola	4,104
Quitman	4,000
Sharkey	4,676
Sunflower	4,673
Tallahatchie	4,190
Tate	4,196
Tunica	4,270
Washington	4,414
State	4,378
MISSOURI	
Butler	4,637
Lewis	2,800
Lincoln	3,800
Marion	4,290
Mississippi	4,099
New Madrid	4,432
Pemiscot	4,410
Ripley	4,488
St. Charles	4,151
Scott	4,599
Stoddard	4,782
State	4,590
NORTH CAROLINA	
Brunswick	1,067
Hyde	1,941
State	1,738
OKLAHOMA	
McCurtain	4,613
SOUTH CAROLINA	
Berkeley	2,500
Charleston	2,237
Colleton	2,483
Georgetown	1,000
Horry	1,500
Jasper	2,000
Kershaw	1,593
State	2,115
TENNESSEE	
Dyer	4,072
Lauderdale	4,236
State	4,174
TEXAS	
Austin	4,909
Bowie	4,636
Brazoria	4,182
Calhoun	4,863
Chambers	4,292
Colorado	5,020
Fort Bend	4,904
Galveston	4,136
Hardin	3,809
Harris	4,740
Jackson	4,746

TEXAS—continued

County	Normal yield per harvested acre (pounds)
Jasper	4,100
Jefferson	4,174
Lavaca	4,920
Liberty	4,414
Matagorda	4,942
Newton	3,832
Orange	3,550
Polk	3,955
Travis	4,707
Victoria	4,973
Walker	3,873
Waller	4,834
Washington	4,284
Wharton	5,132
State	4,622

(Secs. 301, 375, 52 Stat. 38, as amended by 70 Stat. 212, 52 Stat. 66, as amended; 7 U.S.C. 1301, 1375)

Effective date: Upon filing with the Director, Office of the FEDERAL REGISTER.

Signed at Washington, D.C., on November 10, 1972.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.72-19852 Filed 11-16-72;8:51 am]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[Docket No. SH-309]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Proportionate Shares for Farms for 1973 Crop of Sugar Beets Not Required

The following determination is issued pursuant to section 302 of the Sugar Act of 1948, as amended.

§ 850.233 Proportionate shares for the 1973 crop of sugar beets not required.

It is determined for the 1973 crop of sugar beets that, in the absence of proportionate shares, the production of sugar from such crop will not be greater than the quantity needed to enable the area to meet its quota for 1974, the calendar year during which the larger part of the sugar from such crop normally will be marketed, and provide a normal carryover inventory. Consequently, proportionate shares will not be in effect in the Domestic Beet Sugar Producing Area for the 1973 crop.

(Secs. 301, 302, 403, 61 Stat. 929, 930, as amended, 932; 7 U.S.C. 1131, 1132, 1153)

STATEMENT OF BASES AND CONSIDERATIONS

Section 302 of the Sugar Act, as amended, provides, in part, that the Secretary shall determine for each crop year whether the production of sugar from any crop of sugar beets will, in the absence of proportionate shares, be greater than the quantity needed to enable the area to meet its quota and provide a normal carryover inventory, as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar from such crop normally would be marketed. Such determination may be made only after due notice and opportunity for an informal public hearing.

General. Sugar beet acreage has not been restricted since the 1966 crop, although restrictions on the 1970 crop were established in October 1969 and then rescinded in April 1970 because of lower than anticipated sugar production from the 1969 crop and indications that total plantings would be less than the acreage tentatively allotted for the 1970 crop.

Plantings to the 1971 crop were about 41,000 acres below those for the previous crop even though acreage restrictions were not established. Beet sugar production from the 1971 crop is expected to total at least 3,512,000 short tons, raw value, or about 58,000 tons more than the marketing opportunity for calendar year 1971. Thus, the effective inventory on January 1, 1972, was only about 74,000 tons higher than that of a year earlier and represented about 73.6 percent of the total 1972 quota for the area, as compared with 76.5 percent the previous year. These percentages are well below the range of 82 to 90 percent suggested as appropriate by Congress when the Sugar Act was amended in 1965.

Proportionate shares were not established for the 1972 crop of beets. Plantings to the 1972 crop of about 1,420,000 acres at average yields indicates sugar production of about 3,300,000 tons. This would be about 100,000 tons less than the adjusted 1972 marketing quota currently in effect for the area. Assuming the area markets its full adjusted quota in 1972, the effective inventory on January 1, 1973, would be reduced by an equivalent quantity.

Public hearing. At the public hearing held in Denver, Colo., on August 17, 1972, views and recommendations were requested on the need for establishing proportionate shares for the 1973 crop. In the notice of hearing, persons proposing the establishment of proportionate shares were asked to include recommendations on the details of a program.

Representatives testifying on behalf of sugar beet growers recommended that proportionate shares not be established for the 1973 sugar beet crop. They generally agreed that the Department's estimate of an effective inventory on January 1, 1973, of about 2,510,000 to 2,652,000 tons or 71 to 74 percent of the area's probable 1973 marketing quota is a reasonable expectation. The representatives restated their position that acreage should be restricted whenever the area can provide a normal carryover inventory. A representative of all sugar beet processors also recommended that farm proportionate shares not be established. An organization of farmers submitted a brief recommending that shares not be considered at this time.

Determination. This determination provides that proportionate shares will not be established for farms in the Domestic Beet Sugar Producing Area for the 1973 crop of sugar beets.

The effective inventory of beet sugar on January 1, 1972, was about 2,716,000 tons. Although the 1972 crop is unrestricted, the estimated production from the crop suggests that the effective inventory on January 1, 1973, will be lower than a year earlier by 100,000 tons if this year's adjusted marketing quota is fully marketed. The effective inventory would then represent less than 71 percent of the area's 1973 marketing opoprtunities if they are the same as this year's before they were adjusted downward. That level would be about 411,000 tons below the bottom of the range suggested as appropriate in legislative history.

After a thorough review of the latest information available, it is determined that the production of sugar from the 1973 crop of sugar beets, in the absence of proportionate shares, will not be greater than the quantity needed to enable the Domestic Beet Sugar Area to meet its quota and provide a normal carryover inventory.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

Effective date: Date of publication. (11–17–72).

Signed at Washington, D.C., on November 7, 1972.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.72–19812 Filed 11–16–72;8:46 am]

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

[Orange Reg. 71, Amdt. 1; Grapefruit Reg. 73, Amdt. 1; Tangerine Reg. 44, Amdt. 1; Tangelo Reg. 44, Amdt. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) 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; 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 committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, grapefruit, tangerines and tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The recommendations by the committees reflect their appraisal of the potential marketing situation during the week in which Thanksgiving Day occurs and for the period immediately following. Historically, there has been heavy purchasing of fresh oranges, grapefruit, tangerines, and tangelos in the terminal markets prior to Thanksgiving Day followed by a period of slow movement immediately following the holiday. Inordinate shipments in the period of slow movement tend to depress market prices and returns to growers. Hence, the curtailment of such shipments, as hereinafter specified, is necessary to prevent a buildup of excess supplies in the markets during and immediately following the Thanksgiving Day week in order to prevent unduly depressed market prices and returns to growers.

(3) 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 these amendments 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 these amendments are based became available and the time when these amendments must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective upon publication in the FEDERAL REGISTER. Domestic shipments of Florida oranges, grapefruit, tangerines, and tangelos are currently regulated pursuant to Orange Regulation 71 (37 F.R. 21799), Grapefruit Regulation 73 (37 F.R. 21799), Tangerine Regulation 44 (37 F.R. 21799), and Tangelo Regulation 44 (37 F.R. 21799) and, unless sooner terminated or modified, will continue to be so regulated through September 23, 1973; determinations as to the need for, and extent of, regulation under § 905.52(a)(3) of the order must await the development of the crops and the availability of information about the demand for such fruits; the recommendation and supporting information for limiting the total quantity of fresh oranges, grapefruit, tangerines, and tangelos by prohibiting shipments thereof, pursuant to said section, during the period herein provided, were promptly submitted to the Department after an open meeting of members of the Growers Administrative Committee on November 8, 1972, held to consider recommendations for such regulations, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; necessary supplemental information was submitted to the Department on November 8, 1972; information regarding the provisions of the regulations recommended by the committees has been disseminated among shippers of such fruits grown in the production area, and these regulations, including the effective time thereof, is identical with the recommendations of the committees; and compliance with these regulations will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time hereof.

Order. 1. In § 905.545 (Orange Regulation 71; 37 F.R. 21799) the provisions of paragraph (a) preceding subparagraph (1) thereof are revised, paragraph (b) is redesignated as paragraph (c), and a new paragraph (b) is added to read as follows:

§ 905.545 Orange Regulation 71.

(a) Except as otherwise provided in paragraph (b) of this section, during the period October 16, 1972, through September 30, 1973, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

* * * * *

(b) During the period beginning at 6 p.m., e.s.t., November 21, 1972, and ending at 12:01 a.m., e.s.t., November 24, 1972, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico, any oranges grown in the production area.

* * * * *

2. In § 905.546 (Grapefruit Regulation 73; 37 F.R. 21799) the provisions of paragraph (a) preceding subparagraph (1) thereof are revised, paragraph (b) is redesignated as paragraph (c), and a new paragraph (b) is added to read as follows:

§ 905.546 Grapefruit Regulation 73.

(a) Except as otherwise provided in paragraph (b) of this section, during the period October 16, 1972, through September 30, 1973, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

* * * * *

(b) During the period beginning at 6 p.m., e.s.t., November 21, 1972, and ending at 12:01 a.m., e.s.t., November 24, 1972, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico, any grapefruit grown in the production area.

* * * * *

3. In § 905.547 (Tangerine Regulation 44; 37 F.R. 21799) the provisions of paragraph (a) preceding subparagraph (1) thereof are revised, paragraph (b) is redesignated as paragraph (c), and a new paragraph (b) is added to read as follows:

§ 905.547 Tangerine Regulation 44.

(a) Except as otherwise provided in paragraph (b) of this section, during the period October 16, 1972, through September 30, 1973, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

* * * * *

(b) During the period beginning at 6 p.m., e.s.t., November 21, 1972, and ending at 12:01 a.m., e.s.t., November 24, 1972, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico, any tangerines grown in the production area.

* * * * *

4. In § 905.548 (Tangelo Regulation 44; 37 F.R. 21799) the provisions of paragraph (a) preceding subparagraph (1) thereof are revised, paragraph (b) is redesignated as paragraph (c), and a new paragraph (b) is added to read as follows:

§ 905.548 Tangelo Regulation 44.

(a) Except as otherwise provided in paragraph (b) of this section, during the period October 16, 1972, through September 30, 1973, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

* * * * *

(b) During the period beginning at 6 p.m., e.s.t., November 21, 1972, and ending at 12:01 a.m., e.s.t., November 24, 1972, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico, any tangelos grown in the production area.

* * * * *

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

Dated, November 13, 1972, to become effective upon publication in the FEDERAL REGISTER (11–17–72).

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

[FR Doc.72–19813 Filed 11–16–72;8:46 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[9 CFR Part 381]

POULTRY PRODUCTS INSPECTION

Poultry Slaughtered Under Kosher Exemptions

Statement of considerations. Pursuant to the Poultry Products Inspection Act, as amended (21 U.S.C. 451 et seq.), a notice was published in the December 14, 1971, issue of the FEDERAL REGISTER (36 F.R. 23728) regarding a request made on behalf of a Rabbinical Union to allow poultry slaughterers and processors who apply for a religious dietary exemption under the poultry products inspection regulations to be exempt from the feather removal requirements for dressed poultry in former §§ 81.1 and 81.49(d) of the regulations and the cooling and chilling requirements of former § 81.50 of said regulations. The request was based on the contention that the availability of fully feathered, warm-dressed poultry was necessary to enable compliance with a religious dietary requirement under rabbinical law by persons of the Jewish faith. It was contended that denial of the exemption would make it impossible for certain members of the Jewish faith to obtain such poultry.

The notice afforded interested persons an opportunity to present data, views, or arguments pertaining thereto not later than 30 days after its publication in the FEDERAL REGISTER, and consideration has been given to all comments received. A total of 26 comments were filed. Of this number, 23 supported the request and three were opposed. Some of the supporting comments were filed by Rabbis who stated that the regulations were in conflict with their religious requirements. However, a majority of those commenting in support merely expressed their view generally on religious exemptions and did not address themselves to the specific request. Of the three statements opposing the proposal, one was a statement from the head of the above mentioned Rabbinical Union indicating that full-feathered carcasses are not required by rabbinical law. Another comment stated the opinion of the writer as a member of the Jewish faith that the defeathering and cooling and chilling requirements would pose no religious burden to kosher slaughterers. The other comment made no reference to religious requirements but strongly opposed the proposed practice on the grounds of sanitation and product safety.

Section 15(a)(3) of the Act (21 U.S.C. 464(a)(3)) provides that the Secretary shall, by regulation and under such conditions as to sanitary standards, practices, and procedures as he may prescribe, exempt from specific provisions of the Act, persons slaughtering, processing, or otherwise handling poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws, to the extent that the Secretary determines necessary to avoid conflict with such requirements while still effectuating the purposes of this Act.

However, the comments received raised question whether the rabbinical law is actually in conflict with the feather removal requirement and the cooling and chilling requirement. Moreover, many retail stores traditionally have sold live poultry to consumers for slaughter and preparation of the birds at their retail stores. These stores provide a source of supply for the purchaser who desires to observe the feathered, warm carcass in order to comply with any religious dietary laws requiring such observation.

One objective of the Poultry Products Inspection Act, as amended (21 U.S.C. 451 et seq.), is to prevent the distribution in commerce or otherwise subject to the Act of any diseased or otherwise adulterated slaughtered poultry capable of use as human food. The Administrator of the Animal and Plant Health Inspection Service has determined that the allowance of the request would not protect the health and welfare of consumers and therefore would not effectuate the purposes of the Act because it is not possible to detect certain otherwise detectable disease conditions or other types of adulteration in poultry on ante mortem inspection or on postmortem inspection of carcasses of birds which have not been defeathered; and without prompt removal of body heat, carcasses are more subject to the presence of adulterating byproducts caused by decomposition.

Therefore, after consideration of all relevant matters, including the comments on file, the request for the proposed exemptions is hereby denied under § 381.11 of the Poultry Products Inspection Regulations (9 CFR 381.11).

Done at Washington, D.C., on November 14, 1972.

RICHARD LYNG,
Assistant Secretary.

[FR Doc.72-19849 Filed 11-16-72;8:52 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGD 72-225P]

OAKLAND INNER HARBOR TIDAL CANAL, CALIF.

Proposed Drawbridge Operation Regulations

The Coast Guard is considering amending the regulations for the Department of the Army drawbridges at Fruitvale Avenue to permit closed periods during peak morning and evening vehicular traffic and rescinding the present regulations which prohibit passage except during slack water or when opposing the tidal flow. This change is being considered because of newly reconstructed bridges which eliminate the slack water or tidal flow requirement. These closed periods are also being considered for the Park Street and High Street bridges. A substantial increase in vehicular traffic during these periods warrants this consideration.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (OAN), 12th Coast Guard District, 630 Sansome Street, San Francisco, CA 94126. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, 12th Coast Guard District.

The Commander, 12th Coast Guard District, will forward any comments received before December 22, 1972, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations be amended by revising paragraph (d) of § 117.712 to read as follows:

§ 117.712 Tributaries of San Francisco Bay and San Pablo Bay, Calif.

* * * * * *

(d) *Oakland Inner Harbor Tidal Canal; County of Alameda Highway*

bridges at Park and High Streets and Department of the Army highway and railroad bridges at Fruitvale Avenue. The draws shall open on signal except from 7 a.m. to 8:30 a.m. and 3:30 p.m. to 5:30 p.m., Monday through Friday, not including national holidays, at least 2 hours notice is required. In cases of emergency the draws shall open on signal at any time.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Dated: November 13, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-19819 Filed 11-16-72;8:48 am]

[46 CFR Parts 50, 54, 55, 56, 57, 105, 162, 182]

[CGD 72-206PH]

MARINE ENGINEERING SYSTEMS AND COMPONENTS

Notice of Proposed Rule Making

The Coast Guard is considering amendments to its regulations for certain marine engineering systems and components, particularly nuclear vessels.

Interested persons are invited to submit written views, data, arguments, objections, or comments to U.S. Coast Guard (GCMC/82), Room 8234, 400 Seventh Street SW., Washington, DC 20590. All communications received before December 20, 1972, will be fully considered before final action is taken on this notice. Each submission should identify the notice (CGD 72-206) and the section, give reasons for any recommendations, and include proponent's name and address.

The proposed amendments may be changed in the light of comments received. The Coast Guard will hold a public hearing on December 12, 1972, at 0930 in Conference Room 8334, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, DC. Interested persons are invited to attend the hearing and present oral or written statements on this proposal.

Copies of all written communications will be available for examination at U.S. Coast Guard Headquarters, in Room 8234, 400 Seventh Street SW., Washington, DC.

Section III of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, Nuclear Vessels, published by the American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, NY 10017, is adopted in the current Marine Engineering Regulations, 46 CFR Parts 50 through 63. The 1971 code which became effective July 1, 1971, entails several major revisions to section III. The present Marine Engineering Regulations are incompatible with the revised code and changes are proposed so that the regulations will be compatible with the July 1, 1971, code and the subsequent summer 1971, winter 1971, and summer 1972 Addenda.

The revised section III of the ASME Boiler and Pressure Vessel Code, Nuclear Powerplant Components, Division 1, Metal Components, has been expanded to include in one publication, piping, pumps, and valves, as well as pressure vessels. Definitive Coast Guard requirements for nuclear piping, pumps, and valves, have not previously appeared. An earlier thrust in this direction, the adoption of the new ANSI B31.7 Code, which was published in the 1971 Marine Council Public Hearing Agenda, was withdrawn in favor of this current action, it being considered more prudent to work with a code which is already adopted and which consolidates requirements for the entire nuclear powerplant. Ancillary to this is the proposed adoption of section V, Nondestructive Examination, of the ASME Code. With regard to the latter, the ASME is consolidating the nondestructive examination requirements currently found throughout the various sections of the code into the new section V. The adoption of section V is proposed now.

Part 55 of the Marine Engineering Regulations is retitled Nuclear Powerplant Components, and the nuclear items presently appearing in Part 56 are deleted and relocated to Part 55 with appropriate modifications and elaboration. Section 55.05, General Requirements, is changed to reflect the increased scope, to cover the added material on pumps, piping, and valves, and to properly resolve requirements for the owner and installer.

The most noteworthy change is that existing § 55.10-30(d), which indicates that the vessel manufacturer's quality assurance program need not be ASME approved, has been eliminated. Proposed changes to §§ 50.15-5(c) and 55.05-1(b) will require that all component manufacturers, with the exception of construction shipyards (insofar as they construct containment vessels (Class MC) and all classes of piping subassemblies), possess the ASME N-type symbol stamps and have an approved quality assurance program. Such stamps are not issued unless a society survey team approves of the applicant and his quality assurance program. A duplicating Coast Guard program of quality assurance checks would be expensive to the taxpayer if it is to be effective. There is no good technical reason not to use the existing ASME program except in the case of vessel (ship, barge, etc.) building facilities. Their quality assurance programs would be required to be accepted by the Coast Guard.

Class 2 pressure vessel requirements are identical to the former Class "C" but also permit the use of section VIII, Division 2, if prior approval is obtained from the Commandant. The existing requirements for piping, pumps, and valves found in 46 CFR 56.04-20 are vague and general, requiring detailed policy decisions which would be based on the new code. This change spells out these requirements in detail and hence promotes uniform application of the regulations.

Changes are also proposed in the methods prescribed for stamping data on certain thin-walled pressure vessels so as to preclude damage to the vessels. Additional relocations and cross-references and the following minor changes are also proposed.

(a) Use of rupture discs in lieu of safety valves for evaporators;

(b) Addition and deletion of adopted standards for piping system components;

(c) Use of bite type fittings in hydraulic systems. It is further proposed to clarify the requirements for the fire testing of hoses used in certain systems as required by Table 46 CFR 56.60-25(c) and 182.15-40 and 182.20-40. Changes are also proposed in Table 46 CFR 105.20-3(a)(1) permitting the limited use of aluminum as a tank material for gasoline and diesel cargo carried by commercial fishing vessels. It closely parallels recent changes to Subchapters F and T for independent fuel tanks.

Finally, it is proposed to modify 46 CFR 162.018-3 to permit the use of certain materials with a melting point below 1700° F. in the construction of liquefied compressed gas safety relief valves where their use can provide significant improvement in the operation of the valves.

In consideration of the foregoing, it is proposed to amend Parts 50, 54, 55, 56, 57, 105, 162, and 182 of Title 46 of the Code of Federal Regulations as follows:

PART 50—GENERAL PROVISIONS

1. Section 50.15-5 is amended by revising paragraph (a) and by adding a new paragraph (d) to read as follows:

§ 50.15-5 ASME Boiler and Pressure Vessel Code.

(a) The following sections of the "ASME Boiler and Pressure Vessel Code," published by The American Society of Mechanical Engineers (ASME), United Engineering Center, 345 East 47th Street, New York, NY, 10017, are adopted subject to modifications specified in this subchapter, which appear with the listing:

(1) Section I, Power Boilers (ASME, sec. I)

(2) Section II, Material Specifications (ASME, sec. II).

(3) Section III (Division1), Nuclear Powerplant Components, Metal Components (ASME, sec. III).

(4) Section IV, Heating Boilers (ASME, sec. IV).

(5) Section V, Nondestructive Examination (ASME, sec. V).

(6) Section VIII (Division 1), Pressure Vessels (ASME, sec. VIII).

(7) Section IX, Welding Qualifications (ASME, sec. IX).

* * * * *

(d) Fabricators constructing nuclear powerplant components, parts, piping subassemblies, and appurtenances for installation on vessels subject to the regulations in this subchapter shall possess an

appropriate Code N-symbol stamp as described in paragraph NA–8230 of section III of the ASME Code. The building facility of the vessel on which the nuclear powerplant is to be installed need not possess the installer's stamp (NA–8233.7), or N-type symbol stamps for work related to the construction of a containment vessel (Class MC) and piping subassemblies of any class (see NA–2120) that are actually constructed by the building facility for the vessel's nuclear powerplant as provided for in § 55.05–1 (b) and (c) of this subchapter.

PART 54—PRESSURE VESSEL

§ 54.01–1 [Amended]

3. In Table 54.01–1(a), by striking out the words:

UG–116 modified by	54.10–20
UG–118 modified by	54.10–20

and inserting the words:

UG–116, except (k) replaced by	54.10–20(a).
UG–116(k) replaced by	54.10–20(b).
UG–117 replaced by	54.10–20(c).
UG–118 replaced by	54.10–20(a).
UG–119 modified by	54.10–20(d).

in place thereof.

§ 54.01–5 [Amended]

4. In Table 54.01–5(b), by adding to the heading of the fifth column, immediately after the words "treatment required," a superscript 5, and by adding at the bottom of the table the following footnote:

[5] Specific requirements modifying Table UCS–56 of the ASME Code are found in § 54.25–7.

§ 54.10–20 [Amended]

5. By deleting in the heading of § 54.10–20 the words "(replaces UG–116 and UG–118),".

6. By adding to the heading of § 54.10–20(a) the words "(replaces UG–116, except paragraph (k), and UG–118)."

7. In § 54.10–20(b), by inserting after the heading the words "(replaces UG–116(k))."

8. By inserting in § 54.10–20(c) immediately after the heading "Stamping data" the following parenthetic phrase and sentence: "(replaces UG–117). Except as noted in paragraph (d) of this section, the data shall be stamped directly on the pressure vessel."

9. By adding to § 54.10–20 the following new paragraph at the end thereof:

(d) Thin walled vessels (modifies UG–119). In lieu of direct stamping on the pressure vessel, the information required by paragraph (a) of this section shall be stamped on a nameplate permanently attached to the pressure vessel when the pressure vessel is constructed of—

(1) Steel plate less than one-fourth inch thick; or

(2) Nonferrous plate less than one-half inch thick.

§ 54.15–15 [Amended]

10. By adding the following new sentence at the end of § 54.15–15(a): "Evaporators operating between atmospheric pressure and 15 p.s.i.g., may use a rupture disc as an alternative to the safety valve."

11. By adding the following new sentence at the end of § 54.15–15(b): "Rupture discs used in lieu of these safety valves, as provided for in paragraph (a) of this section, shall comply with the requirements of § 54.15–13."

PART 55—NUCLEAR POWERPLANT COMPONENTS

12. In Part 55, by revising the table of sections to read as follows:

Subpart 55.01—General Requirements

Sec.
55.01–1 Adoption of section III of the ASME Code.

Subpart 55.05—Responsibilities and Duties

55.05–1 General (modifies subsection NA).

Subpart 55.10—Class 1 Components

55.10–1 General (modifies subsection NB).
55.10–5 Design.
55.10–20 Welding and fabrication.
55.10–25 Quenched and tempered steels.
55.10–30 Marking and stamping (modifies NA–8000).
55.10–35 Manufacturers' data reports (modifies NA–8400).
55.10–40 Overpressure protection (modifies NB–7000).

Subpart 55.15—Class MC Components

55.15–1 General (modifies subsection NE).
55.15–3 Design (modifies NE–3100).
55.15–5 Welding and fabrication.
55.15–10 Stamping and reports (modifies NE–8000).
55.15–15 Overpressure and vacuum relief protection (modifies NE–7000).

Subpart 55.20—Class 2 Components

55.20–1 General (modifies subsection NC).
55.20–5 Weld production testing.
55.20–10 Overpressure protection.
55.20–20 Stamping (modifies NA–8000).

Subpart 55.25—Class 3 Components

55.25–1 General (modifies subsection ND).
55.25–10 Stamping (modifies NA–8000).

Subpart 55.01—General Requirements

13. In Subpart 55.01—General Requirements, in the introductory note, by striking out the word "vessels" in the second sentence and inserting the words "powerplant components" in place thereof.

§ 55.01–1 [Amended]

14. In § 55.01–1, by inserting the words "division 1" in the heading immediately after the words "section III."

15. In § 55.01–1(a), by striking out the words "pressure vessels" immediately after the first word "Nuclear" and inserting the words "powerplant components" in place thereof.

16. In Table 55.01–1, by inserting "division 1" immediately after the words "section III" in the heading.

17. In Table 55.01–1, by striking out the words

N–110 through N–914 modified by	55.10–1.
N–447 modified by	55.10–5(a).
N–552.1 modified by	55.10–20(a).
N–541 modified by	55.10–20(b).
N–612 replaced by	55.10–15.
N–810 through N–830 modified by	55.10–30.
N–832.2 modified by	55.10–30(d).
N–840 modified by	55.10–35.
N–910 through N–914 modified by	55.10–40.
N–1110 through N–1711.3 modified by	55.15–1.
N–2110 through N–2116 modified by	55.20–1.
N–2116 replaced by	55.20–20(a).

and inserting the words

NA–3000 modified by	55.05–1.
NA–8000 modified by	55.10–30.
NA–8400 modified by	55.10–35.
NB modified by	55.10–1.
NB–3111 modified by	55.10–5.
NB–4300 modified by	55.10–20(a).
NB–4330 and NB–4335 modified by	55.10–20(b).
NB–7000 modified by	55.10–40.
NB–7611 and NB–7612 modified by	55.10–40(b).
NB–7613, NB–7620, and NB–7630 modified by	55.10–40(c).
NB–7640 modified by	55.10–40(b).
NC–modified by	55.20–1.
NA–8000 modified by	55.20–20.
ND–modified by	55.25–1.
NA–8000 modified by	55.25–10.
NE–modified by	55.15–1.
NE–3100 modified by	55.15–3.
NE–7000 modified by	55.15–15.
NE–7116 modified by	55.15–15(a).
NE–8000 modified by	55.15–10.

in place thereof.

18. In footnote 1, Table 55.01–1, by striking out the words "The letter and number following the letter refer" and inserting the words "The second letter refers to the subsection of section III. The number refers" in place thereof.

19. In § 55.01–1(a)(1), by inserting "division 1" immediately after "section III."

20. In § 55.01–1(a)(1), by striking out the words "pressure vessels" and inserting the words "power plant components" in place thereof.

21. In § 55.01–1(b), by striking out the reference "N–130" and inserting "NA–1130" in place thereof.

22. In § 55.01–1(b), by striking out "1-Article 1" and inserting "A-Subsection NA" in place thereof.

23. In § 55.01–1(b), by striking out the words "130-paragraph within Article 1." and inserting the words "—1130-Paragraph within Subsection NA" in place thereof.

Subpart 55.05—Responsibilities and Duties

24. By revising Subpart 55.05 to read as follows:

§ 55.05–1 General (modifies Article NA–3000).

(a) The ship or barge owner or his agent shall comply with NA–3200 except that he need not possess the Society's certificate of authorization nor file an

owner's data report as required by NA-3270. The owner or his agent shall submit to the Coast Guard (MMT) the following materials as a minimum:

(1) A preliminary design specification which lists the applicable design codes and standards; design criteria and requirements; materials specifications; quality control provisions; documentation to be provided together with identification of specific components and parts of the powerplant; packaging (if applicable) and cleaning. The specification shall apply to the complete powerplant including all components, parts, piping subassemblies, and appurtenances.

(2) Preliminary calculations which establish the tentative thickness of all pressure containing components.

(3) Joint design and methods proposed to assemble powerplant components, parts, piping subassemblies, and appurtenances at the construction site.

(4) Methods to be followed in the detailed stress calculations.

(5) Diagrammatic arrangement drawings of all pressure vessels and piping forming reactor coolant pressure boundary.

(6) When completed, the final design specification and stress reports as required by subsection NA (see NA-3250 and NA-3350) together with the final arrangement drawings shall be forwarded to the Coast Guard (MMT) for review.

(b) Each manufacturer shall comply with NA-3300 and shall have received a Certificate of Authorization from the Society as described in NA-3330, and shall have a Society-Approved Quality Assurance Program as required by NA-8120 prior to fabrication. The containment vessel (Class MC) and piping subassemblies of any class fabricated by the building facility of the vessel are exempted; however, such facilities shall have a Quality Assurance Program meeting NA-4000 accepted by the Coast Guard (MMT).

(c) The installer as used in Section III of the ASME Code is defined as the vessel's building facility. The installer shall comply with NA-3400 except that he need not possess the "NA" Code symbol stamp or Certificate of Authorization from the Society. The installer shall have a Quality Assurance Program meeting the requirements of NA-4000 and shall have it accepted by the Coast Guard (MMT).

(d) Inspection of nuclear power plant components of all classes for installation in vessels subject to inspection under the requirements of this subchapter shall be conducted by a marine inspector (see § 50.10-15 of this subchapter) in lieu of the Code authorized inspector defined in NA-5112, except that pumps, line valves, safety valves, and shop fabricated piping subassemblies which have an appropriate N-type Code symbol stamp (as illustrated in Table NA-3120-1), an appropriate data report as required by NA-8400, and inspection by a Code authorized inspector may also be accepted. The marine inspector at the power plant construction site shall insure that all components, parts, piping subassemblies and appurtenances bear proper stamping and documentation, and that each has been properly assembled into the complete system.

Subpart 55.10—Class 1 Components

25. By revising Subpart 55.10 to read as follows:

§ 55.10-1 General (modifies subsection NB).

(a) Class 1 components shall meet the requirements of articles NB-1000 through NB-8000 of section III of the ASME Code except as noted otherwise in this subpart.

§ 55.10-5 Design.

(a) *Additional loadings (modifies NB-3111).* The designer must consider loadings in addition to those listed in NB-3111 of the ASME Code, which are peculiar to the marine application. Loadings which must be determined for each application include but are not limited to—

(1) Loading imposed by vessel's attitude in roll, list, pitch, trim, yaw, sway, surge, and heave;

(2) Dynamic forces due to ship motions;

(3) Loading due to shielding; and

(b) *Foundations and supports.* The designer shall determine the natural frequency of the nuclear pressure vessel in its mode of support, considering the engine and propeller shaft speed, and account for it in the design, and shall investigate the support of other components.

§ 55.10-15 [Revoked]

26. By revoking § 55.10-15.

27. By revising § 55.10-20 to read as follows:

§ 55.10-20 Welding and fabrication.

(a) *Welding procedure and performance qualification (modifies NB-4300).* Weld procedure and performance qualifications shall be as required by Part 57 of this subchapter and NB-4300 of the ASME Code.

(b) *Production tests (modifies NB-4330).* NB-4330 of the ASME Code is modified by adding the following requirements:

(1) Weld production test plates are required for vessels. These shall meet the requirements of Subpart 57.06 of this subchapter.

(2) In addition to the Charpy V-notch testing required for weld procedure qualification by NB-4335.1 and NB-4335.2 of the ASME Code, Charpy V-notch production toughness tests of the weld metal and heat affected base metal are required for vessels at the same interval as described in Subpart 57.06 of this subchapter for production test plates. The test specimens and testing shall follow the requirements of NB-4335 of the ASME Code.

28. By revising § 55.10-30, paragraphs (a), (b), and (c) and revoking paragraph (d). As amended, § 55.10-30, would read as follows:

§ 55.10-30 Marking and stamping (modifies NA-8000).

(a) * * *

(4) The numeral 1 for Class 1 nuclear vessel.

(b) * * *

(3) The letters PT.

(4) The letter N for nuclear.

(5) The numeral 1 for Class 1 nuclear vessel.

(c) The markings for safety valves, pumps, piping, and line valves shall follow the requirements of NA-8200. For nuclear components and parts which are not inspected by a marine inspector, see § 55.05-1(d).

(d) [Revoked]

29. Section 55.10-35 by changing section reference in the heading and adding a new paragraph. As amended § 55.10-35 would read as follows:

§ 55.10-35 Manufacturers' data reports (modifies NA-8400).

* * * * *

(c) Safety valves, pumps, piping, and line valves which are not inspected by a marine inspector shall meet the requirements of NA-8400 for the completion of the appropriate ASME data report.

30. By revising § 55.10-40 to read as follows:

§ 55.10-40 Overpressure protection (modifies NB-7000).

(a) The Overpressure Protection report required by NB-7300 shall be submitted to the Coast Guard for approval.

(b) (Modifies NB-7611, NB-7612, and NB-7640.) Automatic spring-loaded safety valves, and those valves equivalent to automatic spring-loaded safety valves as described in NB-7611, NB-7612, and NB-7640 shall comply with Subpart 162.001 of this chapter in addition to NB-7611, NB-7612, and NB-7640.

(c) (Modifies NB-7613, NB-7620, and NB-7630.) The use of antisimmer-type safety valves, pilot operated pressure relief valves, and power actuated pressure relief valves not equivalent to automatic spring loaded safety valves shall be described in the overpressure protection report and shall be specifically approved by the Commandant. Marking and stamping of valves shall be as described in NB-7900 or, if spring loaded, as required by Subpart 162.001 of this chapter.

Subpart 55.15—Class MC Components

31. By revising Subpart 55.15 to read as follows:

§ 55.15-1 General (modifies subsection NE).

(a) Containment provided via pressure vessel configuration is not mandatory, but, if utilized, shall meet the requirements of this subpart.

(b) Class MC components shall meet the requirements of subsection NE of section III of the ASME Code except as noted otherwise in this subpart.

§ 55.15–3 Design (modifies NE–3100).

(a) Treatment of external loadings and supports shall also comply with § 55.10–5.

* * * * *

§ 55.15–5 Welding and fabrication (modifies NE–4300).

(a) *Weld procedure.* Weld procedure and performance qualification shall follow that for Class 1 components in § 55.10–20(a).

(b) *Production test.* Production tests must meet the requirements of Subpart 57.06 of this subchapter.

(c) *Charpy V-notch testing.* When Charpy V-notch testing is required by NE–4335 of the ASME Code, such testing shall be required for both procedure qualification for all components and for regular production welding for vessels as described in § 55.10–20(b)(2). The test temperature for procedure and production toughness testing shall be as required by NE–2330.

(d) *Quenched and tempered steels.* For vessel constructed of quenched and tempered steels refer to § 57.03–1(d) of this subchapter.

§ 55.15–10 Stamping and reports (modifies NE–8000).

(a) In addition to the requirements of NE–8100, the requirements of §§ 55.10–30 and 55.10–35 shall be followed for marking, stamping, and data reports.

(b) The letters "MC" shall be used for class designation.

(c) For components other than the containment vessel, refer to § 55.10–30(c).

§ 55.15–15 Overpressure and vacuum relief protection (modifies NE–7000).

(a) (*Modifies NE–7116.*) In lieu of the vacuum relief device required by NE–7116, consideration shall be given to designing the containment vessel to remain intact without collapse due to external pressure should sinking occur in a harbor or approach where salvage may be possible. Consideration shall be given to the prevention of pressure vessel crushing in the event of sinking in deep water by relieving external pressure by a method such as flooding. Design proposals shall be submitted to the Coast Guard (MMT) for approval.

Subpart 55.20—Class 2 Components

32. By revising Subpart 55.20 to read as follows:

§ 55.20–1 General (modifies subsection NC).

(a) Class 2 components shall meet the requirements of subsection NC of section III of the ASME Code except as noted otherwise in this subpart.

(b) (Modifies NC–1000.) Class 2 vessels shall be designed, fabricated, inspected, tested, and marked in accordance with the appropriate standards of Part 54 of this subchapter. The requirements of NC–3352 and NC–5200 for vessels shall apply in lieu of the joint design and nondestructive testing requirements of Table 54.01–5(b) of this subchapter. Design based on standards of Division 2 of section VIII of the ASME Code must receive prior approval by the Commandant.

§ 55.20–5 Weld production testing.

* * * Class 2 Vessels * * *

§ 55.20–10 Overpressure protection.

The requirements of NC–7000 shall apply in lieu of Subpart 54.15 of this subchapter. The overpressure protection analysis (NC–7300) shall be submitted to the Coast Guard (MMT) for review.

§ 55.20–20 Stampings (modifies NA–8000).

In lieu of the stamping required by NA–8000 of the ASME Code, vessels constructed in accordance with this subpart shall be stamped as required by § 55.10–20 with the addition of the symbols "N2" after the class. For components other than pressure vessels, refer to § 55.100–30(c).

Subpart 55.25—Class 3 Components

33. By adding a new subpart as follows:

§ 55.25–1 General (modifies subsection ND).

Class 3 components shall meet the requirements of subsection ND except that pressure vessels shall meet the requirements of Part 54 of this subchapter, in lieu of the requirements of subsection ND. However, the installation testing of piping and complete Class 3 nuclear systems shall meet the requirements of ND–6000.

§ 55.25–10 Stamping (modifies NA–8000).

In lieu of the stamping required by NA–8000, pressure vessels constructed in accordance with this subpart shall be stamped as required by § 54.10–20 of this subchapter with the addition of the symbols "N3" after the class. For components other than pressure vessels, refer to § 55.10–30(c).

PART 56—PIPING SYSTEMS AND APPURTENANCES

34. By revising § 56.04–1 to read as follows:

§ 56.04–1 Scope.

Piping shall be classified as shown in Table 56.04–1.

TABLE 56.04–1—PIPING CLASSIFICATIONS

Service	Class	Section in this part
Normal	I, II	56.04–2
Low temperature	I–L, II–L	56.50–105
Nuclear	See Part 55 of this subchapter.	

§ 56.04–20 [Revoked]

35. By revoking § 56.04–20.

36. By revising § 56.30–25(f)(2) to read as follows:

§ 56.30–25 Flared, flareless, and compression joints.

* * * * *

(f) * * *

(2) Grip-type fittings that are tightened in accordance with the manufacturers' instructions need not be disassembled for checking. For combustible (§ 30.10–15 of this chapter) fluid service with the exception of hydraulic systems, and for flammable (§ 30.10–22 of this chapter) fluid service, flared fittings shall be used, except that flareless fittings of the nonbite type may be used when the tubing system is of steel, or nickel copper, or copper nickel alloy. When using copper or copper zinc alloys, flared fittings are required. See also §§ 56.50–70 and 56.50–75. In the case of hydraulic systems, flareless fittings of the bite type may be used provided the fittings have been accepted under the provisions of § 50.25–10 of this subchapter.

37. In table 56.60–1(b), by inserting the words "and Threaded." after "SW." in item B16.11, new items B16.23, 28, 29, and SP–44, and striking out SP–49, 50, 59, as revised the table would read as follows:

§ 56.60–1 Acceptable materials and specifications (replaces 123).

* * * * *

TABLE 56.60–1(B)—ADOPTED STANDARD APPLICABLE TO PIPING SYSTEMS (MODIFIES TABLE 126.1)

* * * * *

B16.11 Steel S.W. and Threaded Fittings.

* * * * *

B16.23 Cast-Bronze Solder-Joint Drainage Fittings.

* * * * *

B16.28 Wrought Steel Buttwelding Short Radius Elbows and Returns.

B16.29 Wrought-Copper and Wrought-Copper Alloy Solder-Joint Drainage Fittings.

* * * * *

SP–44 Steel Pipe Line Flanges.

* * * * *

SP–49 [Revoked.]

SP–50 [Revoked.]

* * * * *

SP–59 [Revoked.]

* * * * *

38. By revising Table 56.60–25(c) to read as follows:

§ 56.60–25 Nonmetallic materials.

* * * * *

TABLE 56.60–25(c)—INSTALLATION REQUIREMENTS FOR NONMETALLIC FLEXIBLE HOSE

*	*	*	*	*	*	*
Lube oil and fuel systems	do [1]	* * *		* * *		
Fluid power systems	do [1]	* * *		* * *		
*	*	*	*	*	*	*

[1] The hose assembly shall be capable of withstanding free burning gasoline for 2½ minutes (test details available from the Coast Guard (MMT)).

* * * * * * *

39. In § 56.85–10(a), by striking out Classes "I–N, II–N." As revised, the section would read as follows:

§ 56.85–10 Preheating.

(a) * * * Classes I, I–L, and II–L piping * * *.

* * * * *

40. In § 56.85–15(a) by striking out in lines 12 and 13 "I–N" and "II–N." As revised, the section would read as follows:

§ 56.85–15 Postheat treatment.

(a) * * * Classes I, I–L, and II–L piping * * *.

* * * * *

41. In Table 56.95–10, by striking out the second line and the related footnote 9, and renumbering footnotes 10 through 12, accordingly. As revised, the Table 56.95–10 would read as follows:

§ 56.95–10 Type and extent of examination required.

* * * * *

TABLE 56.95–10—MANDATORY MINIMUM NONDESTRUCTIVE TESTS FOR WELDS

*	*	*	*	*	*	*	*	*
* * *	I, I–L	* * *	* * *	* * *	* * *	* * *	* * *	(7, 8);
I, I–L	* * *	* * *	* * *	* * *	* * *	* * *	* * *	
*	*	*	*	*	*	*	*	*

[1] Radiographic * * * (see § 56.70–15(b)(2)).
[2] When nominal * * *.
[10] Use liquid * * *.
[11] Any method * * *

42. In § 56.97–40(a)(5), by striking out class references "I–N, II–N, or III–N." As revised, the section would read as follows:

§ 56.97–40 Installation tests.

(a) * * *

(5) Any class I, I–L, II–L piping.

* * * * *

PART 57—WELDING AND BRAZING

43. In § 57.06–1(b), by changing class designations. As revised § 57.06–1 would read as follows:

§ 57.06–1 Production test plate requirements.

* * * * *

(b) Main power boilers and Class 1 nuclear vessels * * * MC nuclear vessels shall * * * 2 nuclear vessels shall * * *

* * * * *

44. In § 57.06–5(a), by changing class designations. As revised, § 57.06–5 would read as follows:

§ 57.06–5 Production toughness testing.

(a) * * * Class 1 * * * and for Class MC * * *

* * * * *

PART 105—COMMERCIAL FISHING VESSELS DISPENSING PETROLEUM PRODUCTS

45. By revising Table 105.20–3(a)(1) to read as follows:

§ 105.20–3 Cargo tanks.

(a) * * *

TABLE 105.20–3(a)(1)

*	*	*	*	*
Aluminum [4]	B209, Alloy	[5] 5086	0.250	(USSG 3)
*	*	*	*	*

[4] Anodic to most common metals. Avoid dissimilar metal contact with tank body unless galvanically compatible.
[5] and other alloys acceptable to the Commandant.

* * * * *

PART 162—ENGINEERING EQUIPMENT

46. In § 162.001–2(a), by changing class reference. As revised, § 162.001–2 would read as follows:

§ 162.001–2 Scope.

(a) * * * Class 1 nuclear * * *

47. By revising § 162.018–3(b) to read as follows:

§ 162.018–3 Materials.

* * * * *

(b) All pressure containing external parts of valves must be constructed of materials melting above 1700° F. for liquefied flammable gas service. Consideration of lower melting materials for internal pressure-containing parts will be given if their use provides significant improvement to the general operation of the valve. Flange gaskets shall be metal or spiral wound asbestos.

* * * * *

PART 182—MACHINERY INSTALLATION

48. By revising § 182.15–40(a)(3) to read as follows:

§ 182.15–40 Gasoline fuel supply piping.

(a) * * *

(3) Flexible hose shall be fabricated with an inner tube and a cover of synthetic rubber or other suitable material reinforced with wire braid. The hose cover shall be adjudged self-extinguishing per ASTM D1692, and the hose assembly shall be capable of withstanding free burning gasoline for 2½ minutes (test details available from Coast Guard (MMT)). Details of other fire tests designed to demonstrate this capability shall be submitted to Coast Guard (MMT) for review.

* * * * *

49. By revising § 182.20–40(a)(2)(ii) to read as follows:

§ 182.20–40 Diesel fuel supply piping.

(a) * * *

(2) * * *

(ii) Flexible hose shall be fabricated with an inner tube and a cover of synthetic rubber or other suitable material reinforced with wire braid. The hose cover shall be adjudged self-extinguishing per ASTM D1692, and the hose assembly be capable of withstanding free burning gasoline for 2½ minutes (test details available from Coast Guard (MMT)). Details of other fire tests designed to demonstrate this capability shall be submitted to Coast Guard (MMT) for review.

* * * * *

These amendments are proposed under the authority of 14 U.S.C. 2, 633; 46 U.S.C. 363, 366, 367, 375, 390b, 391a, 404, 409, 411, 412, 416, 481, 526p; 49 CFR 1.4(b), 1.46(b).

Dated: November 10, 1972.

G. H. READ,
Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR Doc.72–19818 Filed 11–16–72;8:49 am]

[46 CFR Part 56]

[CGD 72–57P]

REMOTE VALVE CONTROLS

Proposed Requirements

This proposal clarifies the Coast Guard's design requirements for remote valve controls. The existing regulations have been misinterpreted as a requirement to equip reach rods with indicators when they are used to operate valves located in cargo tanks. This amendment makes clear that no indicators are required on either valves located in cargo tanks or at either end of reach rods. Power actuated remote valve controls are, however, required to have indicators.

Interested persons are invited to submit written data, views, or arguments regarding the proposal to the U.S. Coast Guard (GCMC/82), 400 Seventh Street SW., Washington DC 20590. Statements should include the docket number of this notice, CGD 72–57P and the name and address of the person. Where appropriate, comments should be directed to specific sections of the proposal. Persons submitting comments are encouraged to include information that supports any recommended change or objection to this proposal.

All communications received on or before December 19, 1972, will be fully considered and evaluated before final action is taken on this proposal. Copies of written statements submitted by the public in response to this proposal will be available for examination in room 8234, Department of Transportation, Nassif Building, 400 Seventh Street SW.,

Washington, DC. Copies of written statements will be furnished interested persons upon request to U.S. Coast Guard (GCMC/82), Washington, D.C. 20590 in accordance with the payment provisions of 49 CFR 7.81.

The proposed amendment may be changed in light of comments received. No hearing is contemplated on this proposal, but one will be held at a time and place announced in a later notice in the FEDERAL REGISTER, if any interested person who requests a public hearing can show that the hearing will aid the Coast Guard in evaluating this proposal.

In consideration of the foregoing, Part 56 of Chapter I of Title 46 of the Code of Federal Regulations would be amended as follows:

§ 56.20–9 [Amended]

1. By amending § 56.20–9(a) by striking the words "as provided for in subparagraph 56.50–1(g)(2)." and inserting in their place the words "where valves are located in tanks."

2. By revising § 56.50–1(g)(2) to read as follows:

§ 56.50–1 General (replaces 122.6 through 122.10).

* * * * *

(g) * * *

(2)(i) Remote valve controls that are not readily identifiable as to service must be fitted with nameplates.

(ii) Remote valve controls must be accessible under service conditions.

(iii) Remote valve controls, except reach rods, must be fitted with an indicator that shows whether the valve is open or closed.

(iv) Valve reach rods must be adequately protected.

(v) Solid reach rods must be used in tanks containing liquids, except that tank barges having plug cocks inside cargo tanks may have reach rods of extra-heavy pipe with the annular space between the lubricant tube and the pipe wall sealed with a nonsoluble material to prevent penetration of the cargo.

* * * * *

(46 U.S.C. 363, 366, 367, 375, 390b, 391, 391a, 392, 395, 404–409, 411, 416, 489, 526p, 1333, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b), 49 CFR 1.46(o)(4) (37 F.R. 21943))

Dated: November 14, 1972.

G. H. READ,
Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR Doc.72–19821 Filed 11–16–72;8:49 am]

[49 CFR Ch. IV]

[CGD 72–139P]

CERTIFICATION OF CARGO CONTAINERS AND ROAD VEHICLES FOR TRANSPORT UNDER CUSTOMS SEAL

Notice of Proposed Rule Making

The Coast Guard is considering amending the cargo container regulations to provide for the approval and certification of road vehicles for international transport of goods under Customs seal.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Coast Guard (CMC), Room 8234, 400 Seventh Street SW., Washington, DC 20590. Each person submitting comments should include his name and address, identify the notice (CGD 72–139), and give reasons for any recommendations. Comments received will be available for examination by interested persons in Room 8234, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, DC.

The Coast Guard will evaluate all communications received before December 19, 1972, and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

The regulations in Chapter IV of Title 49 of the Code of Federal Regulations govern the approval and certification of intermodal cargo containers for transport under Customs seal and implement the technical construction requirements of the Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention), done at Geneva on January 15, 1959 (20 UST 184, TIAS 6633), that concern the approval and certification of containers and the technical construction requirements of the Customs Convention on Containers, done at Geneva on May 18, 1959 (20 UST 301, TIAS 6334). The regulations were issued under the authority of Executive Order 11459 (3 CFR, 1966–1970 Comp., p. 781 (1969)), and the delegation of authority contained in 49 CFR 1.46(f).

Although Executive Order 11459 authorizes the issuance of regulations for the approval and certification of containers and vehicles for international transport of goods under Customs seal pursuant to the Convention, the Coast Guard implemented only the provisions of the Conventions that concerned the approval and certification of containers. The decision to do so was made after the Coast Guard had informally polled the industry and learned that implementing regulations were primarily needed for the approval and certification of containers. Indications were that there was no pressing need for implementing regulations for the approval and certification of road vehicles.

Subsequent to the adoption of Parts 420, 421, 422, 423, and 424 of Title 49, Code of Federal Regulations, manufacturers have requested the Coast Guard to promulgate regulations for approval and certification of road vehicles for international transport of goods under Customs seal. The manufacturers have based their requests on the demand for such vehicles. The Coast Guard proposes the regulations in this document to allow the use of road vehicles in addition to the use of containers for such transportation under the terms of these conventions.

The following changes are proposed in Parts 420, 421, 422, 423, and 424 of Title 49, Code of Federal Regulations:

(a) The scope of the current regulations would be expanded to govern the approval and certification of road vehicles by adding the words "and road vehicles" after the word "container" wherever applicable in Part 420.

(b) Section 420.3 would be amended by adding the definition of "road vehicle" as contained in the Customs Convention on the International Transport of Goods Under Cover of TIR Carnets and the definition of "Customs and TIR Plan" which means the drawing of a container that illustrates the requirements of the proposed § 423.3a or § 424.4 of Subchapter A, Title 49, Code of Federal Regulations.

(c) Oceanographic Society Inc., 17 Battery Place, New York, NY 10004, would be added as a certifying authority in § 421.1.

(d) Part 424 would be revised to add the proposed procedures for approval of individual road vehicles to Subchapter A.

(e) Section 423.3a would be added to Part 423 and § 424.4 would be included in the revised Part 424 to adopt by reference the applicable technical requirements in the Customs Convention on International Transport of Goods Under Cover of TIR Carnets (TIR Convention). The technical requirements for containers are in Annex 6 and the applicable requirements for road vehicles are in Annex 3.

(f) Editorial changes would be made to Parts 421, 422, and 423 to reflect the inclusion in Subchapter A of requirements for the approval and certification of road vehicles and to clarify current regulations.

In consideration of the foregoing, it is proposed to amend Subchapter A of Title 49, Code of Federal Regulations as follows:

SUBCHAPTER A—CARGO CONTAINER AND ROAD VEHICLE CERTIFICATION FOR TRANSPORT UNDER CUSTOMS SEAL

1. By revising the heading of Subchapter A to read as set forth above.

PART 420—CONTAINER AND ROAD VEHICLE CERTIFICATION—GENERAL

2. By revising the heading of Part 420 to read as set forth above.

3. By revising the authority citation of Part 420 to read as follows:

AUTHORITY: The provisions of this Part 420 issued under E.O. 11459, 3 CFR, 1966–1970 Comp., p. 781 (1969); and 49 CFR 1.46(f).

§§ 420.1, 420.3 [Amended]

4. By adding the words "and road vehicles" after the word "container" or "containers" wherever it appears in § 420.1 and § 420.3(a).

5. By revising § 420.2 to read as follows:

§ 420.2 Application and purpose.

(a) Certification of containers and road vehicles for international transport

under Customs seal is voluntary. This chapter does not require certification of containers and road vehicles.

(b) The Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention), January 15, 1959 (20 UST 184, TIAS 6633) requires that the approval of road vehicles be made by competent authorities of the country in which the owner or carrier is resident or established. The Customs Convention on Containers, May 18, 1956 (20 UST 301, TIAS 6334), requires that the approval of containers be made by competent authorities of the country in which the owner is resident or established or by those of the country where the container is used for the first time for transport under Customs seal. The procedures for applying for certification are contained in §§ 422.2, 423.2, and 424.2 of this chapter.

6. By adding new paragraphs (f) and (g) to § 420.3 to read as follows:

§ 420.3 Definitions.

* * * * *

(f) "Road vehicle" as defined in Chapter I, Article I of the Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention), January 15, 1959 (20 UST 184, TIAS 6633), means not only any road motor vehicle but also any trailer or semitrailer designed to be drawn by such a vehicle.

(g) "Customs and TIR Plan" means the drawing of a container that illustrates each requirement in § 423.3a or § 424.4 of this subchapter.

PART 421—CONTAINER AND ROAD VEHICLE CERTIFICATION—ADMINISTRATION

7. By revising the heading of Part 421 to read as set forth above.

8. By revising the authority citation of Part 421 to read as follows:

AUTHORITY: The provisions of this Part 421 issued under E.O. 11459, 3 CFR, 1969–1970 Comp., p. 781 (1969); and 49 CFR 1.46(f).

9. By revising § 421.1 to read as follows:

§ 421.1 Designated certifying authorities.

(a) The American Bureau of Shipping, 45 Broad St., New York, NY 10004.

(b) International Cargo Gear Bureau, Inc., 17 Battery Place, New York, NY 10004.

(c) The National Cargo Bureau, Inc., 99 John St., New York, NY 10038.

(d) Oceanographic Society, Inc., 17 Battery Place, New York, NY 10004.

5. By revising § 421.2 to read as follows:

§ 421.2 Designation of additional certifying authorities.

(a) The Commandant may designate as a certifying authority any nonprofit firm or association that he finds competent to carry out the functions of Subpart B of this part.

(b) Any designation may be terminated by the Commandant.

§ 421.10 [Amended]

10. By striking out the part reference "Part 424 of this chapter" in § 421.10 and inserting "§ 422.3a of this subchapter" in place thereof.

11. By amending Subpart B by revising §§ 421.11, 421.12, and 421.13 and adding § 421.14 to follow § 421.13, to read as follows:

§ 421.11 Examination of containers and road vehicles.

(a) Each certifying authority must inspect each container and each road vehicle submitted for certification for compliance with the requirements contained in §§ 423.3a or 424.4 of this subchapter as applicable.

(b) Each certifying authority must conduct the examination for containers by design type prescribed in § 422.4 of this subchapter. Each container must be in compliance with the requirements contained in § 422.3a of this subchapter.

§ 421.12 Certificate of approval by design type for a container.

A certifying authority issues a certificate of approval by design type for a container that is approved in accordance with the procedures contained in §§ 422.3 and 422.4 of this subchapter.

§ 421.13 Certificate of approval for a container.

A certifying authority issues or renews a certificate of approval for an individual container that complies with the requirements contained in § 423.3a of this subchapter.

§ 421.14 Certificates of approval for road vehicles.

A certifying authority issues or renews a certificate of approval for an individual road vehicle that complies with the requirements contained in § 424.4 of this subchapter.

§ 421.20 [Amended]

12. By striking the words "shall be approved" in the third sentence of § 421.20(a) and adding the words "are subject to approval" in place thereof.

13. By revising § 421.30 to read as follows:

§ 421.30 Records maintained by a certifying authority.

(a) Each certifying authority shall maintain—

(1) A copy of each certificate of approval of containers by design type that is issued, together with a copy of the plans and application to which the approval refers;

(2) A record of each serial number assigned and affixed by the manufacturer to the containers manufactured under a design type approval;

(3) A copy of each individual certificate of approval of a container or road vehicle that is issued; and

(4) All applications submitted in accordance with the requirements contained in §§ 422.2, 423.2, or 424.2 of this subchapter and any information submitted by a manufacturer for the certification of a container or a road vehicle.

(b) The Commandant or a representative of the Commandant may examine, at reasonable times, the certifying authority's files required by paragraph (a) of this section.

14. By revising § 421.31 to read as follows:

§ 421.31 Records to be furnished the Commandant.

Each certifying authority shall supply the Commandant (MHM), Room 8306, 400 Seventh Street SW., Washington, DC 20590, with—

(a) A copy of each issued certificate of approval for containers by design type and a copy of the plans and application to which the approval refers;

(b) A copy of each issued individual approval for a container or road vehicle; and

(c) Notification of each arrangement approved as an equivalent to the requirements of the Customs convention of the international transport of goods undercover of TIR carnets (TIR Convention), January 15, 1959 (20 UST 184, TIAS 633), as modified by applicable resolutions, as provided in §§ 422.3a(b), 423.3a(b), or 424.4(b) of this subchapter.

15. By adding a new § 421.31a to follow § 421.31 to read as follows:

§ 421.31a Meetings on program.

Each certifying authority's representative for certification functions shall meet after notice with the Commandant or his representatives to review their administration of the certification program.

16. By revising the heading of § 421.32 to read as follows:

§ 421.32 Reports by container manufacturer.

* * * * *

17. By revising § 421.33 to read as follows:

§ 421.33 Notification of Certifying Authority prior to container production.

The manufacturer shall notify the certifying authority before each production run of containers to be built pursuant to a certificate of approval by design type in order that the certifying authority can schedule any necessary inspection.

18. By revising § 421.40 to read as follows:

§ 421.40 Appeal to Commandant.

(a) Any manufacturer, carrier, or owner may within 30 days after he has been notified by a certifying authority of a determination, including any review provided, appeal the determination to the Commandant.

(b) Any determination which is appealed remains in effect pending a decision by the Commandant.

§ 421.50 [Revoked]

19. By revoking § 421.50.

PART 422—PROCEDURES FOR APPROVAL OF CONTAINERS BY DESIGN TYPE

20. By revising the authority of Part 422 to read as follows:

AUTHORITY: The provisions of this Part 422 issued under E.O. 11459, 3 CFR, 1966–70 COMP., p. 781 (1969); and 49 CFR 1.46(f).

21. By adding §§ 422.1a and 422.1b to follow § 422.1 and to read as follows:

§ 422.1a Eligibility.

Any manufacturer of containers that are being manufactured in a type series from a standard design and specifications so that each container has identical characteristics may apply for an approval by design type.

§ 422.1b Where to apply.

A manufacturer may apply for approval of a container by design type to a certifying authority of the country in which the owner is resident or established.

22. By revising §§ 422.2 and 422.3 to read as follows:

§ 422.2 Application for approval.

Each application by a manufacturer or an owner for certification of a container by design type must include—

(a) Four copies, each no larger than 3 feet by 4 feet, of the Customs and TIR plan;

(b) Customs and TIR plan number;

(c) Four copies of the specifications which include the following information:

(1) The name and address of the manufacturer or the owner; and

(2) A descripion of the container including the—

(i) Type of construction;

(ii) Dimensions;

(iii) Material of construction;

(iv) Coating system used;

(v) Identification marks and numbers; and

(vi) Tare weight;

(d) The location and date for inspection of the prototype; and

(e) A statement signed by the manufacturer that—

(1) A container of the design type concerned is available for inspection and approval by the certifying authority before, during, and after the production run;

(2) Notification will be given to the certifying authority of each change in the design before adoption; and

(3) Each container will be marked with—

(i) The metal plate required in § 422.5;

(ii) The identification numbers or letters of the design type assigned by the manufacturer; and

(iii) The serial number of the container assigned by the manufacturer.

§ 422.3 Plan review.

(a) A manufacturer who wants a container to be approved by design type must submit to the certifying authority the plans and specifications of the container.

(b) The certifying authority that examines the plans and specifications submitted in accordance with paragraph (a) of this section—

(1) Approves the plans and specifications in accordance with the requirements of § 422.3a and arranges to inspect a prototype in accordance with § 422.4; or

(2) Advises the manufacturer of any necessary changes to be made for compliance with the requirements of § 422.3a.

(c) If changes in design of the container are made during production but after approval of the plans and specifications by the certifying authority, the manufacturer must furnish "as-built" drawings of the container to the certifying authority before an inspection of the prototype is made.

23. By adding § 422.3a to follow § 422.3 and to read as follows:

§ 422.3a Technical requirements for containers by design type.

(a) The plans and specifications of a container that are submitted in accordance with the requirements contained in § 422.3 and the one or more containers that are inspected in accordance with the requirements of § 422.4 must comply with the requirements of Annex 6, as modified by applicable resolutions, of the Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention), January 15, 1959 (20 UST 184, TIAS 6633). Copies of Annex 6, as modified by applicable resolutions, may be obtained from the Coast Guard (MHM), Room 8306, 400 7th Street SW., Washington, DC 20590.

(b) If any of the requirements in articles 1 through 3 of annex 6 are not compatible with the technical requirements that insulated and refrigerator containers, furniture containers, tank containers, and containers specially built for carriage by air must fulfill in use, the certifying authority may approve other arrangements that are equivalent to the requirements in annex 6 and serve the purpose for which the certification is intended.

24. By amending § 422.4 by deleting paragraph (b), and revising the heading of § 422.4 to read as follows:

§ 422.4 Examination, inspection, and testing.

* * * * *

PART 423—PROCEDURES FOR INDIVIDUAL APPROVAL OF CONTAINERS

25. By revising the authority citation of Part 423 to read as follows:

AUTHORITY: The provisions of this Part 423 issued under E.O. 11459, 3 CFR, 1966–70 COMP., p. 781 (1969); and 49 CFR 1.46(f).

§ 423.2 [Amended]

26. By amending the introductory text of § 423.2 by adding the word "written" after the first word "A" and striking the word "shall" and inserting "may" in place thereof, and striking the second "shall" and inserting "must" in place thereof.

27. By revising § 423.3 to read as follows:

§ 423.3 Eligibility.

Individual containers may be submitted for inspection by the owner to a certifying authority—

(a) In the country in which the owner is a resident or established; or

(b) In the country in which the container is used for the first time for transport under Customs seal.

28. By adding § 423.3a to follow § 423.3 and to read as follows:

§ 423.3a Technical requirements for containers.

(a) A container that is submitted for inspection for individual approval must comply with the requirements of Annex 6, as modified by applicable resolutions, of the Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention), January 15, 1959 (20 UST 184, TIAS 6633). Copies of Annex 6, as modified by applicable resolutions, may be obtained from the Coast Guard (MHM), Room 8306, 400 Seventh Street SW., Washington, DC 20590.

(b) If any of the requirements in Articles 1 through 3 of Annex 6 are not compatible with the technical requirements that insulated and refrigerator containers, furniture containers, tank containers, and containers specially built for carriage by air must fulfill in use, the certifying authority may approve other arrangements that are equivalent to the requirements in Annex 6 and serve the purpose for which the certification is intended.

29. By revising § 423.4 to read as follows:

§ 423.4 Approval of individual containers.

The certifying authority issues an individual certificate of approval, valid for 2 years, for each container that meets the requirements in § 423.3a.

30. By adding a new § 423.4a to follow § 423.4 and to read as follows:

§ 423.4a Certificate of approval.

A certificate of approval framed as required in Article 1–4 of Annex 6, Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention), is evidence of approval if it remains sealed in the protective frame.

31. By revising §§ 423.5 and 423.6 to read as follows:

§ 423.5 Renewal of certificate.

A certificate of approval may be renewed if the Certifying Authority determines by inspection every 2 years that the container continues to comply with the applicable requirements in § 423.3a.

§ 423.6 Termination of approval.

Approval of a container terminates—
(a) Upon expiration of the certificate of approval;
(b) Upon a change in the container by a major repair or alteration of any of the essential features required in § 423.3a. Repairs by replacement in kind do not constitute a change of the essential features; or
(c) Upon a change of ownership.

PART 424—PROCEDURES FOR APPROVAL OF INDIVIDUAL ROAD VEHICLES

32. By revising the heading of Part 424 as set forth above, and by revising Part 424 to read as follows:

Sec.
424.1 General.
424.2 Application for approval.
424.3 Eligibility.
424.4 Technical requirements for road vehicles.
424.5 Approval of individual road vehicles.
424.6 Certificate of approval.
424.7 Renewal of certificate.
424.8 Termination of approval.

AUTHORITY: The provisions of this Part 424 issued under E.O. 11459, 3 CFR, 1966–1970 COMP., p. 781 (1969); and 49 CFR 1.46(f).

§ 424.1 General.

This part provides for the approval and certification of individual road vehicles that comply with the technical requirements in § 424.4.

§ 424.2 Application for approval.

A written request for approval of an individual road vehicle may be made by the manufacturer, owner, or carrier to a certifying authority and must include—
(a) Type of vehicle;
(b) Name and business address of owner or carrier;
(c) Name of the manufacturer;
(d) Chassis number;
(e) Engine number (if applicable);
(f) Registration number;
(g) Particulars of construction;
(h) Any photos or diagrams required by the certifying authority to facilitate approval; and
(i) A proposed place and date for inspection of the road vehicle.

§ 424.3 Eligibility.

A road vehicle may be submitted for inspection by the manufacturer, owner, or carrier to a certifying authority of the country in which the manufacturer, owner, or carrier, respectively, is resident or established.

§ 424.4 Technical requirements for road vehicles.

(a) A road vehicle that is submitted for inspection for individual approval must comply with the requirements of Annex 3, as modified by applicable resolutions, of the Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention), January 15, 1959 (20 UST 184, TIAS 6633). Copies of Annex 3, as modified by applicable resolution, may be obtained from the Coast Guard (MHM), Room 8306, 400 Seventh Street SW., Washington, DC 20590.

(b) If any of the requirements in Articles 1 through 3 of Annex 3 are not compatible with the technical requirements that insulated vehicles, refrigerator vehicles, furniture vehicles, and tank vehicles must fulfill in use, the certifying authority may approve other arrangements that are equivalent to the requirements in Annex 3 and serve the purpose for which the certificate is intended.

§ 424.5 Approval of individual road vehicles.

The certifying authority issues a certificate of approval, valid for 2 years, to each road vehicle that complies with the applicable requirements in § 424.4.

§ 424.6 Certificate of approval.

A certificate of approval must be kept on the vehicle as evidence of approval.

§ 424.7 Renewal of certificate.

A certificate of approval may be renewed if the certifying authority determines by inspection every 2 years that the vehicle continues to comply with the applicable requirements in § 424.4.

§ 424.8 Termination of approval.

Approval of a road vehicle terminates—
(a) Upon expiration of the certificate of approval;
(b) Upon a change in the road vehicle by a major repair or alteration of any of the essential features required in § 424.4. Repairs by replacement in kind do not constitute a change of the essential features; or
(c) Upon a change of ownership.

These amendments are proposed under the authority of Executive Order 11459, 3 CFR, 1966–1970 COMP., p. 781 (1969); and 49 CFR 1.46(f).

Dated: November 14, 1972.

G. H. READ,
Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR Doc.72-19822 Filed 11-16-72;8:49 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 72-WE-44]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Yuma, Ariz., transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, CA 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the regional air traffic division chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of the comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, CA 90045.

A recent amendment was made to the Yuma, Ariz., transition area (ASD No. 72-WE-37) that will become effective December 7, 1972. Subsequent review of the airspace requirements revealed that due to the ceiling established for V-135 additional airspace is required to protect aircraft executing the HI-TACAN Runway 21R and HI-VORTAC Runway 17 instrument approach procedures to Yuma MCAS/Yuma International Airport. Action is proposed herein to affect this change.

In consideration of the foregoing, the FAA proposes the following airspace action.

In § 71.181 (37 F.R. 2143) the description of the Yuma, Ariz., transition area as amended by (37 F.R. 22576) is further amended by adding "* * *, that airspace extending upward from 9,000 feet MSL bounded on the west by the west edge of V-135, on the east by R-2306C and R-2306A, extending from 20 miles north of the Yuma VORTAC to the arc of a 20-mile radius circle centered on the Blythe, Calif. VORTAC."

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended, (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif., on November 8, 1972.

ROBERT O. BLANCHARD,
Acting Director, Western Region.

[FR Doc.72-19769 Filed 11-16-72;8:45 am]

Federal Railroad Administration

[49 CFR Part 215]

[Docket No. RSFC-2, Notice 1]

RAILROAD FREIGHT CARS

Lubrication of Journal Bearings

On September 15, 1972, the Federal Railroad Administration (FRA) issued a notice of proposed rule making to add a new Part 215 to the Code of Federal Regulations (37 F.R. 19821). Part 215 would set forth minimum Federal safety standards for railroad freight cars. The notice stated that in addition to the standards proposed at that time further rule making would be initiated to consider requirements for the lubrication of journal bearings. The FRA is initiating this separate proceeding to establish the lubrication requirements because they differ in nature from the rules proposed by the earlier notice for inclusion in Part 215.

The FRA accident statistics for the years 1968 through 1970, based on reports filed by the railroads involved, show that about 500 accidents per year were caused by the failure of journal bearings. Moreover, these accidents resulted in an extremely large amount of damage. For example, in 1969 the total cost of accidents reported to the FRA resulting from journal bearing failures was more than $20 million. This was approximately one half the cost of all train accidents caused by equipment failures reported to the FRA that year.

To reduce the number of journal bearing related accidents, the FRA is considering an amendment to the proposed Part 215 that would revise the stenciling requirements of § 215.11(b) and add a new subheading, entitled "Journal Bearing Lubrication," to subpart E. Two sections under the new subheading would require plain bearing boxes and roller bearings to be lubricated at recurring intervals in accordance with prescribed procedures. Each lubrication of plain bearing boxes would also entail maintenance which is necessary at that time. A third section would require that each railroad freight car be restenciled in accordance with § 215.11(b)(5) after its journal bearings are lubricated to update the lubrication information stenciled on the car. Under a fourth section, if any of the required stenciling relating to lubrication is missing, incorrect, or indistinct, the journal bearings on the car would have to be lubricated at once, or the car removed from service. Lubrication and stenciling would be carried out by whichever railroad has control of the car at the time lubrication is due.

The proposals for journal bearing lubrication contained in this notice are not new as far as the Nation's railroads are concerned. They are the first step toward codification of the railroad industry's own rules for cars in interchange. Unfortunately, not all railroads have complied with these self-imposed rules, as indicated by the large number of train accidents attributed to journal bearing failures. Consequently, the FRA is commencing this action to make the periodic lubrication of journal bearings a mandatory requirement subject to the penalty and injunctive relief provisions of the Federal Railroad Safety Act of 1970. Furthermore, the requirements would apply to all railroad freight cars and not merely those in interchange.

Under the proposed rules, the journal bearings on a new or newly reconditioned freight car that is placed in service after the effective date of the rules would be lubricated within a certain period subsequent to the time the car is built or reconditioned, and periodically thereafter. A new or reconditioned car would not have to be lubricated before being released for service because all new cars and cars which meet the definition of "reconditioned" under Part 215 would already be fully lubricated. As for those existing cars which meet the proposed lubrication requirements, the next lubrication would be due within a prescribed time after the bearings were last lubricated (including lubrication at the time of original construction or reconditioning) as indicated by the stenciling on the car. If there is no stenciling on a car to indicate the time it was last lubricated or the car does not otherwise meet the proposed lubrication requirements, then it would be lubricated as proposed or removed from service.

In consideration of the foregoing, it is proposed to amend Title 49 of the Code of Federal Regulations as follows:

1. By revising paragraph (b) of the proposed § 215.11 to read as follows:

§ 215.11 Stenciling.

* * * * *

(b) The following must be stenciled in letters and numbers at least 1 inch high on each side of each car body:

(1) The date of original construction, preceded by the word "built."

(2) If applicable, the date the car was last reconditioned, preceded by the word "reconditioned."

(3) If the car is equipped with plain bearing boxes—

(i) The symbol "RPKD"; or

(ii) In the case of boxes with rear seals, box lid seals, and journal stops, the symbol "RPKD–30."

(4) If the car is equipped with roller bearings, the symbol "LUB."

(5) Following the symbol stenciled under subparagraph (3) or (4) of this paragraph—

(i) The date all journal bearings were last lubricated;

(ii) The name of the railroad or other entity who performed the lubrication; and

(iii) The location where the bearings were lubricated.

2. By adding the following new centerheading and sections to the proposed Part 215:

JOURNAL BEARING LUBRICATION

§ 215.97 Plain bearing boxes.

(a) A railroad may not operate a railroad freight car which is equipped with plain bearing boxes unless within the preceding 24 months, or in the case of a car whose plain bearing boxes are equipped with rear seals, box lid seals, and journal stops, within the preceding 30 months—

(1) The plain bearing boxes were repacked as prescribed by paragraph (b) of this section; or

(2) The car was reconditioned or originally constructed.

(b) A plain bearing box must be repacked according to the following rules:

(1) Remove journal bearing, wedge, and lubricator, and thoroughly clean the box, including inside of lid and front of box that may contact the lubricator, without using waste material for cleaning purposes;

(2) Examine the journal, journal bearing, wedge, journal stop, and box lid seal, and replace each defective part;

(3) Replace old lubricator with a new one;

(4) Replace dust guard plug when missing or defective, and apply sealer to top of plug;

(5) In the case of a wooden dust guard plug, lock it securely in place;

(6) If car truck is dismantled, examine the rear seal and replace if defective; and

(7) Add free oil up to collar of journal to permit resaturation of the lubricator, then before the car is released for service, check to ensure that at least ½ inch of free oil is visible in the bottom of the box.

§ 215.99 Roller bearings.

(a) A railroad may not operate a railroad freight car which is equipped with roller bearings unless—

(1) The roller bearings have been lubricated as prescribed by the following chart and by paragraphs (b) and (c) of this section; or

(2) The car was reconditioned or originally constructed within the number of months prescribed in the chart for lubricating its roller bearings:

Description of bearing	Size of bearing	Amount of lubricant required	Lubricate bearings within the following number of months before car is operated
Oil lubricated	All	Fill to maximum level	12
Grease lubricated, end caps do not rotate.	12 inches	12 ounces	18
	11 inches or less	8 ounces	
Grease lubricated, end caps rotate	All	16 ounces	36

(b) In the case of an oil lubricated roller bearing, the filling plug must be properly replaced after the bearing is lubricated.

(c) A grease lubricated roller bearing must be lubricated by—

(1) Cleaning the grease fitting immediately before the application of grease to prevent road dirt and foreign material from being forced into the bearing; and

(2) Using a properly calibrated dispensing device equipped with a strainer that is checked weekly to accurately measure ounces of grease.

(d) A pipe plug on a grease lubricated roller bearing must be replaced with a grease fitting.

§ 215.101 Restenciling required.

When the journal bearings on a railroad freight car are lubricated as prescribed by § 215.97 or § 215.99, the information stenciled on the car in accordance with § 215.11(b)(5) must be erased and replaced with new information which meets the requirements of that section.

§ 215.103 Missing, incorrect, or indistinct stenciling.

Whenever any portion of the information which must be stenciled on a railroad freight car under § 215.11(b)(3)–(5) is missing, incorrect, or indistinct, the journal bearings on that car must be lubricated as prescribed by § 215.97 or § 215.99.

Interested persons are invited to participate in making these safety standards by submitting written data, views, or comments. Communications should identify the docket number and notice number and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: Docket No. RSFC–2, 400 Seventh Street SW., Washington, DC 20590. Communications received before January 15, 1973, will be considered by the Federal Railroad Administrator before taking final action on the proposed standards. Comments received after that date will be considered so far as practicable. All comments received will be available for examination by interested persons at any time during regular working hours in Room 5428, Nassif Building, 400 Seventh Street SW., Washington, DC. The proposals contained in this notice may be changed in light of comment received.

In addition, to insure that all interested persons have an opportunity for oral presentation, the FRA will conduct a public hearing at 10 a.m. on January 24, 1973, in Room 5332, 400 Seventh Street SW., Washington, DC.

The hearing will be an informal one, not a judicial or evidentiary type of hearing. There will be no cross-examination of persons making statements. A staff member of the FRA will make an opening statement outlining the matter set for hearing. Interested persons will then have an opportunity to present their initial oral statements. At the completion of all initial oral statements, those persons who wish to make rebuttal statements will be given the opportunity to do so in the same order in which they made their initial statements. Additional procedures for conducting the hearing will be announced at the hearing.

Interested persons may present oral or written statements at the hearing. All statements will be made a part of record of the hearing and be a matter of public record. Persons who wish to make oral statements at the hearing should notify the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20591, before January 24, 1973, stating the amount of time required for his initial statement.

This notice is issued under the authority of section 202, 84 Stat. 971, 45 U.S.C. 431; and § 1.49(n) of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(n).

Issued in Washington, D.C. on November 13, 1972.

JOHN W. INGRAM,
Administrator.

[FR Doc.72-19827 Filed 11-16-72;8:49 am]

[49 CFR Part 215]

[Docket No. RSFC–3, Notice 1]

RAILROAD FREIGHT CARS

Prohibited Equipment

On September 15, 1972, the Federal Railroad Administration (FRA) issued a notice of proposed rulemaking to add a new Part 215 to the Code of Federal Regulations (37 F.R. 19821). Part 215 would set forth minimum Federal safety standards for railroad freight cars. The notice stated that in addition to the standards proposed at that time further rulemaking would be initiated to consider prohibiting the use of certain types and models of freight car components. The FRA is initiating this separate proceeding to propose these new requirements, because they differ in nature from the rules proposed by the earlier notice for inclusion in Part 215.

The new rule proposed by this notice would prohibit railroads from operating a railroad freight car which is equipped with any of the components listed hereafter in the proposed Appendix B. For the most part, Appendix B specifies modes or types of freight car components which have been prohibited by the Association of American Railroads from use on cars in interchange. The remainder of the components included in Appendix B are presently required by the industry rules to be removed from a car in interchange when its truck is dismantled or the car is otherwise repaired. It has been the industry practice to initially call for the gradual removal of a particular component before it is prohibited from use entirely. However, because unsafe equipment is involved, the FRA has combined these two categories into a single list of prohibited components.

In determining which components should be included in Appendix B, the FRA has examined comparative failure rates. For example, in 1971, out of 2,906 cars in service equipped with NSK roller bearings marked "AAR 11," there were 14 roller bearing failures. This is a failure rate of one for every 208 cars. On the other hand, the failure rate for 429,000 cars with Timken roller bearings was one for every 1,032 cars.

Although a component may be included in Appendix B, this should not hinder the development of a new design or material for that component. For example, section VIII a.(2) of Appendix B would prohibit the use of a truck frame cast from any material other than steel because at present only steel truck frames are considered safe to use. However, if it can be shown that a truck frame made from some other material is also safe, then the Administrator will consider permitting the use of the other material.

In addition to prohibiting railroads from operating a car equipped with any component listed in Appendix B, the proposed rule would also prohibit the operation of any car which is more than 50 years old. Fifty years is considered the age limit beyond which cars cannot be reasonably operated safely. Cars of this vintage have been prohibited in interchange by the AAR rules. Consequently, the proposal to remove them from service is not expected to cause a hardship on the industry. Nevertheless, if the proposed rule is adopted, any railroad that wishes to operate a car which is more than 50 years old could petition the Administrator for a waiver of compliance with the rule. The Administrator would grant a waiver only if he finds it in the public interest and consistent with railroad safety. (See the proposed section on waivers at 37 F.R. 19822.)

In recent years, cars with Duryea underframes manufactured prior to April 1, 1950, have had a high failure rate. The AAR rules require that these cars be removed from service by January 1, 1974. The FRA believes the problem requires more immediate action. Therefore, these cars have been included in the list of cars the proposed rule would prohibit from service.

It is important to note that the rule proposed by this notice would apply to all railroad freight cars and not merely those in interchange. Although the proposed rule is primarily a restatement of certain AAR rules, each railroad that wishes to comment on the proposal should consider the effect it may have on cars which are not operated in interchange.

In consideration of the foregoing, it is proposed to amend Title 49 of the Code of Federal Regulations by adding the following new section and appendix to the proposed Part 215:

§ 215.19 Prohibited cars.

No railroad may operate a railroad freight car which—

(a) Is more than 50 years old, measured from the date of original construction;

(b) Was originally constructed before April 1, 1950, and is equipped with a Duryea underframe; or

(c) Is equipped with any model or type car component listed in Appendix B of this part.

APPENDIX B—PROHIBITED RAILROAD FREIGHT CAR COMPONENTS

I. *General.* This appendix identifies or describes components which are prohibited from use on railroad freight cars to which this part applies.

II. *Air brakes.* The "K" type air brake may not be used on any car.

III. *Axles.* The AAR alternate standard tubular type axle may not be used on any car.

IV. *Plain bearings.* The solid cartridge type plain bearing may not be used on any car.

V. *Roller bearings.* The following roller bearings may not be used on any car:

(1) Nippon Sieko Kabushiki Kaisha ("NSK") size 6½" by 12" (marked "AAR 11").

(2) Hyatt "Hy-Roll" cylindrical bearing, all sizes (marked "AAR 2").

(3) SKF "Piggybacker" spherical roller, size 6" by 11" (marked "AAR 7").

VI. *Couplers.* The following couplers may not be used on any car:

(1) AAR type D coupler, top or bottom operated.

(2) AAR type E coupler, 5" by 7" shank (E63, E63HT, and E63AHT).

VII. *Draft gears.* The Miner FR–16 and FR–19F draft gears may not be used on any car.

VIII. *Trucks.*

a. None of the following components may be used on a car truck:

(1) Arch bar.

(2) Frame cast from a material other than steel.

(3) Transom frame.

(4) Bolster cast from a material other than steel.

b. A car truck with a cast steel pedestal-type side frame, short wheelbase, and no bolster may not be used on any car.

IX. *Truck bolsters.* A car truck may not contain a bolster which—

(1) Was cast prior to 1927;

(2) Does not have an identification mark or pattern number; or

(3) Has any of the following pattern numbers listed under the name of the manufacturer:

A.S.F.	Dresser (Symington)	Birdsboro	Lenoir car works
21183–B	BO 5234	1458	CS–184
21183–N	BO 5263	1471	CS–611
21413–D	BO 7076	1494	
21648–C	BO 7076–A	1668	
22056–E	BO 7115		

X. *Truck side frames.* A car truck may not contain a side frame which—

(1) Was cast prior to 1927;

(2) Does not have an identification mark or pattern number;

(3) Has an "I", "T", or "L" section compression or tension member; or

(4) Has any of the following pattern numbers listed under the name of the manufacturer:

A.S.F.	National castings	Buckeye	Dominion
7273	33793–1B	3–1776	TF–5100
7323		F–420	
21362 (cast prior to June 1941).			

Pittsburgh Steel Foundry	Scullin Steel	Bettenforf	Canadian Steel Foundry
3–1673	42–CS–180	UT 456	26565
4–1862	4451		
3–1674	4665		
4–2045	4770		
12897	4942		
12921	5220		
21263	5364		
	5364–C–E		
	5811–A		
	5869–B		
	6577–A		

XI. *Wheels.* The following wheels may not be used on any car:

(1) Cast iron wheel.

(2) Cast steel wheel marked "AAR X–2".

(3) Cast steel wheel marked "AAR X–4".

(4) Davis cast steel wheel.

(5) Southern cast steel wheel manufactured before May 7, 1958.

(6) Griffin cast steel wheel, 70 ton three-riser ball rim design.

(7) Wrought steel wheels manufactured before 1927.

(8) Griffin cast steel wheel, 70 and 50 ton, 33 inch tow wear, three riser (marked "X5" or "CS–2").

XII. *Yokes.* A yoke described as follows may not be used on any car:

(1) Riveted type;

(2) Keyless type;

(3) Vertical key type; or

(4) Has a Farlow draft attachment.

Interested persons are invited to participate in making these safety standards by submitting written data, views, or comments. Communications should identify the docket number and notice number and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: Docket No. RSFC–3, 400 7th Street SW., Washington, DC 20590. Communications received before January 15, 1973, will be considered by the Federal Railroad Administrator before taking final action on the proposed standards. Comments received after that date will be considered so far as practicable. All comments received will be available for examination by interested persons at any time during regular working hours in room 5428, Nassif Building, 400 7th Street SW., Washington, DC. The proposals contained in this notice may be changed in light of comment received.

In addition, to insure that all interested persons have an opportunity for oral presentation, the FRA will conduct a public hearing at 10 a.m. on January 25, 1973, in room 5332, 400 7th Street SW., Washington, DC.

The hearing will be an informal one, not a judicial or evidentiary type of hearing. There will be no cross-examination of persons making statements. A staff member of the FRA will make an opening statement outlining the matter set for hearing. Interested persons will then have an opportunity to present their oral statements. At the completion of all initial oral statements, those persons who wish to make rebuttal statements will be given the opportunity to do so in the same order in which they made their initial statements. Additional procedures for conducting the hearing will be announced at the hearing.

Interested persons may present oral or written statements at the hearing. All statements will be made a part of record of the hearing and be a matter of public record. Persons who wish to make oral statements at the hearing should notify the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20591, before January 25, 1973, stating the amount of time required for his initial statement.

This notice is issued under the authority of section 202, 84 Stat. 971, 45 U.S.C. 431; and § 1.49(n) of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(n).

Issued in Washington, D.C., on November 13, 1972.

JOHN W. INGRAM,
Administrator.

[FR Doc.72–19828 Filed 11–16–72;8:49 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 76]

[Docket No. 19554]

CABLECASTING OF PROGRAMS

Extension of Time for Filing Reply Comments

Order. In the matter of amendment of Part 76, Subpart G, of the Commission's rules and regulations pertaining to the cablecasting of programs for which a per-program of perchannel charge is made, Docket No. 19554.

1. In a petition filed jointly on behalf of the American Broadcasting Co., the Association of Maximum Service Telecasters, the National Association of Theatre Owners, and the National Association of Broadcasters, an extension of the date for filing reply comments in the captioned proceeding from November 15, 1972, to November 29, 1972, is requested.

2. In support of this request, petitioners state that 22 separate comments were filed totaling 651 pages and that more time is needed to adequately respond to the many policy questions raised. Petitioners indicate that counsel for the National Cable Television Association and the Program Suppliers have no objection to a grant of the requested extension.

3. It appears that good cause has been shown for a time extension for the filing of reply comments until November 29,

1972, and the request will accordingly be granted.

Accordingly, it is ordered, That the "Joint Petition for Extension of Time for Filing Reply Comments" filed November 8, 1972, by the American Broadcasting Co., the Association of Maximum Service Telecasters, the National Association of Theatre Owners, and the National Association of Broadcasters is granted and the date for filing reply comments in this proceeding is extended until November 29, 1972.

This action is taken by the Chief, Cable Television Bureau, pursuant to authority delegated by § 0.289(c)(4) of the Commission's rules.

Adopted: November 9, 1972.

Released: November 10, 1972.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] SOL SCHILDHAUSE,
Chief, Cable Television Bureau.

[FR Doc.72-19825 Filed 11-16-72;8:48 am]

FEDERAL POWER COMMISSION

[18 CFR Part 2]

[Docket No. R-362]

RELIABILITY AND ADEQUACY OF ELECTRIC SERVICE

Regional Bulk Power Supply Programs; Information To Be Reported

NOVEMBER 10, 1972.

Consistent with the purposes of the Commission's Order Nos. 383, issued June 25, 1969, 41 FPC 846 (34 F.R. 11200), 383-1, issued January 13, 1970, 43 FPC 37 (35 F.R. 3240), and 383-2, issued April 10, 1970, 43 FPC 515 (35 F.R. 6121), this order submits for public comment proposed revisions of the information to be submitted annually pursuant to § 2.11(c), Informational reporting, Part 2, General Policy and Interpretations, Chapter I, Title 18 of the Code of Federal Regulations. The changes would expand the reported load and capacity data from a forward projection of 10 years to a period of 20 years into the future. Similarly, the transmission network projections would extend 20 years ahead. The changes would also provide for the submission of increased annual energy requirements data; information relative to alternate fuel use capability of existing and proposed generating capacity; scheduled maintenance on generating capacity and the time relation to summer and winter peaks; data relative to transmission transfer capability within regions and among regions, operating reserve policies and interregional coordination in scheduled maintenance programs.

The Commission proposes that these changes be reflected in data to be submitted in the reporting by regional councils commencing with the calendar year 1972 data, reports filed not later than April 1973, and for years thereafter. § 2.11(c) states in part as follows:

* * * Advance planning and operating data from all segments of the industry, including those operated by the State or Federal Governments or political subdivisions, agencies, or instrumentalities thereof, and cooperatively owned associations, all reporting to and coordinated by regional councils, will assist in the accurate forecasting of power demands and in the appropriate and timely installation of generating and transmission facilities to meet these demands.

* * * * *

Power pools and other utility groups that coordinate their planning and operations will report the coordinated data to their respective councils. Individual utilities that are not members of pools will, of course, report directly to their regional councils. Utilities that are not members of regional councils, or not interconnected with other utilities, are requested to furnish to the reliability council representing their geographic area as much of the information specified in appendix A as may be pertinent to their circumstances. Cooperation in this respect will lay the foundation for improvement in the reliability and adequacy of our national power supply.

Each change appears with marginal notation as set forth below. The changes may be seen from a comparative reading of appendix A as heretofore promulgated by Order No. 383-2 and the proposed revised appendix. When adopted, the revised appendix, to be designated as appendix A-1, would be in substitution for the appendix A as referred to in Order 383-2 and § 2.11 *Reliability and adequacy of electric service.*

APPENDIX A PER ORDER NO. 383-2

1. Estimates of monthly peak loads for the first 2 years of the projection; estimates of summer and winter peak loads for the remaining 8 years; and monthly energy requirements for the first 2 years if energy substantially influences planning and operation.

2. Itemization of all existing capacity resources in the region and new capacity resources (or retirements) as committed or projected for each year 10 years into the future; including, where known, in-service dates, locations, ownership, and types of future generating units, and capacity exchanges with others at the time of summer and winter peak demands.

3. For each year of the 10-year projection, show the indicated capacity margins for reserves at the time of summer and winter peak loads, based on Items (1) and (2) above, with an assessment of adequacy of reserves for the first 5 years of the projection. Include a statement of the criteria now being used in determining reserve requirements by the Council or its appropriate subdivisions.

4. For each steam generating unit of 300 mw. or more, and for which construction has begun; or is scheduled to begin within 2 years from the date of reporting, a status report on the proposed plan of cooling, and for fossil-fired plants, the fuels proposed and the plan for controlling stack emissions; also, the status of principal studies or model tests and the status of consultations with appropriate local, State, or Federal authorities concerned.

5. A plan of the bulk power transmission network of the region in service at the time of the report (including interties with adjoining regions) and the general routing of facilities committed or tentatively projected for service within 6 years including identification of principal substations, operating voltages and projected in-service dates. In addition, show the transmission facilities projected for the balance of the 10-year period based upon the best information available.

PROPOSED APPENDIX A-1

1. Estimates of monthly peak loads for the first 2 years of the projection; estimates of summer and winter peak loads for the following 8 years; and monthly energy requirements for the first 2 years and annual energy requirements the following eight.

2. Itemization of all existing capacity resources in the region and new capacity resources (or retirements) as committed or projected for each year 10 years into the future; including, where known, in-service dates, locations, ownership, types of future generating units, primary fuel, and capability for use of alternate fuels including handling and storage capacity, and capacity exchanges with others at the time of summer and winter peak demands.

3. For each year of the 10-year projection, show the indicated capacity margins for reserves at the time of summer and winter peak loads, based on items (1) and (2) above, with an assessment of adequacy of reserves for the first 5 years of the projection. Include a statement of the criteria now being used in determining reserve requirements by the Council or its appropriate subdivisions: Also include an estimate of capacity which will be scheduled out for maintenance at the time of the summer and winter peak for the next 5 years.

4. For each steam generating unit of 300 mw. or more, and for which construction has begun; or is scheduled to begin within 2 years from the date of reporting, a status report on the proposed plan of cooling, and for fossil-fired plants, the fuels proposed and the plan for controlling stack emissions; also, the status of principal studies or model tests and the status of consultations with appropriate local, State, or Federal authorities concerned.

5. A plan of the bulk power transmission network of the region in service at the time of the report (including interties with adjoining regions) and the general routing of facilities committed or tentatively projected for service within 6 years including identification of principal substations, operating voltages, and projected in-service dates. In addition, show the transmission facilities projected for the balance of the 10-year period based upon the best information available.

APPENDIX A PER ORDER NO. 383-2

6. A plotting and a description of the base case for load flow studies of the bulk power network of the region (or principal subdivisions) as it exists, substantially, at the time of reporting and as projected 4 to 6 years in the future; and a tabulation and brief statements on the results of a representative number of contingency cases studied; and similarly, information on stability analyses of the network, and including the criteria adopted by the regional council relating to network stability.

7. A description of the principal communication and control systems operating or planned within the region and listing of functions performed by such facilities. (To be reported initially and updated in subsequent reports when significant changes occur.)

8. For each transmission segment designed to operate at 230 kv. (nominal) or higher for which construction has begun or is scheduled to begin within 2 years from the date of the report, information on the status of consultations with affected local communities and groups, and status of applications to State or regional authorities, as appropriate.

9. Information on the following coordinated regional practices: (To be reported initially and updated in subsequent reports when significant changes occur.)

a. Load shedding programs, including estimated steps of load reduction at various steps in declining frequency.

b. Emergency power and shutdown facilities to prevent damage to equipment if station loses system power.

c. Power facilities available for unit startup in the event of total loss of system power.

d. Availability of continuous power independent of system sources for communication and control facilities.

e. Provisions for sustaining the operation of generating units on local loads.

f. Programs for scheduling maintenance outages of generation and transmission facilities.

g. Programs for the selection, setting, and maintenance of relays that affect the overall reliability of the interconnected network.

PROPOSED APPENDIX A-2

6. A plotting and a description of the base case for load flow studies of the bulk power network of the region (or principal subdivisions) as it exists substantially at the time of reporting and as projected 4 to 6 years in the future; and a tabulation of transfer limits between the region and adjacent regions and between subdivisions of the region where appropriate including limiting conditions and limiting facilities; and a tabulation and brief statements on the results of a representative number of contingency cases studied; and similarly, information on stability analyses of the network, and including the criteria adopted by the regional council relating to network stability.

7. A description of the principal communication and control systems operating or planned within the region and listing of functions performed by such facilities.

8. For each transmission segment designed to operate at 230 kv. (nominal) or higher for which construction has begun or is scheduled to begin within 2 years from the date of the report, information on the status of consultations with affected local communities and groups, and status of applications to State or regional authorities, as appropriate.

9. Information on the following coordinated regional practices:

a. Load shedding programs, including estimated steps of load reduction at various steps in declining frequency.

b. Emergency power and shutdown facilities to prevent damage to equipment if station loses system power.

c. Power facilities available for unit startup in the event of total loss of system power.

d. Availability of continuous power independent of system sources for communication and control facilities.

e. Provisions for sustaining the operation of generating units on local loads.

f. Programs for scheduling maintenance outages of generation and transmission facilities.

g. Programs for the selection, setting, and maintenance of relays that affect the overall reliability of the interconnected network.

h. Operating reserve policy.

i. Maintenance planning including interregional coordination of maintenance outages.

10. For each year in the period of 10 to 20 years in the future, show projected load and generation capability which will be necessary to serve this load. Include a statement as to projected size of units and the mix of generation (nuclear, fossil, hydro, pumped storage, and peaking).

11. For the 10th and 20th year, include a map which shows the general configuration of the transmission network both within the region and the ties with adjacent regions. This should give an estimate of the voltages to be used and an indication of the projected transfer capability between adjacent regions and between subdivisions of the region where appropriate.

The proposed changes are designed to further the objectives of the Federal Power Commission's program of reliability and adequacy of electric service throughtout the Nation, pursuant to section 202(a) of the Federal Power Act, 16 U.S.C. 824a(a).

As the Commission stated in Order No. 383-2, 43 FPC 518:

> we believe that the reported information will necessarily change from time to time and that flexibility in securing and collating the reported information is highly desirable.

Before promulgating the changes, the Commission is desirous of receiving the further views and comments of all interested parties, including the existing national and regional reliability councils, individual State commissions, and the National Association of Regulatory Utility Commissioners, the general public and others.

The basic authority of the Commission to initiate this proposed policy-making action is the Federal Power Act, 16 U.S.C. 791(a) et seq., particularly 16 U.S.C. 824a(a), 825h (49 Stat. 848, 858), and the Administrative Procedure Act, 5 U.S.C. 553.

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than December 26, 1972, data, views, comments, or suggestions, in writing, concerning all or part of the amendment proposed herein. An original and 14 conformed copies should be filed with the Secretary of the Commission. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Washington, D.C., during regular business hours. Submittals to the Commission should indicate the name, title, mailing address, and telephone number of the person to whom communications concerning the proposal should be addressed, and whether the person filing requests a conference with the staff of the Federal Power Commission to discuss the proposed amendment. The staff, in its discretion, may grant or deny requests for a conference. The Commission will consider all written submittals before acting on the proposed amendment herein.

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-19729 Filed 11-16-72;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Ch. II]

[Releases Nos. 34-9848, IC-7475]

MUTUAL FUND DISTRIBUTION

Notice of Public Hearings

The Securities and Exchange Commission, having reviewed the Study of the Potential Economic Impact of the Repeal of Section 22(d) (of the Act, 15 U.S.C. 80a-22(d)) conducted by its Office of Policy Research and the Economic Study of the Distribution of Mutual Funds and Variable Annuities conducted for the National Association of Securities Dealers, Inc. (NASD), by Booz Allen & Hamilton, Inc., has determined that it would be appropriate to reexamine traditional administrative positions and to explore new possibilities in order that mutual funds may be marketed more efficiently at a reasonable cost to investors. Section 22(d) (of the Act) requires, in part, that in the sale of a mutual fund security to the public the principal underwriter and any dealer must sell the security at a current public offering price—net asset value plus stated sales charge—set forth in the prospectus.

In order to obtain a wide range of viewpoints with respect to the justification for this retail price maintenance provision in the distribution of mutual funds, as well as the options which would be open to the industry if section 22(d) (of the Act) were eliminated and how the industry would adjust to such a change, the Commission has determined to commence public hearings on December 11, 1972.

BACKGROUND

A. STUDY OF THE POTENTIAL ECONOMIC IMPACT OF THE REPEAL OF SECTION 22(d) OF THE ACT.

In the Investment Company Amendments Act of 1970 (the 1970 Act) (Public Law 91-547, 84 Stat. 1413) Congress took steps to improve the protection afforded mutual fund investors in the area of sales commissions. The Senate Committee on Banking, Housing and Urban Affairs indicated that "Partly because of section 22(d) (of the Act) and partly because of the way in which mutual fund shares are sold, competition has tended to operate in reverse in the sale of mutual fund shares—raising prices rather than lowering them." [1] The committee gave serious consideration to deleting section 22(d) (of the Act) from the Investment Company Act of 1940 (the "Act") (15 U.S.C. 80a-1 et seq.). However, it was uncertain what that would mean to the investing public and mutual fund sales organizations. Therefore, it requested that the Commission review the consequences of such a proposal and report to it as soon as reasonably practicable.

[1] S. Rept. 91-184, 91st Cong. 1st Sess. 8 (May 21, 1969).

Our staff is about to complete this study which will be released shortly. It deals among other things with the costs of distributing mutual funds, the earnings of those who sell mutual funds, the significance of revenue derived by brokerage firms from mutual fund sales and the significance of mutual fund sales to the securities markets. Before making any definitive recommendations to the Congress as to retail price maintenance, the Commission believes it imperative to have the views of all interested persons with respect to the staff's report and the impact on the industry of various changes in the distribution system that may be desirable.

B. NASD STUDY AND RULE PROPOSALS

The 1970 Act gave the NASD rule making authority to prevent mutual funds from being sold at a sales load which is "excessive." Under amended section 22(b) of the Act mutual fund sales charges must allow for reasonable compensation for sales personnel, broker-dealers, and underwriters, and reasonable sales loads to investors. The amendments also provide the Commission with the power to alter or supplement such NASD rules at any time after June 14, 1972—the effective date of this amendment. It was contemplated that during this period the NASD would study "all relevant factors" in order to provide a basis for its rule proposals. At the outset, the Commission made clear that the NASD study should consider ways in which the existing distribution system could be improved with the resulting efficiencies and lower costs passed on directly to benefit investors and that the Commission would consider the feasibility of achieving this result in connection with its staff study of the impact of eliminating section 22(d) from the Act.

The NASD has now completed its study and has drafted rule proposals based upon it. That study is, of course, a survey of mutual fund distribution as it has existed and the resulting rule proposals are premised on the continuation of that system and the existing regulatory framework. The authors of the study indicated that "If section 22(d) (of the Act) were repealed and sellers were able to set the prices of funds at levels other than their current offering price described in the prospectus, then the analysis presented * * * needs to be reevaluated."

C. OTHER DEVELOPMENTS

In our Statement on the Future Structure of the Securities Markets we announced that the practice of investment company managers using portfolio brokerage of mutual funds to reward broker-dealers for sales of fund shares must be terminated. The NASD has published for comment an amendment to Article III, section 26 of its rules of fair practice designed to implement this policy and is moving ahead expeditiously to adopt the necessary rule change.

The Commission recently liberalized the rules with respect to advertising of investment company securities. In the release announcing the changes we described them as a modest first step in this direction and requested further suggestions.[2] Several have been received and are now under consideration.

It also is timely now to renew consideration of group merchandising of fund shares at reduced sales loads, long a controversial subject. Rule 22d-1 (17 CFR 270.22d-1) permits quantity discounts to be provided in connection with the sale of a mutual fund to any person but excludes from the definition of "person" any group whose funds are combined for such purchase. In 1968, the Commission proposed a revision of this antigrouping provision.[3] That proposal was held in abeyance pending completion of our staff study of Section 22(d) (of the Act). The Commission has recently been asked to consider rule changes which would result in lower administrative costs on payroll deduction plans and other voluntary plans for accumulating mutual fund shares by means of periodic small purchases. These rules now require that shareholders receive individual notices, confirmations, dividend statements, and shareholder reports. Our staff is exploring whether these rules can be revised without diminishing the basic shareholder protections they provide as well as reexamining the earlier grouping proposal and the comments received on it.

ISSUES TO BE CONSIDERED

A. REPEAL OF SECTION 22(d) OF THE ACT

1. *Complete repeal.* The system of retail price maintenance under which mutual funds are distributed tends to raise rather than lower prices. Under it, fund distributors compete for the favor of dealers and salesmen through a system of sales incentives which creates a constant pressure to raise sales loads or reduce the principal underwriter's margin.

The question is whether there is any longer sufficient public interest in the continuation of this system as an exception to the general rule of free competition which prevails in most other segments of our economic life.

2. *Partial repeal.* Should retail price maintenance be retained but only for smaller sales, allowing negotiated rates and free competition to prevail on that portion of any purchase in excess of a fixed amount, for example, $300,000? Or, should a system of negotiated rates be instituted gradually over a period of time permitting data to be assembled as to the effects of repeal on various segments of the mutual fund market? If such gradual reductions are appropriate, can they be achieved under the Commission's exemptive power or would legislation be needed?

3. *Price competition within a limited range.* Should retail price maintenance be retained with respect to a minimum

[2] Securities Act Release No. 5248, May 9, 1972 (37 F.R. 10071).

[3] Investment Company Act Release No. 5507, Oct. 7, 1968 (33 F.R. 15262).

schedule of sales loads, with the statute also specifying a maximum sales load, but allowing for price competition in the range between the specified maximum and minimum loads?

4. *A current public offering price described in the prospectus.* Section 22(d) (of the Act) states that "no registered investment company shall sell any redeemable security * * * except either to or through a principal underwriter for distribution or at a current public offering price described in the prospectus." Dealers are also required to sell at "a current public offering price described in the prospectus." There is no explicit requirement that there be a single uniform offering price, though that has been the long-standing interpretation of the provision. Would the statute be satisfied if the prospectus described different offering prices for different dealers or in different situations and thus permitted price competition in a manner sanctioned by the investment company itself?

5. *Prohibit price competition from non-contract dealers.* Historically, a principal reason given for the enactment of section 22(d) (of the Act) was the need to prevent price competition and secondary or "bootleg" markets made by noncontract dealers. Such dealers allegedly undermined the distribution structure by obtaining fund shares from sources other than the principal underwriters and selling them for lower prices than contract dealers could. In this way they could short circuit the distribution process and destroy the underwriter's ability to promote the fund. Is it desirable or necessary to prevent this and, if so, if section 22(d) (of the Act) is repealed should the legislation also provide that only contract dealers would be entitled to sell shares at prices other than the current offering price described in the prospectus?

B. RULES UNDER SECTION 22(B) (OF THE ACT) AND OTHER PROVISIONS OF THE ACT

1. *Lower breakpoints reflecting the reduced cost of diversification on larger purchases.* Section 22(b) of the Act (15 U.S.C. 80a–122(b)) gives the NASD and the Commission rule making authority to prevent mutual funds being sold at a sales load which is excessive. Under that section, as amended, mutual fund sales charges must allow for "reasonable compensation for sales personnel, broker-dealers, and underwriters, and reasonable sales loads to investors." It is clear that, whether or not section 22(d) (of the Act) is repealed, mutual fund investors require the protection of a statutory ceiling on sales loads. One of the principles upon which the NASD study was based was that the cost of fund shares should not exceed the alternate cost of a similar investment. One measure of alternate cost used by the NASD's consultants was the round trip cost of purchasing a diversified stock portfolio. However, on purchases in excess of $5,000 the alternate cost of diversification appears to be significantly less than the load suggested by the NASD rule proposal. Sales in excess of $5,000 accounted for about 70 percent of the total volume of mutual fund sales in 1970. Should any NASD rules take into account the reduced cost of diversification on purchases above the $5,000 level?

2. *Regulation of the dealer-discount.* The Commission in its Statement on the Future Structure of the Securities Markets expressed its concern over the effect of varying sales incentives available from different funds. In theory there seems to be widespread agreement that it is undesirable to allow an individual salesman to participate in the brokerage generated by an investment company complex whose funds he sells. The same kind of problem exists when fund distributors pay different dealer discounts. When one fund offers a dealer discount of 6 percent and other 8 percent, sellers are invited to recommend the fund that pays them best rather than the one that is best for their client. This practice also contributes to the pressure to raise sales loads or reduce the distributor's margin. Is this an area of concern and, if so, does the Commission have authority to deal with it by classifying as an "underwriter" under section 2(a)(40) of the Act (15 U.S.C. 80a–2(a)(40)) anyone who receives more than the "usual and customary distributor's or seller's commission" on the sale of mutual fund shares? In the alternative, should the NASD or the Commission take action under section 22(b) (of the Act) to limit dealer discounts? If dealer discounts should be limited, in what respects?

3. *Continuous discounts.* Under existing sales load structures purchasers of large volumes of mutual fund shares receive a volume discount when purchases are made in amounts exceeding specified breakpoints, e.g., $10,000, $25,000 or $50,000. The reduced charge applies to the entire purchase, not merely to the portion in excess of the breakpoint. This means that for a fund with a basic sales charge of 8.5 percent which drops to 7.5 percent on purchases in excess of $10,000 or more, a $9,900 purchase will produce gross revenue of $841.50 for the selling organization. If the purchase were $100 greater, i.e., $10,000, total selling compensation drops to $750. Such a system discourages sellers from altering prospects to the economies produced by breakpoints and places ethical strains on dealers and salesmen. Should Rule 22d–1 be amended to require that volume discounts be provided only where continuous schedules are in effect under which reductions fall only on that portion of the order in excess of the breakpoints?

4. *The value of additional product features.* The NASD Study suggests that the maximum load be determined by the value of the product and that only those funds which offered certain product features—dividend reinvestment at net asset value, lower breakpoints for volume discounts and dividend reinvestment at net asset value—should charge the maximum loads. Is this a desirable approach in the light of the fact that a significant proportion of investors do not take advantage of these features? Is this approach desirable assuming a system of continuous discounts?

5. *Contractual plans.* The total sales loads on contractual plans and the breakpoints on such plans are higher than the typical loads and breakpoints on mutual funds generally. The effective load on contractual plans may be significantly higher when the effects of lapses and persistency is taken into account. Is it premature at this time to take any action with respect to maximum sales charges applicable to contractual plans in light of the changed conditions in which the plan industry now operates, and in view of the protections afforded to contractual planholders by amended section 27 of the Act (Public Law 91–547, 84 Stat. 1424–1426)?

C. FURTHER LIBERALIZATION OF ADVERTISING RULES

1. *Advertising.* Advertising, an effective and a relatively low-cost method of conveying information to prospective purchasers, has been confined to a minimal role in the marketing of investment company securities. Restrictions on advertising have made it difficult for the mutual fund industry to tell its story through the mass media. The Commission recently liberalized its rule with respect to the advertising of investment company securities. What further liberalization would be in order? Is legislation necessary in this area?

2. *Statement of policy.* The statement of policy which governs investment company advertising and sales literature has not been amended since 1957 (Rel. No. IC–2621, 22 F.R. 8977). A number of its basic approaches have been questioned over the years. These include limitations on projections, use of mountain charts to convey cumulative performance, prohibitions against a total yield approach, absence of data upon which to base conclusions as to average annual performance and variability of performance from year to year. To what extent are these elements of the statement of policy no longer appropriate?

D. SIMPLIFIED MORE READABLE MUTUAL FUND PROSPECTUSES

Advertising restrictions rest on the premise that the statutory prospectus will be the key selling document. However, selling practices typically relegate the prospectus to a secondary role and very often legal requirements result more in confusing the ordinary investor than assisting him in reaching an informed judgment. The Commission has designated an Advisory Committee to make suggestions with respect to this and related subjects. Assuming simple clear prospectuses geared to the ordinary mutual fund investor's needs, will the prospectus be used more extensively and earlier in the distribution process and will this affect selling?

E. GROUP SALES

Mutual fund sales charge schedules provide for quantity discounts on larger orders. But the Commission's rules under section 22(d) (of the Act) preclude the grouping or pooling of orders for the purpose of obtaining such discounts. Has this antigrouping rule, which superseded contrary administrative positions, outlived its usefulness?

F. REDUCING PAPERWORK IN SMALL TRANSACTIONS

Payroll deduction plans and other voluntary plans for accumulating mutual fund shares by means of periodic small purchases appear to offer great potential. Some of the present rules under the Federal securities laws make such plans expensive. The rules in question require that each fund shareholder receive such individual notices and services as individual confirmations, dividend statements and shareholder reports. To what extent can the Commission amend these rules to achieve lower costs on small transactions without diminishing the basic investor protections they provide?

G. NO-LOAD SALES

Under present administrative interpretations brokers and dealers have no direct incentive to recommend "no-load" funds, i.e., funds that sell their shares directly to the public free from any sales charge. The imposition of any charge for recommending the shares or for effecting the purchase of such a fund, especially if the fund encourages or has knowledge of the practice, has been viewed as an impermissible deviation from the prospectus representations as to no-load status as well as a violation of section 22(d) (of the Act). Should the Commission reexamine its present administrative interpretations in order to remove disincentives operating against recommending no-load funds? Should it permit brokers and dealers to charge a normal stock exchange commission for recommending and effecting an investment in a no-load fund?

H. DEVELOPMENT OF AN ADEQUATE ECONOMIC DATA BASE

If mutual fund sales charges are to be regulated, reliable data as to the industry's costs, profitability, and general economic structure is necessary. Such data should be available on a continuous basis so as to enable the regulators to monitor trends, thus avoiding the undue regulatory lag that has plagued other types of regulation. Is it possible to develop a system of cost allocation and other accounting procedures necessary to provide such data in a meaningful fashion? What burdens would be involved in moving the industry to such a uniform system?

PROCEDURES

The policy implications of these and other related questions are of great significance to the securities industry generally and particularly to investment companies, their principal underwriters, the broker dealers and salesmen who distribute them, and to the investing public. Accordingly, all persons interested in, affected by or concerned with the distribution of investment company shares and the role of investment companies in the securities markets are invited to provide their views to the Commission with respect to all such issues.

The proposed public hearings will be policy making proceedings. They are designed to give the Commission further insight into the major issues and alternatives facing the industry in the area of mutual fund distribution in order that the Commission may formulate its own legislative recommendations, propose new rules and amend existing rules to the extent appropriate under its present authority. Of course, as in so many areas of the securities laws, the issues are largely interrelated and actions in one respect may deeply affect others. Thus, the full impact of a particular rule or legislative change may be difficult to gage and all of the questions raised will not be resolved definitively at one time.

These hearings are concerned with the formulation and estalishment of policy and the rules necessary to implement it. The procedures will be tailored to this end. Because of the wide ranging scope of the inquiry it appears appropriate and expeditious to require written submissions in the first instance. Comments should be addressed to the enumerated questions or other relevant issues the commentator may care to call to the Commission's attention. Persons commenting may feel free to submit any relevant data or other information relating to these issues, and reference may be made, where appropriate, to the Commission's staff study, the NASD study, to prior hearings, policy statements, or testimony. All such submissions will be available for public inspection. After the Commission has had a chance to review all submissions, brief oral statements will be invited from among those who have made submissions and requested to be heard. Persons making oral presentations should be prepared to respond to inquiries from the Commission and its staff.

Interested persons are requested to submit their views, any data or other comments or information in triplicate, to Allan S. Mostoff, Director, Division of Investment Company Regulation, Washington, D.C. 20549, no later than December 6, 1972. All such material should be designated "Mutual Fund Distribution Hearings," File No. 4–164.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

NOVEMBER 3, 1972.

[FR Doc.72–19790 Filed 11–16–72;8:47 am]

Notices

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice 372; Delegation of Authority 125]

DEPUTY UNDER SECRETARY FOR MANAGEMENT

Delegation of Functions Relating to Committee Management

Pursuant to the authority vested in me by section 4 of the Act of May 26, 1949 (63 Stat. 111, 22 U.S.C. 2658), as amended, I hereby delegate through the Deputy Secretary of State to the Deputy Under Secretary for Management, in addition to his committees management authority currently contained in 1 FAM 150 and 22 CFR 6.10 (37 F.R. 18617, September 14, 1972) the authority to perform the functions conferred upon me as agency head by Executive Order 11671, dated June 5, 1972 (37 F.R. 11307, June 7, 1972), Executive Order 11686, dated October 7, 1972 (37 F.R. 21421, October 11, 1972), and Public Law 92-463 approved October 6, 1972 (86 Stat. 770).

Dated: November 7, 1972.

[SEAL] WILLIAM P. ROGERS,
Secretary of State.

[FR Doc.72-19805 Filed 11-16-72;8:46 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Colorado 16211]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands; Correction

NOVEMBER 8, 1972.

In F.R. Doc. 72-9415 appearing at page 12330 in the issue for Thursday, June 22, 1972, the land description for the portion of the Marvine Creek Campground in section 31 should read "E¼ corner."

DALE R. ANDRUS,
State Director.

[FR Doc.72-19797 Filed 11-16-72;8:48 am]

[OR 9345]

OREGON

Notice of Proposed Withdrawal and Reservation of Lands

NOVEMBER 10, 1972.

The Department of Agriculture, on behalf of the Forest Service, has filed application, OR 9345, for the withdrawal of national forest land described below, from nonmetalliferous location and entry under the mining laws only (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, subject to valid existing rights.

The applicant desires the lands for use as a recreational thunderegg agate public digging area.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 2965 (729 Northeast Oregon Street), Portland, OR 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate land needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The lands involved in the application are:

FREMONT NATIONAL FOREST

WILLAMETTE MERIDIAN

T. 40 S., R. 21 E.,
Sec. 8, all;
Sec. 17, N½.

The area described contains approximately 960 acres.

VIRGIL O. SEISER,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.72-19798 Filed 11-16-72;8:48 am]

Office of Hearings and Appeals

[Docket No. M 73-11]

V-DAY COAL CO.

Notice Regarding Modification of Mandatory Safety Standard

In regard, petition of V-Day Coal Co. for modification of application of Mandatory Safety Standard (Sec. 305(d) of Act; and 30 CFR 75.507).

In accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. § 301 et seq.), notice is given that the V-Day Coal Co., Danville, Ill., has filed a petition to modify the application of section 305(d) of the Act and section 75-507 of the Secretary's implementing regulations (30 CFR 75.507) to its V-Day Mine at Danville, Ill.

Section 305(d) of the Act provides:

All power-connection points, except where permissible power connection units are used, outby the last open crosscut shall be in intake air.

Section 75.507 of the regulations provides:

Except where permissible power connection units are used all power-connection points outby the last open crosscut shall be in intake air.

Petitioner seeks a modification of the application of these standards so as to permit power connection points in return air under the following conditions:

Install a Bacharach Methane Monitor System Model 23-7052 immediately east of the bottom of the slope in the main return. This monitoring device will be set to deenergize at 1 percent methane content all power distributed to and through the shaft bottom. Monitors will have monthly functional checks with the result recorded. During all periods of monitor repair or replacement, a certified person will maintain manual methane checks until such repair or replacement is complete and the monitor is again functioning properly.

The petition states that the modification requested will achieve no less, or greater, safety protection for the miners than the safety standards provided in the above-cited sections of the Act and the regulations and that, if not so modified, the application of the cited standards will result in a diminution of safety in its mine.

Parties interested in this petition should file their answers or comments, within 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, 4015 Wilson

Boulevard, Arlington, VA 22203. Copies of the petition are available for inspection at that address.

JAMES M. DAY,
Director, Office of Hearings and Appeals.

NOVEMBER 10, 1972.

[FR Doc.72-19832 Filed 11-16-72;8:50 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-274; NADA No. 12-817V]

PURDUE FREDERICK CO.

Cerumenex Vet Drops; Order Vacating Opportunity for Hearing

A notice of opportunity for hearing proposing to withdraw approval of the new animal drug application (NADA) No. 12-817V for Cerumenex Vet Drops was published in the FEDERAL REGISTER of April 29, 1971 (36 F.R. 8065).

Drugs for Veterinary Medicine, Inc., 99-101 Saw Mill River Road, Yonkers, NY 10701, responded on May 27, 1971, to said notice by informing the Commissioner of Food and Drugs that the required data would be submitted as soon as possible. Drugs for Veterinary Medicine, Inc. subsequently notified the Commissioner on August 17, 1971, that the sponsorship of NADA No. 12-817V for Cerumenex Vet Drops had been transferred to The Purdue Frederick Co., 99 Saw Mill River Road, Yonkers, NY 10701.

The Purdue Frederick Co., holder of NADA No. 12-817V has submitted a supplemental new animal drug application with revised labeling. The Commissioner concludes that the labeling, evaluated together with the evidence available when the application was approved, shows that said drug (now known as Cerumenex-V Drops) is safe and effective for the removal of earwax in cats and dogs when administered in accordance with the conditions of use provided for by an order appearing elsewhere in this FEDERAL REGISTER (21 CFR 135a.44).

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), said notice of opportunity for a hearing is vacated for the drug Cerumenex Vet Drops, NADA No. 12-817V.

Dated: November 10, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-19775 Filed 11-16-72;8:45 am]

Health Services and Mental Health Administration

LONG TERM CARE FOR ELDERLY RESEARCH REVIEW AND ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Executive Order 11671, the Administrator, Health Services and Mental Health Administration, announces the meeting date and other required information for the following national advisory body scheduled to assemble the month of November 1972, in accordance with provisions set forth in section 13 (a) (1) and (2) of that Executive order:

Committee name. Long Term Care for the Elderly Research Review and Advisory Committee.

Date/Time/Place. November 28, 8 p.m., Holiday Inn, Woodmont West Room, 8120 Wisconsin Avenue, Bethesda, MD.

Type of meeting and/or contact person. Closed. Contact Elliott Lesser, Room 15-29, Parklawn Building, 5600 Fishers Lane, Rockville, MD, 301—443-2950.

Purpose. The Committee is charged with the review of research grant applications for Federal assistance in the program areas administered by the National Center for Health Services Research and Development relating to research on long-term care, including research approaches for studying and improving the delivery of care in nursing homes and other long-term care facilities and for identifying alternatives to institutional care.

Agenda. The Committee will be performing only a review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Secretary of Health, Education, and Welfare pursuant to the provisions of Executive Order 11671, section 13(d).

Items for discussion are subject to change due to priorities as directed by the President of the United States, or the Secretary of Health, Education, and Welfare.

A roster of members may be obtained from the contact person listed above.

Dated: November 13, 1972.

ANDREW J. CARDINAL,
Acting Associate Administrator for Management, Health Services and Mental Health Administration.

[FR Doc.72-19776 Filed 11-16-72;8:45 am]

National Institutes of Health

NATIONAL HEART AND LUNG ADVISORY COUNCIL

Notice of Meeting

Pursuant to Executive Order 11671, notice is hereby given of the meeting of the National Heart and Lung Advisory Council, November 30, December 1 and 2, 1972, at 9 a.m., National Institutes of Health, Building 31, Conference Room 6. This meeting will be open to the public from 9 a.m. to 5 p.m. on November 30, to discuss policy and program issues and implementation of the new legislation (Public Law 92-423). It will be closed to the public all day December 1 and 2, 1972, to review, discuss, and evaluate and/or rank grant applications in accordance with section 13(d) of Executive Order 11671 and the Secretary's determination.

Name of the person from whom rosters of the National Heart and Lung Advisory Council members and/or summary of the meeting may be obtained: Mrs. Rita W. Lyons, Building 31, Room 5A16, NIH, 496-5931. Substantive information may be obtained from Dr. Jerome Green, Westwood Building, Room 5A14, 496-7416.

Dated: November 10, 1972.

JOHN F. SHERMAN,
Deputy Director, National Institutes of Health.

[FR Doc.72-19633 Filed 11-16-72;8:50 am]

Office of the Secretary

ADVISORY COMMITTEE MEETINGS

Guidelines for Closing Meetings to Public

Notice is hereby given of a memorandum on closing advisory committee meetings to the public issued by the Secretary. The Secretary's memorandum reads as follows:

On October 6 the President approved Public Law 92-463, "The Federal Advisory Committee Act," revoked section 8(4) of Executive Order 11671, and directed that the remainder of the order remain in effect until superseded in 90 days by the new Act. The new law is substantially the same as the order and I do not anticipate the Department having difficulty in achieving full compliance with the intent of Congress in light of our experience under Executive Order 11671.

On September 27, pursuant to section 13(d) of Executive Order 11671, I approved a notice of determination [1] closing certain advisory committee meetings to the public.

The Determination recognizes that discussion of records maintained on a confidential or privileged basis by the regulation under the Freedom of Information Act must be held in closed session. Otherwise, the purpose of the regulation would be defeated. In addition, the determination permits closing a meeting, or portion thereof, which is held for the purpose of giving committee members an opportunity to express their individual viewpoints and/or finalize their recommendations.

The determination should be narrowly construed to result in the closing of as

[1] See 37 F.R. 20995, 10-5-72.

few meetings as possible to public observation and/or participation. Meetings may be closed under the second part of the determination (relating to the internal memoranda exception of the Freedom of Information Act), only when the agency head determines it essential for the effective functioning of the committee, and such determination and reasons therefore, is concurred in by the Department committee management officer. In the case of the Office of the Secretary, the determination shall be made by the Assistant Secretary for Administration and Management. To assure adequate opportunity for sufficient review of such determinations, necessary data must be submitted to the Department committee management officer not less than fifteen (15) business days before the scheduled meeting date.

This process will be evaluated during the next 2 months and revised as required in light of any Office of Management and Budget guidelines which may be issued and the Department's experience.

Notices of all meetings, whether open or closed to the public, must be published in the FEDERAL REGISTER. Whenever feasible, the public ought to be given an opportunity to present relevant information and views to the committee in open session, and meetings should be closed, if at all, for the shortest time possible. Also, committee reports must be made available to the public within a reasonable period of time after their submission.

For further guidance in implementing the determination feel free to contact the Department committee management officer.

Dated: October 24, 1972.

RODNEY H. BRADY,
Assistant Secretary,
for Administration and Management.

[FR Doc.72-19806 Filed 11-16-72;8:46 am]

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 3 (Health Services and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (33 F.R. 15953, October 30, 1968), as amended, is hereby amended with regard to SEC. 3-20, *Organization and Functions,* as follows:

Within the chapter alphabetically coded 3G-00—*Center for Disease Control* (3G45)—the functional statement for the Epidemiology Program (3G45) is being amended to incorporate the quarantine functions presently performed by the Foreign Quarantine Program (3G51), which is being abolished.

The revised statement for paragraph 3G45 reads as follows:

Epidemiology Program (3G45). (1) Maintains surveillance over communicable diseases and certain preventable conditions of national importance, and develops programs of international surveillance in collaboration with the Smallpox Eradication Program, the Department of Defense, the Department of State, the World Health Organization, and the Pan American Health Organization; (2) plans, directs, and conducts the national quarantine program which enforces quarantine regulations to protect the United States against the introduction of diseases from foreign countries; (3) implements the provisions of the International Sanitary Regulations; (4) enforces interstate quarantine regulations: (6) investigates special disease problems and recommends control measures; (6) evaluates experimental vaccines and immunizing agents and procedures; (7) provides epidemic aid and epidemiological services and consultation to States, Federal agencies, foreign countries, and other recipients; (8) recruits and trains public health epidemiologists; (9) collects, analyzes, and publishes reports of morbidity and mortality statistical data; and (10) serves as the WHO Regional Reference Laboratory for Rabies in the Americas.

The paragraph entitled Foreign Quarantine Program (3G51) is hereby deleted.

Dated: November 10, 1972.

STEVEN D. KOHLERT,
Deputy Assistant Secretary
for Management.

[FR Doc.72-19808 Filed 11-16-72;8:46 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-358]

CINCINNATI GAS & ELECTRIC CO. ET AL.

Notice for Additional Evidentiary Hearing

In the matter of Cincinnati Gas & Electric Co., Columbus & Southern Ohio Electric Co., Dayton Power & Light Co. (Wm. H. Zimmer Nuclear Power Station), Docket No. 50-358.

Pursuant to the Memorandum and Order of the Atomic Safety and Licensing Appeal Board, dated November 13, 1972, ALAB-79, and with agreement of the parties as to location and time, notice is hereby given that an additional Evidentiary Hearing will be held on November 21, 1972, at 10 a.m., local time, at the Vanguard Building; 1111 20th Street NW., Suite 720, Washington, DC 20210.

The hearing will be directed to the issue set forth in the above identified Memorandum and Order relating to feasibility of the dry cooling tower alternative.

Issued at Washington, D.C., this 15th day of November 1972.

It is so ordered.

ATOMIC SAFETY AND LICENSING BOARD,
JOHN B. FARMAKIDES,
Chairman.

[FR Doc.72-19926 Filed 11-16-72;8:54 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24918; Order 72-11-52]

AERO FLETES INTERNACIONALES, S.A.

Cancellation of Foreign Air Carrier Permit; Tentative Findings and Conclusions; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of November 1972.

By Order 68-9-147, adopted August 16, 1968, and approved by the President September 26, 1968, the Board issued a permit to Aero Fletes Internacionales, S.A. (AFISA), to engage in foreign air transportation with respect to property and mail between a point or points in the Republic of Panama and the terminal point Miami, Fla.

The Board has received a letter from the Office of Aviation of the Department of State stating that the Embassy of Panama has advised that the Civil Aeronautics Administration of the Republic of Panama has refused to renew AFISA's permit to operate air services.

Based upon the foregoing, the Board tentatively finds that the foreign air carrier permit now held by AFISA should be canceled, and that, unless objections are received within 20 days from the date of the service of this order, the Board should make such tentative findings final and submit to the President for his approval a final order canceling the said permit.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order which would make final the tentative findings and conclusions herein and which would, subject to the approval of the President, cancel the foreign air carrier permit held by AFISA;

2. Any interested person having objections to the issuance of such an order shall file with the Board a statement of objections supported by evidence within 20 days of service of this order; [1]

3. If timely and properly supported objections are filed, further consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

5. AFISA and the Ambassador of Panama in Washington shall be served copies of this order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-19844 Filed 11-16-72;8:50 am]

[1] Since provision is made for a response to this order, petitions for reconsideration of this order will not be entertained.

[Docket No. 20884; Order 72-11-35]

AIR PANAMA INTERNACIONAL, S.A.

Order To Show Cause Regarding Foreign Air Carrier Permit

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of November 1972.

Application of Air Panama Internacional, S.A. for a foreign air carrier permit pursuant to section 402 of the Federal Aviation Act of 1958.

By Order 69-10-93, approved October 17, 1969, the Board issued a foreign air carrier permit to Air Panama Internacional, S.A. authorizing the carrier for a period of 5 years to engage in foreign air transportation of passengers, cargo, and mail between Panama and Miami. Since the Panamanian carrier had no immediate plans to inaugurate service to New York, the Board deferred action on the portion of Air Panama's application seeking rights at New York.

On October 13, 1970 Air Panama filed a motion to reopen the record in this docket to consider the grant of a Panama-New York route which the carrier planned to operate pursuant to a wet lease agreement with the Spanish air carrier, Iberia. No action has been taken with respect to this motion. A second motion to reopen the record was filed on September 19, 1972, in which Air Panama requested the right to serve New York independently of any lease agreements with other foreign air carriers. No objections to this motion have been filed, and the motion will be granted.[1]

In granting Air Panama a Panama-Miami route, the Board found that the carrier met the fitness standards of the Act and that the Miami services were in the public interest. The only reason the Board did not include the requested grant of New York authority in the permit was the absence at the time of any affirmative plans by the carrier to commence New York operations. Therefore, consideration of New York rights was deferred.

Air Panama has performed its presently authorized services successfully for several years and, on the record before us (as supplemented by its motion), has demonstrated that the extension of its services to New York is in the public interest and that it possesses the necessary fitness to operate the new route independently. The authority to serve New York requested by Air Panama is provided for in the United States-Panama bilateral air transport agreement, and Air Panama has been designated by its government to operate services on the route. Air Panama states that it will conduct the Panama-New York operations with its own equipment and crews. To this end, the carrier has ordered and financed B-727 equipment, which it plans to introduce on the route this year in the event its application is granted.

[1] We will dismiss the Oct. 13, 1970 motion since it has been superseded by the motion of Sept. 19, 1972.

In view of the facts of record and the matters set forth in Air Panama's motion, the Board tentatively finds and concludes that: (a) It is in the public interest to amend the foreign air carrier permit held by Air Panama Internacional, S.A., so as to authorize the carrier, through October 17, 1974, to engage in foreign air transportation of persons, property, and mail between a point or points in the Republic of Panama and the coterminal points Miami, Florida, and New York, N.Y.; (b) Air Panama is fit, willing, and able to provide the above-described foreign air transportation and to conform to the provisions of the Act and the rules, regulations, and requirements of the Board thereunder; and (c) the public interest requires that the exercise of the privileges that would be granted in Air Panama's amended permit should be subject to the terms, conditions, and limitations contained in the attached proposed order and accompanying proposed form of permit, and to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

Accordingly, it is ordered, That:

1. Air Panama's motion to reopen the record filed on September 19, 1972, be and it hereby is granted, and Air Panama's motion to reopen the record filed on October 13, 1970, be and it hereby is dismissed;

2. All interested persons be and they hereby are directed to show cause why the Board should not make final the tentative findings and conclusions herein, and why an order and a foreign air carrier permit substantially in the forms attached to this order should not be issued, subject to the approval of the President pursuant to section 801 of the Act;

3. Any interested person having objections to the tentative findings and conclusions set forth herein or to the issuance of the proposed order or proposed foreign air carrier permit shall file such objections within 10 days after the date of service of this order, and file with the Board and serve on the persons named in paragraph 6 a memorandum of objection specifying the part or parts of the tentative findings and conclusions or order or permit objected to and stating the specific grounds of any such objections;[2]

4. If timely and properly supported objections are filed, full consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board: *Provided,* That the Board may proceed to enter an order in accordance with the tentative findings and conclusions herein if it determines that there are no factual issues presented that warrant the holding of an evidentiary hearing;

[2] Since provision is made for the filing of objections to this order, petitions for reconsideration of this order will not be entertained.

5. In the event no objections are filed, all further procedural steps shall be deemed waived, and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

6. Copies of this order shall be served upon the following: Air Panama Internacional, S.A., Iberia, Lineas Aereas de Espana, S.A., and the Bureau of Operating Rights of the Civil Aeronautics Board.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

SPECIMEN ORDER

CIVIL AERONAUTICS BOARD

[Docket No. 20884]

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the _____.

Application of Air Panama Internacional, S.A., for a foreign air carrier permit pursuant to section 402 of the Federal Aviation Act of 1958.

It is ordered:

1. That an amended foreign air carrier permit in the form attached hereto be issued to Air Panama Internacional, S.A. (Air Panama);

2. That said permit shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective upon the effective date of this order;

3. That the exercise of the privileges granted by said permit issued to Air Panama and the foreign air carrier permit held by Iberia, Lineas Aereas de Espana, S.A. (Iberia) shall also be subject to the following conditions:

(a) Air Panama and Iberia shall file with the Board all written agreements, amendments to existing agreements, and memoranda setting forth the circumstances of oral agreements and understandings between them affecting, directly or indirectly, air services to the United States;

(b) Air Panama and Iberia shall not engage in joint public relations, advertising, publicity, or scheduling activities which tend to pass off the services of one carrier as the services of the other carrier or as part of a unified system of which each is a part;

(c) Where either Air Panama or Iberia provides general agency services for the other carrier at points in the United States served by Air Panama and Iberia, Air Panama or Iberia shall specifically identify all flights of either Air Panama or Iberia as flights of that carrier without reference to any relationship to the carrier performing the agency services;

(d) Telephone facilities to which the public has access at points served in the United States by Air Panama and Iberia shall preserve the identity of the individual carriers;

(e) Where joint traffic or sales facilities are maintained by Air Panama and Iberia in the United States, the separate identity of each carrier shall be maintained by reasonably comparable use of display advertising, desk space, personnel uniforms, and other facilities and activities;

(f) The respective personnel of Air Panama and Iberia shall preserve the individual identity of the respective carriers in all public dealings; and

4. That this order shall become effective upon the date of its approval by the President of the United States.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

SPECIMEN PERMIT

CIVIL AERONAUTICS BOARD

PERMIT TO FOREIGN AIR CARRIERS

(as amended)

Air Panama Internacional, S.A. is hereby authorized, subject to the provisions hereinafter set forth, the provisions of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in foreign air transportation with respect to persons, property, and mail, as follows:

Between a point or points in the Republic of Panama and the coterminal points Miami, Fla., and New York, N.Y.

The holder shall be authorized to engage in charter trips in foreign air transportation subject to the terms, conditions, and limitations prescribed by Part 212 of the Board's Economic Regulations.

The holder shall conform to the airworthiness and airman competency requirements prescribed by the Government of Panama for Panamanian international air service.

This permit shall be subject to all applicable provisions of any treaty, convention, or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and Panama shall be parties.

By accepting this permit, the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against the holder in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of operations by the holder under this permit.

The holder shall keep on deposit with the Board a signed counterpart of CAB Agreement 18900, an agreement relating to liability limitations of the Warsaw Convention and the Hague Protocol approved by Board Order E-23680, May 13, 1966, and a signed counterpart of any amendment or amendments to such agreement which may be approved by the Board and to which the holder becomes a party.

The holder (1) shall not provide foreign air transportation under this permit unless there is in effect third-party liability insurance in the amount of $1 million or more to meet potential liability claims which may arise in connection with its operations under this permit, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the third-party liability insurance provided, and (2) shall not provide foreign air transportation with respect to persons unless there is in effect liability insurance sufficient to cover the obligations assumed in CAB Agreement 18900, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the passenger liability insurance provided. Upon request, the Board may authorize the holder to supply the name and address of an insurance syndicate in lieu of the names and addresses of the member insurers.

The exercise of the privileges granted hereby shall be subject to such reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

This permit shall be effective on ---------- ----------, and unless otherwise terminated as provided hereinafter, shall terminate on October 17, 1974. Prior to the termination of this permit on October 17, 1974, this permit shall terminate (1) upon the effective date of any treaty, convention, or agreement or amendment thereto, which shall have the effect of eliminating the route hereby authorized from the routes which may be operated by the airlines designated by the Government of Panama, or (2) upon the effective date of any permit granted by the Board to any other carrier designated by the Government of Panama in lieu of the holder hereof, or (3) upon the termination or expiration of the Air Transport Agreement between the Government of the United States and the Government of Panama effective April 14, 1949, as amended, effective June 3, 1952, and June 5, 1967: *Provided, however,* That clause (3) of this paragraph shall not apply if, prior to the events specified in clause (3), the operation of the foreign air transportation herein authorized becomes the subject of any treaty, convention, or agreement to which the United States and Panama are or shall become parties.

In witness whereof, the Civil Aeronautics Board has caused this permit to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the ----------.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-19810 Filed 11-16-72;8:46 am]

[Docket No. 24072; Order 72-11-54]

BRANIFF AIRWAYS, INC.

Order Regarding Expanded Application of Category Z Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of November 1972.

By a tariff revision,[1] filed December 9, 1971, effective January 8, 1972, Braniff Airways, Inc., proposed to permit employees of the Army and Air Force Exchange System (AAFES) to travel on official business at category Z fares when requests for the transportation are made using AAFES form 1500-22 in lieu of Government transportation requests (GTR's), the use of which has been prohibited to exchange personnel.

These tariffs have already been ordered investigated and suspended.[2] However, Braniff was not made a party to the proceeding. We are therefore by this order making Braniff a party to the investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204 and 1002 thereof,

It is ordered, That:

1. Braniff Airways, Inc., is hereby made a party to this proceeding.

2. A copy of this order will be served upon all parties to Docket No. 24072, and Braniff Airways, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-19846 Filed 11-16-72;8:50 am]

[1] Revision to International Air Traffic Tariffs Corp., Agent, Tariff C.A.B., No. 374.

[2] Orders 72-1-10 and 72-5-79, dated respectively January 6, 1972, and May 5, 1972.

[Docket No. 24488; Order 72-11-28]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Currency Matters

Issued under delegated authority November 9, 1972.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers and other carriers, embodied in the resolutions of the Joint Conferences of the International Air Transport Association (IATA). The agreement, which was adopted at the Passenger Traffic Conference held September to October 1972, in Torremolinos, Spain, has been assigned the above-designated agreement number.

The agreement would amend existing resolutions governing currency exchange matters for the purpose of local publication, sale, and rounding-off of passenger fares, by introducing currency provisions for the Nigerian Naira, as well as limiting sales, in Syrian pounds to Syria only. Additionally, the agreement would remove Okinawa from the country listing governing rounding-off of passenger fares.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the following resolutions, which are incorporated in Agreement C.A.B. 23366, are adverse to the public interest or in violation of the Act:

CAB Agreement 23366	IATA No.	Title	Application
R-1	021B	Rates of Exchange—Nigerian Naira (Amending)	1; 2; 3.
R-2	023a	Rounding-off Passenger Fares—Nigeria, Okinawa (Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-3	021b	Rates of Exchange—Sales in Syrian Pounds (Amending)	1; 2; 3.

Accordingly, it is ordered, That:

Agreement C.A.B. 23366 be and hereby is approved.

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

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

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-19843 Filed 11-16-72;8:50 am]

[Dockets Nos. 24488; 23780; Order 72-11-58]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Youth and Student Fares in Foreign Air Transportation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of November 1972.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of joint conferences 1-2 and 1-2-3 of the International Air Transport Association (IATA). The agreement, which was adopted by mail vote, has been designated C.A.B. Agreement 23301.

The agreement would establish individual and group youth fares for travel between the United States and Europe/Africa/Middle East for the period December 1, 1972, through March 31, 1973. These youth fares are proposed at levels ranging up to 21 percent higher than those currently in effect pursuant to Government orders, and are available to persons between the ages of 12 and 24. Confirmed reservations are not available until 7 days prior to the scheduled departure of the flight.

Both Pan American World Airways, Inc. (Pan American) and Trans World Airlines, Inc. (TWA) have filed comments in support of the agreement. Generally, both carriers indicate that the subject agreement represents an interim solution to the present mix of youth fares established pursuant to orders from various foreign governments, the terms and conditions of which vary considerably from one country to another and result in confusion to the traveling public and an administrative burden for the U.S. carriers who were forced to meet the fares in order to remain competitive. Pan American forecasts the average youth fare increase at 11 percent which, during the 4 month life of the agreement, would result in an improvement in operating profit of $280,000. TWA estimates an average fare increase of 10 percent, producing a net revenue improvement of $300,000.

The member carriers of the National Air Carrier Association (NACA)[1] urge that the Board approve the fares on an interim basis (i.e. for the term of the agreement until April 1, 1973) but at the same time take appropriate action to notify the foreign governments involved of dissatisfaction with the fares and indicate the Board's intention to suspend and investigate the fares if they are continued after March 31, 1973. NACA contends that the subject agreement represents some improvement over the present Government-ordered fares, and that disapproval by the Board, which would leave in effect the more destructive existing fares, would be counterproductive.

TWA, in its response to the NACA comments, points out that the request regarding the suspension of fares after March 31, 1973, is premature and that any action by the Board at this time pertaining to fares yet to be filed would constitute a prejudgment. TWA refers to its letter of jusification wherein it states that effective April 1, 1973, the age limitation will be reduced to 12 to 21 years of age, providing consistency with U.S. domestic youth fare requirements. Additionally, TWA refers to the ongoing investigation of youth/student fares,[2] and states that absent a showing of serious conditions warranting suspension, the Board should resolve the transatlantic youth fare question in that investigation.

Although this agreement raises the same questions of fare level, age eligibility and discrimination as posed by existing Government-ordered youth fares now under investigation, we will approve it for the agreed limited period of application because it does in fact represent an improvement. The agreement represents a step toward more realistic levels and reduces the age limit to 12 to 24 years. (The age limits now range as high as 29.) We will, however, include an investigation of the fares in Docket No. 23780.

We have concluded to deny NACA's requests at this time although we intend to bear their points in mind. The instant agreement, as indicated previously, raises the same questions of fare level and discrimination as are involved in currently effective fares already under investigation. As we still have before us NACA's complaint filed on April 10, 1972, which requests suspension of youth fares, NACA's present request will be considered in the ultimate disposition of their earlier complaint.

The Board, acting pursuant to sections 102, 204(a), 404(b), 412, and 1002 of the Act and pending investigation in Docket No. 23780, does not find that Agreement C.A.B. 23301, R-1 through R-5, is adverse to the public interest or in violation of the Act, provided that with respect to Resolution 092g:

(a) In the event a passenger discontinues his journey en route for any reason, the amount of the fare paid may be applied as a credit toward the purchase of transportation at the applicable fare calculated from the original point of origin.

(b) The amount of the forfeiture to be imposed in the event of cancellation by the group or members of the group prior to or at departure time for any reason shall not exceed 25 percent of the fare paid and after departure the forfeiture shall not exceed 25 percent of the excess of the price of the group fare ticket over the cost of normal fare transportation from the point of origin to the point of cancellation.

(c) Full refund shall be made in the event of death or illness of the passenger or of a member of the passenger's immediate family prior to travel.

(d) Full refund of the group fares paid shall be made in the event of cancellation of travel arrangements by a carrier on the ground that the group or any member of the group is ineligible for the group fares.

Accordingly, it is ordered, That:

1. Agreement C.A.B. 23301 be and hereby is approved subject to the conditions set forth herein;

2. An investigation is hereby instituted to determine whether Agreement C.A.B. 23301 is adverse to the public interest or in violation of the Federal Aviation Act of 1958, and whether the fares, rules, conditions, and provisions which are, or will be, established pursuant to this agreement or are or will be unjustly discriminatory, unduly preferential, or unduly prejudicial, and if such fares, rules, conditions, or provisions are found to be unjustly discriminatory, unduly preferential, or unduly prejudicial, to determine how such fares, rules, conditions, or provisions should be altered, or what order should be made to remove such discrimination, preference, or prejudice; and

3. The investigation ordered in paragraph 2 above is consolidated into that currently pending in Docket 23780.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-19845 Filed 11-16-72;8:50 am]

[Docket No. 24919; Order 72-11-53]

TRANS WORLD AIRLINES, INC.

Proposed Extension of Las Vegas GIT Fares; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of November 1972.

By tariff revisions[1] marked to become effective November 15, 1972, Trans World Airlines, Inc. (TWA), proposes to extend its off-season Las Vegas GIT fares beyond their present expiry date of November 15, 1972, to June 14, 1973, and to increase the fares to reflect the recent 2.7-percent increase in regular fares. The fares provide discounts of 40 percent from the normal fares on all days except Sundays. A $15 surcharge applies on Sundays (in each direction) reducing the discount to 35 percent on that day.

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[1] Overseas National Airways, Saturn Airways, Trans International Airlines and World Airways.

[2] Docket No. 23780.

[1] Revisions to Airline Tariff Publishers, Inc., Agent, Tariff CAB No. 136.

The minimum group size is 15, stay requirements are 3 to 30 days, and a minimum purchase of $35 in ground arrangements is required.

United Air Lines, Inc. (United) has filed a complaint against the proposal requesting its investigation and suspension.[2] The carrier alleges that the proposed GIT fares are economically unsound in a period when the industry can ill afford a further decline in yield; that since a high proportion of Las Vegas traffic is GIT traffic, it makes economic sense to recover a higher portion of the cost; that substantial unnecessary revenue dilution results when the discount is greater than needed to promote and develop new traffic, as appears to be the case here; and that traffic generation last year was approximately the same under the 30-percent discount which applied during the summer as it was under the 40-percent off-season discount.

In answer to United's complaint and in support of the proposal, TWA alleges that the Las Vegas market is highly seasonal in nature and requires a seasonal fare differential to reduce the effect on costs of this seasonality; that the existing fares have been profitable despite unanticipated extra section requirements; that use of United's statistics is misleading since the 1971 base period was depressed by general economic conditions and does not set traffic growth in its proper perspective; that the market is still developing and to reduce the 40-percent off-season discount will have a substantial depressing effect on GIT traffic and the success of the program; and that promotional fares of this type should complement normal traffic fluctuations, not accentuate them, as would a single year-round level of GIT fares.

Upon consideration of the tariff filing, the complaint and answer thereto, and all relevant matters, the Board finds that the proposed fares may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. The Board has also concluded to suspend the fares pending investigation.

In our view, the substantial volume of GIT traffic involved, together with a declining yield and planned capacity increases in the Chicago-Las Vegas market, raise strong doubts as to the reasonableness of the fares. TWA indicates that 27 percent of its traffic in the Chicago-Las Vegas market from October 1971 through May 1972 moved on the GIT fares, and United similarly states that the winter GIT fare was used by an average of 25 percent of its traffic in the Chicago/East markets, the volume ranging as high as 60 percent on particular days. The significance of this experience is heightened by the carriers' experienced yields and their planned schedule changes for the upcoming winter period.

A comparison of TWA's coach yields in the Chicago-Las Vegas market since the GIT fares were introduced shows a steady decline compared to the same month of the preceding year (before the introduction of the fares). The decline began in January 1972, and by May its yield had declined by more than 11 percent. This is apparently due primarily to use of the GIT fare, since we are not aware of any other major fare changes in the Chicago-Las Vegas market. A decline in yield of this magnitude at a time of rising costs cannot long continue. This is particularly true if, as it would appear, TWA's planned increase in schedules and seat capacity this winter season is, at least in part, due to traffic volume generated by the GIT fares. TWA's scheduled flights in the Chicago-Las Vegas market for November 1972, provide slightly more than twice the number of seats offered in 1971. In these circumstances, we seriously doubt the appropriateness of testing the fares against added costs as TWA would have us do.

We note that United has filed to extend the Las Vegas GIT fares for 1 year at a 30-percent discount, the same discount in effect during this past summer.[3] In view of the carriers' experience with these fares the reasonableness of GIT fares in this market even at a 30-percent discount is not wholly free from doubt.

Suspension of United's proposal would result in rather substantial increases in fares over those available last year, and would leave the Individual Inclusive Tour Basing fare at a 20-percent discount as the lowest available to a substantial portion of the traffic. At that level considerable traffic might be lost, with the possibility of a net revenue reduction. Accordingly, we will permit United's proposal to extend the GIT fares at a 30-percent discount for a 1-year period to become effective. However, we will require United, and any other carriers providing such fares, to submit reports of traffic generation and diversion, and revenue and expense data as set forth in Appendix A.[4] This report should also be accompanied by a written evaluation of the results of the experiment. In the absence of this information, the Board would not be prepared to consider any proposal to extend these or similar fares for a further period of effectiveness.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. An investigation is instituted to determine whether the fares and provisions described in Appendix B [4] and rules, regulations, or practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, and practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix B hereto are suspended and their use deferred to and including February 12, 1973, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. Except to the extent granted herein the complaint in Docket 24846 is dismissed;

4. The proceeding ordered herein will be assigned before an administrative law judge of the Board at a time and place hereafter to be designated; and

5. Copies of this order will be filed in the aforesaid tariffs and served upon Trans World Airlines, Inc., and United Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[5]

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-19847 Filed 11-16-72;8:50 am]

[2] United has filed a matching defensive tariff. Revisions to Airline Tariff Publishers, Inc., Agent, Tariff CAB No. 143.

[3] No complaints were filed against this proposal, which preceded its competitive filing to match TWA.

[4] Appendixes A and B filed as part of the original document.

[5] Members Minetti and Murphy issued a separate concurring statement, filed as part of the original document.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

FAA OFFICE AT MANILA, REPUBLIC OF THE PHILIPPINES

Notice of Establishment

Notice is hereby given that on or about November 15, 1972, an FAA office will be established at Manila, Republic of the Philippines. This office will be staffed with an FAA representative who will serve the aviation public by providing increased FAA surveillance of aviation activities in the Philippines. This information will be reflected in the FAA organization statement the next time it is reissued.

Issued in Honolulu, Hawaii, on November 7, 1972.

JACK G. WEBB,
Director, Pacific-Asia Region.

[FR Doc.72-19773 Filed 11-16-72;8:45 am]

FAA OFFICE AT SAIGON, SOUTH VIETNAM

Notice of Closing

Notice is hereby given that on or about November 14, 1972, the FAA office at Saigon, South Vietnam, will be closed. Services to the aviation public formerly provided by this office, will be provided by the Southeast Asian International

Field Office at Agana, Guam. This information will be reflected in the FAA organization statement the next time it is reissued.

Issued in Honolulu, Hawaii, on November 7, 1972.

JACK G. WEBB,
Director, Pacific-Asia Region.

[FR Doc.72-19772 Filed 11-16-72;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP73-61]

ALABAMA-TENNESSEE NATURAL GAS CO.

Notice of Proposed Changes in Rates and Charges

NOVEMBER 14, 1972.

Take notice that Alabama-Tennessee Natural Gas Co. (Alabama-Tennessee) on October 31, 1972, tendered for filing revised sheets to its FPC Gas Tariff, Second Revised Volume No. 1:

Fourth Revised Sheet No. 5 Superseding Third Revised Sheet No. 5.
Fourth Revised Sheet No. 11 Superseding Third Revised Sheet No. 11.
Fourth Revised Sheet No. 14 Superseding Third Revised Sheet No. 14.

The company states that the tariff sheets are designed solely to pass on to Alabama-Tennessee's jurisdictional customers the increased cost of gas to Alabama-Tennessee as a result of the increased rate filing of Tennessee Gas Pipeline Co., filed with the Commission on October 20, 1972, in Dockets Nos. RP71-6, RP71-57, and RP72-1.

Alabama-Tennessee requests that the rate filing be made effective on December 1, 1972, or such other date as Tennessee's rates, upon which this filing are based, are permitted to become effective.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 24, 1972. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-19886 Filed 11-16-72;8:52 am]

[Docket No. CI73-337]

CHAMPLIN PETROLEUM CO.

Notice of Application

NOVEMBER 14, 1972.

Take notice that on November 8, 1972, Champlin Petroleum Co. (Applicant), Post Office Box 9365, Fort Worth, TX 76107, filed in Docket No. CI73-337 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and resale and delivery in interstate commerce to United Gas Pipe Line Co. of residue gas attributable to casinghead gas purchased and processed by Applicant in its Midland Gasoline Plant in the Conroe Field, Montgomery County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell up to 14,000 Mcf of gas per day at 35 cents per Mcf at 14.65 p.s.i.a. subject to upward and downward B.t.u. adjustment, for 1 year within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70).

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 November 27, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of certificate is required by the public convenience and necesssity. 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.72-19887 Filed 11-16-72;8:52 am]

[Docket No. CS73-318]

WELLS, RICH, GREENE, INC. ET AL.

Notice of Applications for "Small Producer" Certificates [1]

NOVEMBER 8, 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 December 4, 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
CS73-318...	10-25-72	Wells, Rich, Greene, Inc., 2500 First National Bank Bldg., Denver, Colo. 80202.
CS73-319...	10-25-72	Dinero Oil Co., 600 Southwest Tower, Houston, Tex. 77002.
CS73-320...	10-25-72	Transcontinental Oil Corp., 900 Mid South Towers, Shreveport, La. 71101.
CS73-321...	10-25-72	Brookings, Moffatt & Waddle, 1802 Beck Bldg., Shreveport, La. 71101.
CS73-322...	10-26-72	David R. Key, Route 1, Box 595, Jefferson, TX 75670.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No.	Date filed	Name of applicant
CS73-323...	10-19-72	W. E. Hall Deceased and his heir Mrs. Virgil J. Hall et al., 1010 Mid South Tower, Shreveport, La. 71101.
CS-73324...	10-25-72	Craig Ferris, Sr., Post Office Box 7061, Tulsa, OK 74105.
CS73-325...	10-25-72	Transcontinental Oil Programs, Inc., 900 Mid South Towers, Shreveport, La. 71101.
CS73-326...	10-25-72	Charles F. Foster, Post Office Box 751, Cushing, OK 74023.
CS73-327...	10-26-72	Richard Abrons, 30 Wall St., New York, NY 10005.
CS73-328...	10-26-72	Frits Markus, 30 Wall St., New York, NY 10005.
CS73-329...	10-26-72	John Wallace, 30 Wall St., New York, NY 10005.
CS73-330...	10-26-72	Arthur S. Zankel, 30 Wall St., New York, NY 10005.
CS73-331...	10-24-72	F. A. Gillespie & Sons Co., Room 461, 1579 East 21, Tulsa, OK 74114.
CS73-332...	10-24-72	F. A. Gillespie Trust No. 1, an inter vivos trust, Room 461, 1579 East 21, Tulsa, OK 74114.
CS73-333...	10-24-72	F. A. Gillespie Trust No. 3, an inter vivos trust, Room 461, 1579 East 21, Tulsa, OK 74114.
CS73-334...	10-27-72	G. L. Gallaspy, 313 Hightower Bldg., Oklahoma City, Okla. 73102.
CS73-335...	10-27-72	Jack P. Rayzor, Post Office Box 7533, Houston, TX 77007.
CS73-336..	10-25-72	McGarr & Clutts, 2301 Ridgmar Plaza, Forth Worth, TX 76116.
CS73-337...	10-24-72	Sterling W. Woolsey, 903 Wilson Bldg., Corpus Christi, TX 78401.
CS73-338...	10-27-72	James P. Evans, Jr. et al., Post Office Box 1063, Jackson, MS 39205.
CS73-339...	10-31-72	C. E. Hearn, 10824 Snow White Dr., Dallas, TX 75229.
CS73-340...	10-27-72	H. L. Hawkins and H. L. Hawkins, Jr., Suite 907, 225 Baronne St., New Orleans, LA 70112.
CS73-341...	10-26-72	George F. Scanlon, 7 Rebeau Dr., Larchmont, NY 10538.
CS73-342...	10-30-72	Bayou Oil Co., 2210 Mercantile Bank Bldg., Dallas, Tex. 75201.
CS73-343...	10-30-72	BI-CO Pavers, Inc., 4229 North Central Expressway, Dallas, TX 75206.
CS73-344...	10-30-72	Gas Futures, Ltd. (1958), Suite 700, 2200 South Post Oak Rd., Houston, TX 77027.
CS73-345...	10-30-72	Dr. R. M. Connell, 4304 Mill Run Rd., Dallas, TX 75234.
CS73-346...	10-30-72	Ralph Spence, 813 Citizens First National Bank Bldg., Tyler, Tex. 75701.
CS73-347...	10-30-72	Western Natural Gas Co., Post Office Box 830, Shelby, MT 59474.
CS73-349...	10-30-72	Petroleum Associates Fund, Inc., 208 South La Salle St., Room 220, Chicago, IL 60604.
CS73-350...	10-30-72	Wm. S. Richardson, Box, 463, Duncan, OK 73533.
CS73-351...	10-30-72	D. L. Hannifin, Post Office Box 182, Roswell, NM 88201.
CS73-352...	10-30-72	Production Management Association, Post Office Box 536, Pampa, TX 79065.

[FR Doc.72-19721 Filed 11-16-72;8:45 am]

FEDERAL RESERVE SYSTEM

FEDERAL OPEN MARKET COMMITTEE

Current Economic Policy Directive

In accordance with § 271.5 of its rules regarding availability of information, there is set forth below the Committee's Current Economic Policy directive issued at its meeting held on August 15, 1972[1]

The information reviewed at this meeting indicates that real output of goods and services increased at a rapid rate in the second quarter, and continued though less rapid growth appears in prospect for the current quarter. The unemployment rate was lower in June and July, but it was still substantial. The pace of advance in wage rates has slowed on balance in recent months, and the rate of increase in average prices of all goods and services in the private economy moderated in the second quarter. In July, the rise in wholesale prices of industrial commodities slowed, but wholesale prices of farm and food products rose sharply further. Since mid-July foreign exchange market conditions have been quiet and the central bank reserves of most industrial countries have changed little. In June, the large excess of U.S. merchandise imports over exports persisted.

The narrowly defined money stock grew at an unusually rapid rate in July, following relatively slow growth in May and June. Growth in the broadly defined money stock remained substantial, although inflows of consumer-type time and savings deposits to banks slowed appreciably. The bank credit proxy expanded sharply in July, reflecting strength in both private demand deposits and large-denomination CD's. In recent weeks, interest rates on most market securities have declined somewhat on balance, and the Treasury completed a highly successful refunding.

In light of the foregoing developments, it is the policy of the Federal Open Market Committee to foster financial conditions conducive to sustainable real economic growth and increased employment, abatement of inflationary pressures, and attainment of reasonable equilibrium in the country's balance of payments.

To implement this policy, while taking account of developments in capital markets and international developments, the Committee seeks to achieve bank reserve and money market conditions that will support moderate growth in monetary aggregates over the months ahead.

By order of the Federal Open Market Committee, November 10, 1972.

ARTHUR L. BROIDA,
Deputy Secretary.

[FR Doc.72-19794 Filed 11-16-72;8:48 am]

[1] The Record of Policy Actions of the Committee for the meeting of August 15, 1972, is filed as part of the original document. Copies are available on request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

FIRST NATIONAL FINANCIAL CORP.

Acquisition of Bank

First National Financial Corp., Kalamazoo, Mich., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of the successor by merger to The Commercial Bank of Stambaugh, Stambaugh, Mich. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than December 7, 1972.

Board of Governors of the Federal Reserve System, November 10, 1972.

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

[FR Doc.72-19792 Filed 11-16-72;8:47 am]

NORTHERN ILLINOIS BANCORP, INC.

Formation of Bank Holding Company

Northern Illinois Bancorp, Inc., Joliet, Ill., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to Louis Joliet Bank, Joliet, Ill. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than December 11, 1972.

Board of Governors of the Federal Reserve System, November 13, 1972.

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

[FR Doc.72-19793 Filed 11-16-72;8:47 am]

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

CONSIDERATION OF ENVIRONMENTAL IMPACT AND PROVIDING OF PUBLIC INFORMATION

Operational Implementation Procedures

NOVEMBER 9, 1972.

Manual—Operational procedure for implementing section 102 of the "National Environmental Policy Act of 1969".

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A. Guidelines, dated April 23, 1971, for statements on proposed Federal actions affecting the environment.
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The National Environmental Policy Act of 1969 (NEPA or the Act) (Public Law 91–190), Executive Order 11514 (E.O. 11514) dated March 5, 1970, and the Guidelines of the Council on Environmental Quality (CEQ or Council) dated April 23, 1971, provide that environmental considerations are to be given careful attention and appropriate weight in every recommendation or report on proposals for legislation and for other major Federal actions significantly affecting the quality of the human environment.

1. *Purpose and scope.* This manual provides general policies, procedures and guidance required by section 102 of the NEPA to:

(a) Identify actions requiring environmental impact statements;

(b) Obtain information and internal U.S. section review required for the preparation of environmental statements;

(c) Designate the official(s) who are to be responsible for preparation, review, and approval of the statements;

(d) Consult with and take into account the comments of appropriate Federal, State, and local agencies, as well as interested individuals, associations, and groups.

(e) Meet requirements for providing timely public information on proposals for legislation and for other major actions having a potential significant adverse effect on the human environment.

2. *Applicability.* This manual applies to all elements of this section concerned with the investigation, planning, development, construction, and management of projects (including leasing and licensing of land and issuing of permits in regard thereto) or activities that affect ecological systems and the human environment.

3. *References.* (a) Environmental Control—Message from the President (H. Doc. No. 91–225); Congressional Record, February 10, 1970, pp. H–743–748.

(b) Budget Message of the President, 1971; Congressional Record, February 2, 1970; see pages S–968, S–970, and S–973.

(c) The State of the Union Address by the President (H. Doc. No. 91–226); Congressional Record, January 22, 1970; pp. H–186–188.

(d) Executive Order No. 11507; Prevention, Control, and Abatement of Air and Water Pollution at Federal Facilities, February 4, 1970; 35 F.R. 2573 (Feb. 1970)—(supersedes Executive Orders Nos. 11282 and 11288).

(e) Executive Order 11514; Protection and Enhancement of Environmental Quality, March 5, 1970; 35 F.R. 4247 (March 7, 1970).

(f) National Environmental Policy Act of 1969 (Public Law 91–190).

(g) Water Quality Improvement Act of 1970 (Public Law 91–224).

(h) Section 309 of the Clean Air Act Amendments of 1970 (Public Law 91–604).

(i) Freedom of Information Act (5 U.S.C. 552).

(j) National Historic Preservation Act of 1966 (Public Law 89–665).

(k) Guidelines of the Council on Environmental Quality, April 23, 1971, pp. 7724–29.

(l) Bulletin No. 71–3, August 31, 1970, Executive Office of the President, Office of Management and Budget.

(m) Circular No. A–95, dated June 15, 1970, and all revisions thereto, Executive Office of the President, Office of Management and Budget.

(n) Memo entitled, "Federal Agencies with jurisdiction by law or special expertise to make comments with respect to various types of environmental impact of propsed actions," dated July 29, 1970, by Timothy Atkeson, General Counsel, Council on Environmental Quality.

(o) Memo entitled, "Environmental impact statements prepared by the International Boundary and Water Commission," dated April 21, 1971, by Timothy Atkeson, General Counsel, Council on Environmental Quality.

(p) Corps of Engineers procedure regarding preparation of environmental statements, 37 F.R. 2525 (Feb. 2, 1972).

(q) Memo entitled, "Recommendation for Improving Agency NEPA Procedures," dated May 16, 1972, by Timothy Atkeson, General Counsel, Council on Environmental Quality.

(r) Department of State Final Procedures for Compliance with Federal Environmental Statutes, 37 F.R. 19167 (Sept. 19, 1972).

(s) Forest Service NEPA procedures, 36 F.R. 23670 (1971).

(t) Water Resources Council "Proposed Principles and Standards for Planning Water and Related Land Resources," 36 F.R. 24159–62 (1971).

4. *Requirements of the National Environmental Policy Act of 1969.* Section 101 of the National Environmental Policy Act of 1969, hereinafter referred to as the Act or NEPA, establishes a broad Federal policy on environmental quality. Section 102 directs that policies, regulations, and public laws will be interpreted and administered to the fullest extent possible in accordance with the policies of the Act, and imposes upon all Federal agencies the requirement to—

(a) Utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment (sec. 102(2)(A)).

(b) Identify and develop methods and procedures which will give the environment appropriate consideration in decisionmaking along with economic and technical considerations (sec. 102(2)(B)).

(c) Include with every recommendation, report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed environmental statement (sec. 102(2)(C)).

(d) Study, develop, and describe appropriate alternatives (sec. 102(2)(D)).

(e) Recognize the worldwide and long-range character of environmental problems (sec. 102(2)(E)).

(f) Make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment (sec. 102(2)(F)).

(g) Initiate and utilize ecological information in the planning and development of resources-oriented projects (sec. 102(2)(G)).

(h) Assist the Council on Environmental Quality (sec. 102(2)H)).

Both section 102(2)(C), which requires a detailed five-point statement of environmental impact, and section 102(2)(D), which requires analysis of alternatives where unresolved conflicts occur, are interpreted to be applicable to feasibility reports and to requests for funds

to initiate construction of previously authorized projects. Under certain conditions they are also applicable to continuing construction and maintenance projects and to the granting of leases, licenses, and permits.

5. *Policy.* In formulating plans for construction, operation, and maintenance, water resource development or management, impact on the environment will be fully considered from the very initiation of preauthorization planning. Early and continuing search in cooperation with appropriate local, State, and Federal agencies, as well as interested individuals, associations, and groups, will be undertaken to develop alternatives and measures which will enhance, protect, and restore the quality of the environment, or, at least, minimize the mitigate unavoidable deleterious effects. Preparation of the five-point statement required by the Act will constitute an integral part of the preauthorization feasibility report process. The statement will serve as a summation of evaluations of the effects that alternative actions will have on the environment and as an explanation of the alternatives considered in arriving at the finally recommended plan.

6. *Responsibility within the U.S. section.* (a) The Chief, Planning and Reports Section, Engineering Division, under the supervision of Principal Engineer Supervising, is hereby designated as the responsible official within the meaning of section 102 of the Act and is responsible for the implementation of the requirements of the Act as they relate to the making of environmental assessments and the preparation of and the processing of environmental statements. When appropriate to supplement work in evaluating the environmental impact of a proposed action, he will solicit information from within the U.S. section, other Government agencies (Federal, State, and local) with jurisdiction by law or special expertise with respect to any environmental impact involved, and interested individuals, associations or groups. He shall consult with the Special Legal Assistant concerning legislative actions covered by the Act and for interpretations of the Act, the Executive orders and the guidelines, and for advice on legal requirements for filing environmental impact statements and on legal requirements regarding their contents.

In the case of an agency or agencies acting as agent for the U.S. section in the design and construction of a project (as distinguished from merely preparing an environmental statement for the Section's use) that agent will prepare, distribute, and coordinate the review of the statement according to its established procedures. This includes transmittal to Council on Environmental Quality. However, the agent has the responsibility to confer with the U.S. section and to keep it fully informed.

When uncertainty persists within the U.S. section as to the requirement in a specific case for filing an environmental impact statement, the Special Legal Assistant will initiate consultations with the Office of Environmental Affairs, (SCI/EN—Department of State) and the Assistant Legal Adviser for Environmental Affairs (L/EN—Department of State) and followthrough to a final determination. In every case where the U.S. section determines that no environmental impact settlement is required, it shall so inform SCI/EN.

(b) The Special Legal Assistant will be responsible for the publishing of the necessary notices in the FEDERAL REGISTER and shall act as coordinator of the U.S. section's activities.

7. *Procedure for preparation, planning, and coordination of the statement.*—(a) *Preparation.*—Statements to be meaningful for review and decisionmaking shall utilize, along with any other points the responsible official deems appropriate, the following categories of criteria:

(1) Describe physical and environmental aspects sufficiently to permit evaluation and independent appraisal of the favorable and adverse environmental effects of each proposal. They should be simple and concise, yet should include all pertinent facts. Length would depend upon the particular proposal and the nature of its impacts and the environmental setting.

(2) Be submitted as a separate document, not as an inclosure or appendix to other documents such as preauthorization studies or design memorandums. Such reports and design memorandums must contain adequate background information to support fully the conclusions and recommendations on environmental matters. The statements should not be construed as a further means for assisting or supporting project justification.

(3) Not be limited to ultimate conclusions, but should demonstrate that the U.S. section has adequately considered the potential impact of the proposal upon the environment. The statement should summarize information and cite sources of overall appraisals which are based upon judgments of complex matters (e.g., water quality by Environmental Protection Agency (EPA)). In most cases any activity that will significantly affect the quality of the following elements of the human environment will require an environmental statement:

(*a*) Rare and endangered species—plants or animals.

(*b*) Formally classified areas, such as wilderness areas, primitive areas, wild and scenic rivers, national recreation areas, natural areas, scenic areas, historical areas, archeological areas, geological areas, and national trails.

(*c*) Municipal watersheds.

(*d*) Shorelines.

(*e*) Open and green spaces.

(*f*) Large unroaded areas.

(*g*) Lakes.

(*h*) Beaches and shores.

(*i*) Scenic attractions, and other areas of natural beauty.

(*j*) Wetlands and estuaries.

(*k*) Adjacent national parks and monuments, wildlife refuges, or similar State and locally designated areas.

(*l*) Free-flowing streams.

(*m*) Air quality.

(*n*) Water quality.

(*o*) Key wildlife or fish areas.

(*p*) Prescribed burning program, including roller chopping, rock raking, shearing, cabling, etc.

(*q*) Rights-of-way permits for major transmission lines.

(*r*) Major sewage treatment facilities.

(*s*) Major acquisition or exchange.

(*t*) Estauries.

(*u*) Biological resources.

(*v*) Ecological systems.

A definitive list of activities requiring environmental statements cannot be specified. The above list is certainly not all-inclusive, nor will all plans and actions within the activities require statements. The responsible official must consider all available factors.

(4) In the final statement include and comment on the views of those opposing the proposal for environmental reasons, if any. The summarized views of agencies having environmental responsibilities, and with which the proposals have been coordinated, should be included.

(5) Include a full and objective appraisal of the environmental effects, good and bad, and of available alternatives. Where available, include the benefit-to-cost ratio of alternatives, or differences in annual costs. In no case will adverse effects, either real or potential, be ignored or slighted in an attempt to justify an action previously recommended. Similarly, care must be taken to avoid overstating favorable effects.

(6) Discuss the proposal's impact on environmental resources of regional significance (draw attention to national versus regional and local importance) whenever the impact extends beyond the immediate area.

(7) Discuss the significant relationships between the proposal and other developments (existing and authorized). For example, a statement on a project which would convert a free-flowing section of a stream into a reservoir should contain information on the amount of flowing and flat water available in the area. Draw attention to cumulative effects of many small actions, and the chain reactions or secondary effects of interrelated activities.

(8) Where possible, the statements should show an indication of the magnitude of the effect including short-term changes. This may include changes in flow in cubic feet per second for both peak- and low-flow periods or changes in dissolved oxygen or temperature, which are key parameters for measuring water quality, and other factors vital to the ecology of the area, such as degree of ecosystem disturbance—both onsite and offsite effects.

(9) Include an appropriate summary. Regardless of the type of summary used within the section for review purposes, when the statements (draft and final)

are submitted to CEQ, the Council's prescribed format for a summary shall be utilized.

(10) Discuss the probable impact of the proposed action on the environment, including impact on ecological systems such as wildlife, fish, and marine life.

(11) Point out any probable adverse environmental effects which cannot be avoided.

(12) Review all reasonable alternatives to the proposed action, and the environmental impacts of each.

(13) Discuss the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.

(14) Comment on any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

(15) Where appropriate, discuss problems and objections raised by other Federal, State, and local agencies and by interested individuals, associations, and groups, in the review process and the disposition of issues involved.

(16) Contain a bibliography to assist readers and reviewers to determine the sources of information used.

(17) Discuss any existing State or Federal legislation, program, or study that concerns the study area or would have an effect upon it. Examples of such legislation and studies are those dealing with wild and scenic rivers, wilderness or wild areas, national recreation areas, estuaries, or preservation of natural areas and Fish and Wildlife coordination.

(18) Indicate that (*a*) the National Register of Historic Places has been consulted and that no National Register properties will be affected by the project, or (*b*) a listing of the properties to be affected, an analysis of the nature of the effects, a discussion of the ways in which the effects were taken into account, and an account of steps taken to assure compliance with section 106 of the National Historic Preservation Act of 1966 (80 Stat. 915) in accordance with procedures of the Advisory Council on Historic Preservation as they appear in the FEDERAL REGISTER, February 20, 1971. In the case of properties under the control or jurisdiction of the U.S. Government, the statement should include a discussion of steps taken to comply with section 2(b) of Executive Order 11593 of May 13, 1971. The statement should contain evidence of contact with the State liaison officer for historic preservation for the State involved and a copy of his comments concerning the effect of the undertaking upon historical and archeological resources.

(19) Develop uniqueness or rareness of resources.

(20) Draw attention to scope of anticipated public involvement and controversy anticipated.

The guidelines dated April 23, 1971, of the Council on Environmental Quality, Appendix A, and the guidance contained in Appendix B will be considered and utilized in preparing environmental statements, using the prescribed format or any revision thereto.

In each instance where it is determined, after the necessary investigation and assessment, that no environmental impact statement will be prepared by the U.S. section, a memorandum will be prepared for U.S. section files indicating the extent of the investigation and assessment conducted and the reasons for the determination that no impact statement will be prepared. A list of such actions will be available to Government agencies or members of the public on request.

(b) *Planning relationships.* (1) In the development of new projects or proposals, the rationale of environmental statement and assessment of environmental considerations will be integrated into the planning process from the beginning. Preliminary identification and assessment of possible environmental impacts and effects will be made and fully discussed at an early milestone in the study. Even where it is clear from the start that a proposed action will not require an environmental impact statement, the results of that investigation will be an integral part of the decisionmaking process. When kept current, such an environmental assessment can provide valuable assistance in the investigation and study process. The first meeting with the public should be scheduled early in the development stages so that the environmental "pulse" may be felt from the beginning. Agencies and conservation associations will be advised of the initiation of the investigation, and be requested to provide environmental information for the area.

(2) Beginning with the formulation stage, all anticipated environmental impacts and effects of each solution under consideration will be identified and discussed. This may entail the preparation of an environmental memorandum. After consideration of all the preliminary factors, including those whch may have been forthcoming as a result of the first meeting with the public, a second meeting with the public should be scheduled. Any environmental factors known to the U.S. section should be summarized and made available prior to the meeting. This will generate a meaningful and thorough discussion during the meeting. Interested citizens and citizen groups must be informed of the fact a public meeting is scheduled so that their views may be considered.

By the time the late stage in the planning has been reached the U.S. section's environmental position should have been formulated. A third meeting with the public should be scheduled so that the environmental discussions regarding any proposal and alternatives will be specific and thorough insofar as the environmental impacts and effects are concerned.

(3) On projects which were recommended, authorized, or under construction prior to the National Environmental Policy Act of 1969, the range of alternatives and the opportunity to study and evaluate them may be more limited. However, to the maximum extent feasible, alternative solutions and opportunities for environmental enhancement, preservation, and mitigation will be investigated prior to preparation of the statement. Regardless of the level at which formal coordination is to take place, the environmental impact of all reasonable alternatives will be carefully examined and evaluated in coordination with appropriate Federal, State, and local agencies prior to preparing a recommendation or an environmental statement.

(4) As a "followup" the public will be informed of the general content of all statements before or at the time that the recommendation or report is furnished to the Council by publishing of an appropriate notice in the FEDERAL REGISTER, by public notice to all parties known to be interested, by press release, or by a combination of such means. In addition, prior to formulation of recommendations and preparation of the statement, in all cases where public hearings are held, there will be presented a notice of the hearing and at the hearing a discussion setting forth the information upon which a statement is based will be conducted. The discussion will include a listing of alternatives; the environmental impacts—positive or negative—associated with each fundamental alternative; the nature of environmental tradeoff implied by various alternatives; including irretrievable commitments of each alternative; and the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity under the various alternatives. Whenever public announcement of recommendations or reports is made prior to submission of the statement to the Council, the announcement will contain an appropriate summary of the proposed statements and comments of other agencies. The draft statement may be provided interested agencies, groups, and citizens. In certain cases, where critical and sensitive environmental effects and widespread public concern have been identified, a preannouncement clearance to hold a public meeting will be requested. Requests will be supported by full recitation of the problems at issue with analysis of the pros and cons of the proposed and alternative courses of action.

Section 2(b) of Executive Order 11514 envisions use of public hearings wherever appropriate. Public hearings will be employed by the U.S. section on any occasion where it is felt same will enable the taking of the "environmental pulse" unless it is determined that the requirements of carrying on international relations, including the constraints of time and the posture of the United States in negotiation, do not allow such hearings to be carried out without prejudice to the national interest. The provisions of the Administrative Procedures Act do not apply to hearings involving "foreign affairs functions"; however, in each case where hearings are employed in accordance with this paragraph, a public notice of the hearing indicating the time and

place of the hearing and the matters to be considered will be made available to the public at least 15 days prior to the hearing. Chief, Planning and Reports, shall arrange for the hearing and the publication of the prescribed notice, and shall conduct the hearing. If such hearings cannot be carried out, arrangements should still be made, where practicable, for an expedited opportunity for members of the public to present their views orally.

(c) *Coordination of statement.* Coordination of the statement with Federal, State, and local agencies, as well as interested individuals, associations, and groups, will be in accordance with existing policies and the following clarification:

(1) Coordination with responsible agencies will include transmittal of draft environmental statements for their review and comment. Upon receipt, agency comments will be reviewed and summarized in the statement. Copies of the agency comments will be included as an attachment to the statement when forwarded for further action. The agency comments and the views expressed should be no older than 3 calendar years for previously authorized projects. More recent coordination will be required if significant changes in the proposal or in the associated environment have occurred in the meantime. Copies of the statement will be forwarded to the appropriate contact points listed in Appendix II, CEQ's Guidelines dated April 23, 1971, as well as to the field offices. The transmittal letter to field offices will advise that a statement has been furnished to the contact listed in Appendix II. Insofar as distribution of statements within a State is necessary, the clearinghouses established by Budget Circular No. A–95 dated June 15, 1970, or any revisions thereto, will be utilized.

(2) In the event environmental statements are being prepared on two or more units in the same area, the work on preparing statements will be scheduled and consolidated to result in one statement being transmitted to the Department and Council for all units in an area.

8. *Administrative action.* No administrative action—to the maximum extent practicable—is to be taken sooner than ninety (90) days after a draft environmental statement has been furnished to and received by the Council, circulated for comment, and, except where advance public disclosure will result in significantly increased cost of procurement to the Government, made available to the public pursuant to the guidelines. Further, no administrative action should be taken sooner than thirty (30) days after the final text of an environmental statement (together with comments) has been received by the Council and made available to the public. In the event the final text of an environmental statement is filed within ninety (90) days after a draft statement has been circulated for comment, received by the Council, and made public pursuant to this manual, the thirty (30) day period and ninety (90) day period may run concurrently to the extent that they overlap.

9. *Criteria for determining whether a Federal project or activity will significantly affect the quality of the human environment.* The following criteria will be employed in deciding whether a proposed action requires the preparation of an environmental statement:

(a) "Actions" include but are not limited to:

(1) Projects that are part of treaties and which significantly affect the quality of the human environment.

(2) Recommendations or reports to the Congress on proposals for legislation affecting U.S. section programs, including proposals to authorize projects.

(3) Recommendations or reports on proposals for authorization of projects except for emergency measures.

(4) Initiation of construction or land acquisition on projects which are not yet started for which funds have been appropriated or are provided by an Appropriation Act.

(5) Budget submissions requesting funds for the initiation of construction or real estate acquisition on authorized projects.

(6) Policy—and procedure making, especially proposed actions which are highly controversial.

(b) The statutory clause "major Federal actions significantly affecting the quality of the human environment" is to be construed with a view to the overall, cumulative impact of the action proposed (and of further actions contemplated) and reasonable alternatives thereto (including those not within the authority of the U.S. section). Such actions may be localized in their impact, but if there is potential that the quality of the human environment may be significantly affected, the statement is to be prepared. Proposed actions, the environmental impact of which is likely to be highly controversial or unresolved conflicts concerning alternative use of available resources exist, should be covered in all cases.

In considering what constitutes major action significantly affecting the quality of the human environment, U.S. section personnel should bear in mind that the effect of many Federal decisions about a project or complex of projects can be individually limited but cumulatively considerable. This can occur when one or more agencies over a period of years put into a project individually minor but collectively major resources, when one decision involving a limited amount of money is a precedent for action in much larger cases or represents a decision in principle about a future major course of action, or when several Government agencies individually make decisions about partial aspects of a major action. The lead agency should prepare an environmental statement if it is reasonable to anticipate a cumulatively significant effect on the quality of the human environment from the Federal action.

(c) Section 101(b) of the NEPA indicates the broad range of aspects of the environment to be surveyed in any assessment of significant effect. The NEPA also indicates that adverse significant effects include those that degrade the quality of the environment, curtail the range of beneficial uses of the environment or serve short-term, to the disadvantage of long-term, environmental goals. Significant effects can also include actions which may have both beneficial and detrimental effects, even if, on balance, the agency believes that the effect will be beneficial. Significant adverse effects on the quality of the human environment human beings and those that indirectly affect human beings through adverse effects on the environment.

(d) Not every U.S. section activity will be considered a major Federal action significantly affecting the quality of the human environment for the purposes of the Act. For example, the following general classes of actions ordinarily do not require the filing of an environmental impact statement:

(1) Participation in research or study projects.

(2) Mandatory actions required under any treaty or international agreement to which the United States is a party, or required by the decision of international organizations (including courts), authorities, or consultations in which the United States is a member or participant.

(3) Mapping and surveying activities.

(4) Stream gaging, routine hydrologic test drilling, well logging, aquifer response testing, and similar data-gathering activities in connection with water resources investigations.

(5) Operation and maintenance of project facilities, including dams, channels, floodways, powerplants, buildings, fences, gates, and other appurtenant facilities including but not limited to:

(*a*) Storage of waters in reservoirs and releases therefrom for both flood control and conservation purposes.

(*b*) Grazing leases.

(*c*) Licenses and permits for recreation facilities at existing projects.

(*d*) Maintaining low vegetative growth in floodways and channels.

(*e*) Sediment removal from river channels.

(*f*) Restoration and repair of banks at reservoirs and on rivers that may involve riprap activities.

(*g*) Restoration and repair of earth embankments.

(6) Administrative procurements (e.g., general supplies).

(7) Contract for personal services.

(8) Legislative proposals originating in another agency.

10. *Use of statements in U.S. section's review process; distribution to Council on Environmental Quality.* (a) The principle to be applied is to obtain views of other agencies at the earliest possible time in the development of a program and project proposals. Care should be exercised so as not to duplicate the clearance process, but when actions being

considered differ significantly from those that have already been reviewed, an environmental statement should be provided.

(b) Twelve (12) copies of draft environmental statements (when prepared) and twelve (12) copies of the final text of environmental statements (together with all comments received thereon by the responsible agency from Federal, State, and local agencies and from interested individuals, associations, and groups) shall be supplied to the Council in the Executive Office of the President. (This will serve as making environmental statements available to the President.) It is important that draft environmental statements be prepared and circulated for comment and furnished to the Council early enough in the agency review process before an action is taken in order to permit meaningful consideration of the environmental issues involved.

11. *Availability of environmental statement and comments to public.* The U.S. section, when it prepares the statement, is responsible for making such statement and the comments received available to the public pursuant to the provisions of the Freedom of Information Act (5 U.S.C.A. 552). Copies of the draft and final statements will be filed with the National Technical Information Service.

A copy of the final environmental statement will be furnished to each agency, individual, or association providing substantive comments on the draft statement.

12. *Publication in the* FEDERAL REGISTER. Notices will be placed in the FEDERAL REGISTER when:

(a) The draft statement has been approved by the Commissioner and transmitted to the Council on Environmental Quality.

(b) The final statement has been approved by the Commissioner and transmitted to the Council on Environmental Quality.

(c) Comments are received after the final statement has been approved, transmitted to Council on Environmental Quality, and publication regarding final statement has previously been published.

(d) Public meetings are held if deemed feasible.

The notice will contain sufficient information to inform those reading it of the location and purpose of a project, where copies of the statement may be obtained and where the meeting is to be held.

When comments are being sought by a publication, a time limit of not less than thirty (30) days may be established for local, State, and Federal agencies to reply. The U.S. section will, in all cases possible, allow private individuals sixty (60) days in which to comment. In cases where extensions of time are requested in which to comment, an endeavor will be made to comply with requests for extension of time up to fifteen (15) days. If no reply is received within the period allowed for comments, it will be presumed the agency consulted has no comments to make.

13. *Budget process.* The requirement of NEPA, Water Quality Improvement Act, Executive Order 11514, the Guidelines, and Office of Management and Budget Bulletin No. 72–6 shall be met through the U.S. section's budget process to the maximum extent practicable. The following requirements of the budget process will be met:

(a) *Legislation.* This section is responsible for identifying those of its legislative proposals, or favorable reports on bills on which it is the principal agency concerned, that would require the preparation of the statements and receipt of the comments required under section 102 of the Act. When there is doubt as to which is the principal agency concerned, Special Legal Assistant shall consult with the Office of Management and Budget's Legislative Reference Division.

The proposed section 102(2)(C) statements and the required comments shall accompany legislative proposals and reports when these are sent to the Office of Management and Budget for clearance. Copies of this material shall have been previously furnished directly to the Council for its information. As a part of the normal clearance process, the Office of Management and Budget will circulate the proposed statements, along with the proposals or reports, to appropriate Federal agencies, and will consult with the Council. In certain cases, the clearance process may disclose the need for a section 102(2)(C) statement where none has been prepared. In this event, the Office of Management and Budget will request the U.S. Section to develop and submit such a statement.

After differences with other agencies over the legislative proposal or report have been resolved, and after the legislative proposal or report has been cleared by the Office of Management and Budget, the final statement and comments shall accompany the proposal or report to the Congress as supporting material.

(b) *Annual budget estimates.* In the event the U.S. section has major program actions which significantly affect the quality of the human environment, annual budget estimates shall be accompanied by a special summary statement explaining generally the environmental impact expected to result from those activities and programs for which it is not possible to make an assessment of the potential impact on specific areas of the environment. Special summary statements shall include relevant information about general environmental impact and alternatives, and, to the extent possible, important environmental problems that may be caused by proposed actions but which still must be assessed as plans for programs and activities are further refined. The special summary statement shall also include, in the form illustrated in appendix C, the following information by appropriation or fund account:

Column A.—*Action, project, or activity.* Identify the agency actions and individual projects and activities, and the amounts of funds involved, that are considered subject to section 102(2)(C). Where the action is a part of a larger activity, identify only the project or action subject to section 102(2)(C) and the amount involved.

Column B.—*Final statement completed.* Check the appropriate category. If there are significant unresolved issues with other agencies, include a copy of the statement with the submission to the Office of Management and Budget.

Column C.—*Statement being prepared.* Give the status (e.g., awaiting comments from interested agencies) and estimated completion date.

Agencies that prepare section 102(2)(C) statements for annual authorizing legislation shall submit the proposed section 102(2)(C) statements in lieu of a special summary statement required by paragraph (b) above, except that the information required for the special summary exhibit shall be submitted along with the proposed section 102(2)(C) statement. Copies of the special summary statement or proposed section 102(2)(C) statement (accompanied by information for the special summary exhibit) shall be furnished directly to the Council on Environmental Quality.

14. *Lease, license, and permit applications.* As required by existing regulations, lease, license, and permit applications will be coordinated with Federal, State, and local agencies which are authorized to develop and enforce environmental standards, unless granting of the lease, license, or permit could not significantly affect the quality of the human environment. Comments from such agencies or from the U.S. section will be presented to the applicant who will be given the opportunity to modify his application so as to remove the cause, if any, for an agency's objection that there will be a significant effect on the quality of the human environment.

In the event an applicant does not take action to remove an objection, the U.S. section will prepare the statement required by section 102(2)(C) of NEPA. The applicant is required to carry out at his expense the necessary environmental assessment and investigation as may be required by the U.S. section for use in preparation of the statement, in addition to any information the applicant may wish to furnish in order to demonstrate that granting of the lease, license, or permit is in the public interest. A summary of the information on which the statement is based will be furnished to the public in the notice of public hearing and at the hearing, if one be held.

The granting of the lease, license, or permit is the "Federal action" which may require the statement. While applicant has the duty and responsibility to undertake the environmental assessment and investigation, the U.S. section has primary and nondelegable responsibility for determining environmental impact of an action at every distinctive and comprehensive stage. The preparation of a statement by an applicant and the

later adoption of same by the U.S. section would be abdication by the U.S. section of a significant part of its responsibility to determine environmental impact.

Failure of an applicant to furnish the requested information shall result in the denial of an application.

Leases, licenses, or permits granted or approved by the U.S. section will contain provisions to assure compliance with applicable air and water quality standards; to conserve and protect the environment; and to avoid, minimize or correct hazards to the public health and safety. The lessee, licensee, or permittee will be required to provide adequate measures to avoid, control, minimize, or correct erosion, contamination, or other abuses and damages to the environment within or without the premises under lease, license, or permit that may result from or have been caused by operations conducted on the premises.

Farming and grazing operations shall be conducted in accordance with recognized principles of good practice, conservation, and prudent management. Land use stipulations or conservation plans to define such use and the measures necessary for the conservation, protection, and control of the environment shall be incorporated in and made a part of the lease, license, or permit.

Commercial and industrial developments shall be constructed and operations conducted on the premises under lease, license, or permit to control and minimize environmental pollution and abuses so that the quality of the human environment will not be significantly affected. Leases, licenses, and permits shall contain provisions for the lessee, licensee, or permittee to submit, for advance approval, general and comprehensive plans of any proposed construction or developments for the use and conduct of operations as authorized for the premises prior to commencing any actual construction or development activities. Such plans, including architects' designs, construction specifications, machinery or equipment installation and operation or specifications for other operations or developments, shall provide measures necessary to protect, control, or abate environmental pollution or abuses and avoid, minimize, or correct hazards to the public health and safety.

Other uses as authorized by leases, licenses, or permits issued shall conform to the requirements and provisions formulated for each such use as adapted to local conditions and the environmental factors which are in need of protection and control measures.

Due to the nature of this section's leasing, licensing, and permit program, all factors are to be carefully considered before determining what is needed for the protection of the environment, conservation, and land use requirements.

Applications involving power transmission lines will be prepared in accordance with Bureau of Land Management, Department of the Interior, regulations as published in Subchapter B, Subpart 2850 of 43 CFR 2851.2–1 or any revisions but which involve the authority of EPA, EPA will be informed that no statement will be prepared and that comments are requested on the proposal.

or amendments thereto. (Reference attached appendix D.)

15. *Operations at construction sites.* Some operations that contribute to pollution and noise at construction sites and therefore require close surveillance, are enumerated in the following list:

(a) *Air pollution:*
(1) Burning;
(2) Earthmoving operations (dust);
(3) Sandblasting;
(4) Sprayed-on coatings;
(5) Soil stabilization operations (cement or lime);
(6) Concrete mixing plant (dust);
(7) Batch truck operation (dust);
(8) Winter heating equipment (smoke and fumes);
(9) Gunite operations (rebound); and
(10) Asphalt operations (dust—smoke—volatiles).
(b) *Water pollution:*
(1) Solid wastes;
(2) Earthmoving operations (runoff);
(3) Clearing operations (erosion);
(4) Core drilling and grouting operations (waste water);
(5) Well point system runoff (erosion);
(6) Concrete operations:
(a) Aggregate washing;
(b) Spillage;
(c) Water curing; and
(d) Washing of mixers and batch trucks.
(c) *Noise:*
(1) Pile-driving;
(2) Equipment noise;
(3) Drilling and blasting; and
(4) Rock crushing.

The construction engineer should ascertain that the contractor complies with:

(i) The current applicable Federal regulations;

(ii) The current applicable local regulations; and

(iii) Methods and restrictions of operations that are contract requirements.

On projects where regulations and contract requirements do not specifically outline procedures, the contractor's cooperation should be encouraged in an effort to run a clean and safe operation.

Appropriate provisions will be included in the contract specifications for the works to be performed requiring compliance with Federal, State, and local pollution laws, regulations, and rules. Examples of contract specifications are attached at appendix E.

16. *Section 309 of the Clean Air Act Amendments of 1970.* Section 8 of the Council's guidelines requires that, in addition to normal coordination procedures, the following rules apply to coordination with EPA:

(a) Comments of the Administrator or his designated representative will accompany each final statement on matters related to air or water quality, noise control, solid waste disposal, radiation criteria and standards, or other provisions relating to the authority of EPA.

(b) Copies of basic proposals (studies, proposed legislation, rules, leases, permits, etc.) will be furnished to EPA with each statement. For actions for which statements are not being prepared

(c) A period of 45 days will be allowed for EPA review of statements and/or proposals; however, it will be presumed that the agency has no comments to make only when the impacts or matters related to the authorities of EPA are minor, or the agency has indicated that it does not desire to comment.

Upon circulation of draft statement to the EPA, comments shall be requested under both the NEPA and section 309 of the Clean Air Act.

17. *Exceptions.* The nature of negotiations and relations at the international level may make it necessary to depart in some instances from the procedures in the guidelines. CEQ foresaw the need for such departures in CEQ Guidelines 4 and 10. Exceptions applicable to the U.S. section are set forth below.

(a) The statements which are written to comply with the Act should not normally include any classified or administratively controlled material, nor should they normally include statements with respect to positions other than the optimum position of the United States in any ensuing negotiation or discussion. Although environmental impact statements should, whenever possible, be unclassified and hence available to the public, there may be situations where such statements cannot adequately discuss environmental effects without disclosure of classified information. In these instances, the statement should be appropriately classified. Whenever possible, the classification should terminate on a specified date or upon the happening of a described event. Such statements, so long as they are classified, will not be made available to the public.

(b) Since final statements may not be available until the conclusion of negotiations for an agreement or of a discussion, the 30-day time delay between submission of such a document and final Federal action set out in CEQ Guideline 10(b) will not apply to actions taken in these situations. Every attempt will be made to comply with the 90-day period which guideline 10(b) requires between submission of the draft statement and final action. Where schedules of international conferences make this impossible, the U.S. Section will notify the Council on Environmental Quality as soon as possible of the circumstances, with the purpose of fulfilling the intent of the Act insofar as possible.

(c) In certain exceptional instances it may be necessary at times to reduce the 30-day period for agency comments set out in CEQ Guideline 7. When this is the case, all agencies to whom the draft statement has been sent will be informed by the U.S. Section of the reduced time period. The reduced time period must also be included in the public notice published in the FEDERAL REGISTER.

(d) Section 2(b) of Executive Order 11514 establishes requirements for providing public information on Federal actions and impact statements and envisions extensive use of public hearings. Public hearings will be employed by the U.S. Section only upon a determination by the U.S. Commissioner that the requirements of carrying on international relations, including the constraints of

time and the posture of the United States in negotiation, allow such hearings to be carried out without prejudice to the national interests.

(e) In those instances wherein the draft and/or final statement is submitted to the Department (SCI/EN) for concurrence before distribution outside the U.S. Section and no notification is received from the Department after the expiration of ten (10) days from the date of mailing by the U.S. Section, the U.S. Section will assume the Department has concurred and shall proceed on that basis.

18. *Effective date.* These procedures supersede any draft of proposed procedures which has been published in the FEDERAL REGISTER or circulated to other agencies (local, State, or Federal), interested individuals, associations, or groups. These procedures become effective upon the date of their publication in the FEDERAL REGISTER.

FRANK P. FULLERTON,
Special Legal Assistant.

APPENDIX A—GUIDELINES, DATED APRIL 23, 1971, FOR STATEMENTS ON PROPOSED FEDERAL ACTIONS AFFECTING THE ENVIRONMENT

NOTE: See pages 7724–7729 in the issue of Friday, October 23, 1971.

APPENDIX B—PREPARATION OF ENVIRONMENTAL STATEMENTS

1. *General.* Preparation of environmental statements will be based on considerations discussed in the procedures to which this appendix forms a part, the guidelines and the detailed guidance to follow. These directions are intended to assure consistency of effort in preparing statements and are not proposed to induce unthinking uniformity or limit flexibility when preparing statements. These statements have several levels of importance with reference to the decision-making process, U.S. Section relations with the public, and internal project planning activities. A careful, objective detailing of environmental impacts, alternatives, and implications of a proposed project should give reviewers both within and outside the U.S. Section insight into the particular tradeoffs and commitments associated with the action. The general public, environmental agencies, and congressional committees will all expect the statements to be a valid source of information on project effects, as well as a reflection of how this Section views environmental factors and seeks to accommodate them. Since the statements must be made available to the public and may receive broad exposure in the media, it can be assummed that they will receive careful scrutiny. Most importantly, preparation of the statements should cause systematic consideration of environmental impacts. An imaginative evaluation of alternatives and their implications should begin in the earliest stages of project formulation, with planners contemplating the criteria and range of information to be employed in preparation of final statements.

2. *Working papers.* In order to assure a comprehensive treatment of environmental concerns, a working document checklist of pertinent environmental elements should be compiled and periodically updated by the environmental planners. A discussion of these elements should establish their importance, placing emphasis on whether they are unique, endangered, old, popular, etc.—in essence, explore the ecological, aesthetic, cultural, and other values which appear to make the elements environmentally significant. The manner in which economic considerations affect those values should also be discussed. For projects on which initial formulation has been completed, much of the information needed to characterize the elements may already be contained in existing survey documents, designed memoranda and project files. Conversely, the organization of working papers at an early stage in the planning process will assist in subsequent survey studies and post-authorization design. Planners should keep abreast of current literature and information sources to aid in compiling environmental data.

3. *Environmental elements.* Logical categories and sample elements for the working papers follow.

(a) Geological elements: Land forms (mountains, canyons), rock and mineral features, paleontologic items (fossils), structures (faults, synclines). Related: Soils, erosion, strip mined areas, caves.

(b) Hydrological elements: Lakes, reservoirs, estuaries, rivers, subsurface water, marshes, valley storage, springs. Related: Turbidity, pollutants, aquifer recharge areas, surf.

(c) Botanical elements: Trees, shrubs, aquatic plants, microflora. Related: Seasonal colors, virgin forests.

(d) Zoological elements: Mammals, birds, amphibians, fish, shellfish, microfauna. Related: Migration routes, breeding characteristics.

(e) Archeological/historical/cultural elements: Ruins, artifact sites, ghost towns, battlefields, cemeteries, festival sites, ethnic colonies.

(f) Miscellaneous elements: Scientific areas, national parks or forests, hunting clubs, wildlife refuges, contemporary human features (buildings, transportation systems).

It should be noted that the elements under the last two categories are relevant to the human environment and are not strictly environmental in nature. Their consideration is essential to assure treatment responsive to the full concern of the NEPA.

4. *Format.* Environmental statements will constitute a separate document from other U.S. section papers. It will include a cover sheet and a summary statement and be prepared on 8½ x 11 white paper (without letterhead), with clear black type. The cover sheet identifying the project will contain the following:

Date_____

(Draft, Final) Environmental Statement
Official Project Name
associated water feature, State
prepared by
U.S. Section, International Boundary and Water Commission
El Paso, Tex.

5. *Content of statement.* The body of environmental statements will contain, as a minimum, the following eight separate sections (and attachment containing coordination letters) with the length of each being adequate to identify and develop the required information.

(a) *Project description.* Describe the proposal by name, specific location, purposes, authorizing document (if applicable), current status, and benefit-cost ratio. Generally delineate the project purpose and what the plan of the proposal entails.

(b) *Environmental setting without the project.* Describe the area, the present level of economic development, existing land and water uses, and other environmental determinants. Discuss the environmental setting without focusing only on the immediate area at the risk of ignoring important regional aspects critical to the assessment of environmental impacts. It is possible and often desirable to treat the project setting in relation to river basins, watersheds, or functional ecosystems. Discuss the interrelations of projects and alternatives proposed, under construction or in operation by any agency or organization.

(c) *The environmental impact of the proposed action.* (1) Identify environmental impacts, viewed as changes or conversions of environmental elements which result from the direct and indirect consequences of the proposed action. A thoughtful assessment of the environmental elements under both a "with" and "without the project" condition should aid in determining impacts. For example, the filling of a portion of the wetlands of an estuary would involve the obvious conversion of aquatic/marsh areas to terrestrial environments, the loss of wetland habitats and associated organisms, a gain in area for terrestrial organisms, a change in the nutrient regime of the runoff water entering that portion of the estuary, alteration of the hydrology of some given area, perhaps the introduction of buildings or roads, curtailment of certain commercial uses, disruption of water-based recreational pursuits, conversion of wildland esthetics to less pristine attributes, perhaps the removal of some portion of popular duck hunting grounds or unique bird nesting area, etc. Such impacts shall be detailed in a dispassionate manner to provide a basis for a meaningful treatment of the tradeoffs involved. Quantitative estimates of losses or gains (e.g., areas of marshland, number of ducks nesting or harvested) will be set forth whenever practicable.

(2) Discuss both the beneficial and detrimental aspects of the environmental changes or conversions placing some relative value on the impacts described. A distinction should be observed here, whereby the impacts (changes) were initially detailed without making value judgments which at this point are discussed in terms of their effects (who or what is affected by the changes). Identify the recipient (environmental element, interest group, industry, agency) of these effects and the nature and extent of the impacts on them. Discuss these effects not only with reference to the project area, but in relation to any applicable region, basin, watershed, or ecosystem. In the example given, the loss of wetland might have relevance to different areas depending on the uniqueness of the filled area, the developmental plans and state of adjacent and regional wetlands, and the extent of the secondary effects of the filling (alteration of estuarine salinity wedge, sedimentation effects on adjacent shellfish, the modification of the surficial and groundwater hydrology of contiguous marsh and upland areas, etc.).

(3) Identify remedial, protective, and mitigation measures which would be taken in response to adverse effects of environmental impacts. Such measures taken for the minor or short-lived negative aspects of the project will be discussed in this section. The adverse effects which cannot be satisfactorily dealt with will be considered in greater detail along with their abatement and mitigation measures in the following section.

(d) *Any adverse environmental effects which cannot be avoided should the proposal be implemented.* Discuss the unavoidable adverse effects that significantly affect the quality of the human environment and the implications thereof, and identify the abatement or mitigation measures proposed to rectify these and the extent of their effectiveness. The loss of a given acreage of wetland by filling may be mitigated by purchase of a comparable land area, but this does not eliminate the adverse effect. Certainly the effects on the altered elements will not disappear simply because additional land is purchased. Identify the nature and extent of the principal adverse effects and the parties affected. For example, the effects of the filled wetland might include the loss of shellfish through sedimentation actions (turbidity and burial), the loss of organisms

through the leaching of toxic substances from polluted marsh sediments used in the fill, the loss of a popular/valuable waterfowl census site in the estuary or the burial of ancient Indian midden sites of indeterminate archeological value. Present and comment on the objections of all concerned parties.

(e) *Alternatives to the proposed action.* Describe the various alternatives considered, their general environmental impact, and the reason(s) why each was not recommended. Identify alternatives as to their beneficial and detrimental effects on the environmental elements, specifically taking into account the alternative of no action. This latter alternative requires a projection of the future environmental setting if the project is not accomplished. Discuss both natural and man-induced changes. Discuss economically justified alternatives predicated upon standard evaluation methods, but additionally, insofar as possible, identify and evaluate other ways of providing functions similar to those provided by the proposed project but which were specifically formulated with environmental quality objectives in mind. For example, the environmental tradeoffs involved in filling the marsh would be different for alternatives such as: Utilizing an inland site rather than filling in the marsh, hauling fill material from an upland borrow pit rather than dredging it from the estuary, or providing construction on piles or floats rather than on fill material.

(f) *The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.* Assess the cumulative and long-term impacts of the proposed action with the view that each generation is a trustee of the environment for succeeding generations. Give special attention to considerations that would narrow the range of beneficial uses of the environment or pose long-term risks to health or safety. The propriety of any action should be weighed against the potential for damage to man's life support system—the biosphere—thereby guarding against the shortsighted foreclosure of future options or needs. It is appropriate to make such evaluations on land-use patterns and development, alterations in the organic productivity of biological communities and ecosystems, and modifications in the proportions of environmental components (water, uplands, wetland, vegetation, fauna) for a region or ecosystem. For example, if a coastal marsh is extensively filled, the ability of an associated estuary to support its normal biota might be seriously impaired. Altered sediment, nutrient, and biocide additions to the waters might well affect the inherent biological productivity of the estuary. In other words, if the estuary's marshes are modified enough to affect basic estuarine processes, certain amenities, biota, products, industry, and recreation opportunities could be lost. The long-term implications of these changes are directly related to the degree that the losses are sizable or unique.

(g) *Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.* Discuss irrevocable uses of resources, changes in land use, destruction of archeological or historical sites, unalterable disruptions in the ecosystem, and other effects that would curtail the diversity and range of beneficial uses of the environment should the proposal be implemented. For example, in filling a marsh there could be a number of potential irreversible or irretrievable effects. The particular aquatic habitat filled in the marsh would be permanently lost for aquatic organisms and fill would be removed from one area and deposited in another.

(h) *Coordination with other agencies.* List all Government and private entities with whom coordination has been acomplished, as well as a discussion of public participation efforts and specific coordination measures with environmental interests. All views expressed, both pro and con, concerning the environmental effects of the proposal should be summarized, identified, and included. When formal coordination measures have been accomplished, a copy of all comments received concerning the proposal will be attached to the statement. If formal comments are not included, state what coordination measures have been taken and the resultant comments.

APPENDIX C—STATUS OF SECTION 102(2)(C) STATEMENTS, U.S. SECTION, INTERNATIONAL BOUNDARY AND WATER COMMISSION

Appropriation or Fund Account

(Account identification code)

Column A	Column B		Column C
Action, project, or activity	Final statement completed (check one column)		Statement being prepared
	Unresolved issues	No unresolved issues	

APPENDIX D—STATEMENTS INVOLVING POWER TRANSMISSION LINES—ENVIRONMENTAL CONSIDERATIONS

NOTE: See 43 CFR 2851.2–1(c)(6).

APPENDIX E—EXAMPLES OF CONTRACT SPECIFICATIONS

SC.—*Landscape preservaton.*

(a) *General.* The Contractor shall exercise care to preserve the natural landscape and shall conduct his construction operations so as to prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the vicinity of the work. Except where clearing is required for permanent works, for approved construction roads and for excavation operations, all trees, native shrubbery, and vegetation shall be preserved and shall be protected from damage which may be caused by the Contractor's construction operations and equipment. Movement of crews and equipment within the right-of-way and over routes provided for access to the work shall be performed in a manner to prevent damage to grazing land, crops, or property.

No special reseeding or replanting will be required under these specifications; however, on completion of the work and in addition to the requirements of any general conditions of a contract, all work areas shall be smoothed and graded in a manner to conform to the natural appearance of the landscape. Where unnecessary destruction, scarring, damage, or defacing may occur as a result of the Contractor's operations, as determined by the Contracting Officer, the same shall be repaired, replanted, reseeded, or otherwise corrected at the Contractor's expense.

(b) *Construction roads.* The location, alinement, and grade of construction roads shall be subject to approval of the Contracting Officer. When no longer required by the Contractor, construction roads shall be made impassable to vehicular traffic and the surfaces shall be scarified and left in a condition which will facilitate natural revegetation.

(c) *Contractor's yard area.* The Contractor's shop, office, and yard area shall be located and arranged in a manner to preserve trees and vegetation to the maximum practicable extent. On abondonment all storage and construction buildings including concrete footings and slabs, and all construction materials and debris shall be removed from the site, or subject to the Contracting Officer's approval, may be buried on the site. The yard area shall be left in a neat and natural appearing condition.

(d) *Borrow areas and quarry sites.* Before being abandoned, the sides of borrow pits and quarry sites shall be brought to stable slopes with slope intersections rounded and shaped to provide a natural appearance. All rubbish, Contractor's equipment, and structures shall be removed from site. Waste piles shall be leveled and trimmed to regular lines and shaped to provide a neat appearance.

(e) *Blasting precautions.* In addition to the requirements of paragraph SC. —, the Contractor shall adopt precautions when using explosives which will prevent scattering of rocks, stumps, or other debris outside the work area.

(f) *Costs.* The cost of all work required by this paragraph shall be included in the price bid in the schedule for other items of work.

SC. — *Prevention of water pollution.*

The Contractor shall comply with applicable Federal and State laws, orders, and regulations concerning the control and abatement of water pollution.

The Contractor's construction activities shall be performed by methods that will prevent entrance, or accidental spillage, of solid matter, contaminants, debris, and other objectionable pollutants and wastes into streams, flowing or dry watercourses, lakes, and underground water sources. Such pollutants and wastes include, but are not restricted to, refuse, garbage, cement, concrete, sewage effluent, industrial waste, radioactive substances, oil, and other petroleum products, aggregate processing tailings, mineral salts, and thermal pollution. Sanitary wastes shall be disposed of in accordance with State and local laws and ordinances.

Unwatering work for structure foundations or earthwork operations near streams or watercourses shall be conducted in a manner to prevent excessive muddy water and eroded materials from entering the streams or watercourses by construction of intercepting ditches, bypass channels, barriers, settling ponds, or by other approved means.

Waste waters from aggregate processing, concrete batching, or other construction operations shall not enter streams, watercourses, or other surface waters without the use of such turbidity control methods as settling ponds, gravel-filter entrapment dikes, approved flocculating processes that are not harmful to fish, recirculation systems for washing of aggregates, or other approved methods. Any such waste waters discharged into surface waters shall be essentially free of settleable material. For the purpose of these specifications, settleable material is defined as that material which will settle from the water by gravity during a 1-hour quiescent detention period.

Sanitary facilities shall be provided and maintained in accordance with section III of the Corps of Engineers' Manual "General Safety Requirements."

The costs of complying with this paragraph shall be included in the prices bid in the schedule for the various items of work.

SC.—*Abatement of air pollution.*

The Contractor shall comply with applicable Federal, State, interstate, and local laws and regulations concerning the prevention and control of air pollution.

In conduct of construction activities and operation of equipment, the Contractor shall utilize such practicable methods and devices as are reasonably available to control, prevent, and otherwise minimize atmospheric emissions or discharges of air contaminants.

Equipment and vehicles that show excessive emissions shall not be operated until corrective repairs or adjustments are made.

The Contractor's methods of storing and handling cement and pozzolans shall include means of controlling atmospheric discharges of dust.

Burning of rubbish will not be permitted. Rubbish, trash, and combustible materials shall be removed from the site and disposed of in an approved manner.

During the performance of the work required by these specifications or any operations apurtenant thereto, whether on right-of-way provided by the Government or elsewhere, the Contractor shall furnish all the labor, equipment, materials, and means required, and shall carry out proper and efficient measures wherever and as often as necessary to reduce the dust nuisance, and to prevent dust which has originated from his operations from damaging land and dwellings, or causing a nuisance to persons. The Contractor will be held liable for any damage resulting from dust originating from his operations under these specifications on Government right-of-way or elsewhere.

The costs of complying with this paragraph, including the cost of sprinkling for dust control or other methods of reducing formation of air pollution shall be included in the prices bid in the schedule for the various items of work.

[FR Doc.72-19680 Filed 11-16-72;8:45 am]

OFFICE OF THE FEDERAL REGISTER

COMPUTER-PRODUCED DOCUMENTS

Consultation Regarding Preparation and Use

Recent growth in Federal Register documents (to a current level of 22,000 documents and 25,000 pages a year for the daily issue alone) makes it essential that more efficient production methods be explored. In this regard, each agency that processes by computer, data that will eventually be included in documents submitted for publication in the FEDERAL REGISTER, and that can furnish a magnetic tape of such material, is urged to consult with this office before preparation of such documents.

The purpose of the consultation is to determine whether it may be possible to use the agency tape as the basis for FEDERAL REGISTER publication. (For an example of a document produced from an agency computer tape, see 37 F.R. 21280, October 7, 1972.)

This consultation may also result in substantial benefits to agencies in their document preparation procedures since in many cases computer printouts submitted to the FEDERAL REGISTER may be acceptable as the original and copies of a document required by 1 CFR 16.1 (or § 18.1 of 1 CFR Ch. I which becomes effective on January 2, 1973).

FRED J. EMERY,
Director of the Federal Register.

NOVEMBER 15, 1972.

[FR Doc.72-19854 Filed 11-16-72;8:52 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24SF-3943]

CONSOLIDATED MOGUL MINING CO., INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

NOVEMBER 8, 1972.

I. On September 7, 1972, Consolidated Mogul Mining Co., Inc. (Consolidated Mogul), 322 Newhouse Building, 10 Exchange Place, Salt Lake City, UT 84111, filed with the Commission a notification covering an offering of 3 million shares of common stock at $0.10 per share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, pursuant to the provisions of section 3(b) thereof and Regulation A thereunder. The company was incorporated on May 6, 1970, for the purpose of conducting exploratory mining operations.

V. E. Anderson & Co., a broker-dealer having its principal place of business in Salt Lake City, Utah, was named as underwriter.

II. The Commission, on the basis of information reported to it by its staff, has reason to believe that:

1. The Regulation A exemption is not available to Consolidated Mogul pursuant to the prohibitions of Rule 252(d)(2) of Regulation A, in that the underwriter, V. E. Anderson & Co., is the subject of a permanent injunction for violations of section 17(a) of the Securities Exchange Act of 1934 entered on April 18, 1969, in the U.S. District Court for Utah.

2. The notification and offering circular of Consolidated Mogul omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading and contain untrue statements of material facts, particularly with respect to:

(a) The disposition of shares by Gregory Chachas and Charles Foote and the purchase of shares by J. William Pace and Thad B. Emery;

(b) The relationship between Gregory Chachas and Station Zebra, Inc., and transfers of mining claims between themselves and Consolidated Mogul; and

(c) The prior affiliation of Gregory Chachas with Consolidated Mogul as officer, director, promoter, and principal security holder.

3. The terms and conditions of Regulation A have not been complied with in that:

(a) Items 2 and 3 of the notification did not list Gregory Chachas as a predecessor and a promoter;

(b) Item 6 of the notification failed to describe the injunction against the underwriter, V. E. Anderson & Co.; and

(c) Item 9 of the notification failed to reflect certain transfers of its shares between former and present officers.

4. The offering, if made, would have been in violation of section 17 of the Securities Act of 1933.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended,

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption of Consolidated Mogul Mining Co., Inc., under Regulation A be, and it hereby is, temporarily suspended and that Gregory Chachas be named as a cause of this suspension.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having an interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after the entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will be promptly given by the Commission.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-19783 Filed 11-16-72;8:47 am]

[File No. 500-1]

ECOLOGICAL SCIENCE CORP.

Order Suspending Trading

NOVEMBER 8, 1972.

The common stock, 2 cents par value, of Ecological Science Corp., being traded on the American Stock Exchange, the Philadelphia - Baltimore - Washington Stock Exchange, and Pacific Coast Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Ecological Science 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 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the above-mentioned exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 9, 1972, through November 18, 1972.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-19788 Filed 11-16-72;8:47 am]

[File No. 500-1]

GOODWAY INC.

Order Suspending Trading

NOVEMBER 8, 1972.

The common stock, $0.10 par value of Goodway Inc., being traded on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Goodway Inc., 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 November 9, 1972, through November 18, 1972.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-19787 Filed 11-16-72;8:47 am]

[812-3317]

INVESTORS DIVERSIFIED SERVICES, INC.

Notice of Filing of Application for Exemption and Order of Temporary Exemption Pending Determination of Application

NOVEMBER 9, 1972.

Notice is hereby given that Investors Diversified Services, Inc. (IDS), 800 Investors Building, Minneapolis, Minn. 55402, has filed an application pursuant to section 9(c) of the Investment Company Act of 1940 (the Act) for an order exempting IDS and all companies affiliated with IDS (hereinafter collectively referred to as "Applicants") from the provisions of section 9(a) of the Act, and for an order of temporary exemption from section 9(a) pending the Commission's determination of the application. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

Applicants state that IDS and its subsidiaries make up a diversified financial services organization which, among other things, serves as principal underwriter, investment adviser, or depositor of a number of registered investment companies with over 1 million customer accounts, as follows: (1) Seven open-end management investment companies (the "Funds"), i.e., Investors Mutual, Inc., Investors Stock Fund, Inc., Investors Selective Fund, Inc., Investors Variable Payment Fund, Inc., IDS New Dimensions Fund, Inc., IDS Progressive Fund, Inc., and IDS Growth Fund, Inc.; (2) two unit investment trusts, i.e., Investors Accumulation Plan, Inc., which offers periodic payment plan certificates for the accumulation of shares of Investors Stock Fund, Inc. (IAP Plans), and IIP Plans for the accumulation of IDS Growth Fund, Inc.; (3) Investors Syndicate Life Insurance and Annuity Company (ISL) Variable Annuity Fund A and Variable Annuity Fund B; (4) a face amount certificate company, Investors Syndicate of America, Inc. (ISA); (5) Nuveen Tax-Exempt Bond Funds, a series of unit investment trusts.

On December 2, 1970, the Securities and Exchange Commission commenced an action, pursuant to section 21(e) of the Securities Exchange Act of 1934 (Exchange Act), against Lum's, Inc., IDS, and five others (the "Lum's action") to enjoin alleged violations of section 10(b) of the Exchange Act and Rule 10b-5 promulgated thereunder in connection with the sale of the common stock of Lum's, Inc. (now known as Caesars World, Inc.), by IDS New Dimensions Fund, Inc., and Investors Variable Payment Fund, Inc., two of the open-end investment companies for which IDS acts as investment adviser. On November 9, 1972, a stipulation of settlement was entered into between the plaintiff, Securities and Exchange Commission, and IDS and thereafter a final judgment of permanent injunction by consent was entered in the action, permanently enjoining IDS, its officers, agents, servants, and employees from recommending the purchase or sale of any security of Lum's, Inc. (now known as Caesars World, Inc.), in violation of section 10(b) and Rule 10b-5 and directing IDS to implement, and supervise its employees' compliance with, a written statement of policy with respect to the receipt and use of material inside (nonpublic) information.

Section 9(a)(2) of the Act, as here pertinent, makes it unlawful for any person who, by reason of any misconduct, is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security to serve or act in the capacity of investment adviser or depositor of any registered investment company, or principal underwriter for any registered open-end company, registered unit investment trust, or registered face-amount certificate company. Section 9(a)(3) makes it unlawful for a company, any affiliated person of which is ineligible by reason of section 9(a)(2), to serve or act in the enumerated capacities.

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

Applicants submit that the prohibitions of section 9(a) of the Act, to the extent applicable by virtue of the entry of the final judgment of permanent injunction by consent, would be unduly and disproportionately severe as applied to Applicants and that the conduct of IDS has been such as not to make it against the public interest or the protection of investors for the Commission to grant a permanent exemption from the provisions of section 9(a) of the Act. In support thereof Applicants state:

(1) The prohibitions of section 9(a) would deprive the Funds, IAP Plans, IIP Plans, ISL Variable Annuity Funds A and B, ISA, Nuveen Tax-Exempt Bond Funds, and their more than 1 million customer accounts of the services of their distributor, investment adviser, or depositor.

(2) The prohibitions of section 9(a) would deprive IDS of its underwriting and advisory functions that employ most of its 4,000 sales representatives and 3,000 employees, and would have a substantial adverse effect on the revenues and earnings of IDS and on the interests of its 11,000 public shareholders.

(3) The activities of IDS with regard to the sale of Lum's, Inc., common stock were for the benefit of the funds involved and not for the direct pecuniary benefit of IDS, and there was no intent to violate any law.

(4) IDS has distributed to its personnel involved with trading or investment recommendations a formal written statement of policy with respect to the receipt and use of material inside (nonpublic) information and will implement and supervise its employees' compliance with this policy.

(5) IDS has compliance programs, designed to assure compliance by IDS personnel with applicable Federal and State securities laws. IDS believes that its programs, particularly with respect to its distribution activities and its relations with the shareholders of the Funds and the holders of certificates, have been viewed favorably by regulatory authorities and have been emulated by its competitors.

(6) IDS has never before been required to seek exemption from provisions of section 9(a) of the Act.

(7) The application of the law regarding the nature and proscribed uses of material inside information is complex and uncertain. More than 6 months after the events complained of in the Lum's

action, the Commission, on its own motion, ordered the review of a case concerning the sale of stock without disclosure of certain material inside information because:

> The legal issues raised respecting the obligations of "tippees" were important matters of first impression having significant implication as to which it was desirable that the Commission express * * * its own views. Matter of Investors Management Co., Inc. et al. Securities Exchange Act Release No. 8947, July 30, 1970.

The Commission's opinion on these matters, announced on July 29, 1971, set forth more definite criteria regarding application of the provisions of Rule 10b–5 than was available previously.

The Commission has considered the matter and finds that: (1) Insofar as it is desirable to assure the continuity of management operations of the registered companies affiliated with IDS, the prohibitions of section 9(a) might be unduly or disproportionately severe as applied to Applicants, and (2) the conduct of the Applicants has been such as not to make it against the public interest or protection of investors to grant the application for a temporary exemption from section 9(a) pending determination of the application.

Accordingly, It is ordered, Pursuant to section 9(c) of the Act that Applicants be and they are hereby temporarily exempted from the provisions of section 9(a) of the Act, operative as a result of the entry of the injunction against IDS in *Securities and Exchange Commission v. Lums, Inc. et al.*, pending determination by the Commission of Applicants' application for an order unconditionally exempting them from the provisions of section 9(a) operative as a result of the entry of such injunction.

Notice is further given that any interested person may, not later than December 4, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the 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 controverted, or he may request that he be notified if the Commission shall order a hearing thereon. 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 Applicants at the address set forth 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 in Rule 0–5 of the 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.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72–19784 Filed 11–16–72;8:47 am]

[70–4961]

MIDDLE SOUTH UTILITIES, INC., AND ARKANSAS POWER & LIGHT CO.

Notice of Post-Effective Amendment Regarding Issue and Sale of Notes by Holding Company to Banks

NOVEMBER 9, 1972.

Notice is hereby given that Middle South Utilities, Inc. (Middle South), 280 Park Avenue, New York, NY 10017, a registered holding company, has filed with this Commission a fourth post-effective amendment to the application-declaration heretofore filed in this proceeding pursuant to sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 (Act). All interested persons are referred to the application-declaration, as now amended, which is summarized below, for a complete statement of the proposed transaction.

The Commission has heretofore authorized Middle South, under an $80 million revolving credit agreement, to issue and sell to a group of named banks $60 million of unsecured promissory short-term notes (see Holding Company Act Release No. 17423, Jan. 6, 1972). The proceeds from the sale of these promissory notes were used by Middle South to purchase common stock of its subsidiary companies, Arkansas Power & Light Co., and Louisiana Power & Light Co. (Louisiana).

In order to purchase an additional 3,150,000 shares of common stock, without nominal or par value, of Louisiana (which transaction will be the subject of a separate application-declaration), Middle South now seeks authorization in this proceeding to increase the aggregate principal amount of short-term notes that may be outstanding with the named banks at any one time from $60 million to $80 million. The additional $20 million of borrowings will be made pro rata among such banks in accordance with their respective commitments under the credit agreement. All other terms of said agreement—including those covering the interest rate and maturity date—will remain unchanged.

It is represented that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. No separate or special expenses are anticipated in connection with the proposed transaction.

Notice is further given that any interested person may, not later than December 5, 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 fourth post-effective amendment to the application-declaration 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-declarant 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-declaration, as now amended or as it may be further amended, may be granted and permitted to become effective 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.72–19786 Filed 11–16–72;8:47 am]

[812–3307]

VESTAUR SECURITIES, INC.

Notice of Filing of Application for Exemption

NOVEMBER 9, 1972.

Notice is hereby given that Vestaur Securities, Inc. (the "Applicant"), 1411 Walnut Street, Philadelphia, PA 19102, a diversified, closed-end management investment company registered under the Investment Company Act of 1940 (the "Act"), has filed an application for an order pursuant to section 6(c) of the Act declaring that Philip R. Reynolds, a Director of the Applicant, shall not be deemed an "interested person" of Applicant as that term is defined in section 2(a)(19) of the Act solely by reason of his status either as a Senior Vice President of the Travelers Corp. (Travelers), or as a Senior Vice President of its subsidiary, the Travelers Insurance Co. (Travelers Insurance). All interested persons are referred to the Application on file with the Commission for a statement of the representations made therein, which are summarized below.

Mr. Reynolds, a director of the Applicant, is a Senior Vice President of Travelers and Travelers Insurance. Travelers is the parent of five wholly owned, either directly or indirectly, subsidiaries which are broker-dealers registered under the Securities Exchange Act of 1934 (the 1934 Act) and members of the National Association of Securities Dealers, Inc.:

Travelers Insurance, Travelers Equities Sales, Inc. (Travelers Equities), the Massachusetts Co. Distributor, Inc., (Massachusetts Distributor), General Securities, Inc. (General Securities), and Travelers Securities Corp. (Travelers Securities).

The broker-dealer capabilities of Travelers Insurance were established and have been maintained for the sole purpose of executing transactions involving only the variable annuities of Travelers Insurance.

Travelers Equities is a wholly owned subsidiary of Travelers. Massachusetts Distributor & General Securities are wholly owned subsidiaries of the Massachusetts Co., Inc., which is a wholly owned subsidiary of Travelers. Any broker-dealer activities of such companies are limited to the execution of transactions involving mutual funds and variable annuities offered or sponsored by one or more subsidiaries of Travelers.

Travelers Securities, a wholly owned subsidiary of Travelers, is a member of the Philadelphia-Baltimore-Washington Stock Exchange. Mr. Reynolds is not an officer or director of Travelers Securities. The broker-dealer activities of Travelers Securities, although designed and operated for the purpose of engaging in transactions for the account of various subsidiaries of, or companies affiliated with, Travelers, have involved transactions for persons outside the Travelers' corporate complex. However, as a matter of internal policy, Travelers Securities does not follow, does not make markets in, and does not execute or clear transactions involving, securities of registered investment companies, such as the Applicant. The broker-dealer activities of Travelers Securities have traditionally been concentrated in transactions involving equity securities and when concerned with debt securities transactions have been so only to the extent of dealing in tax exempt bonds. Because its broker-dealer activities are so tailored, Travelers Securities has no expertise in, nor would it have occasion to, deal in the securities of the Applicant or to execute portfolio transactions for the Applicant whose investment objective is to buy and sell marketable debt securities.

Section 2(a)(19) of the Act, in pertinent part, defines an "interested person" of an investment company to include any broker or dealer registered under the 1934 Act or any affiliated person of such broker or dealer.

Section 2(a)(3) of the Act defines an affiliated person of another person to include any officer or Director of such other person.

Section 6(c) of the Act provides that the Commission may, upon application, conditionally or unconditionally exempt any person from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Under the definition of section 2(a)(19) of the 1940 Act, Mr. Reynolds may be deemed an "interested person" of the Applicant by virtue of his position as a Senior Vice President of Travelers Insurance, or his position as a Senior Vice President of Travelers.

Applicant asserts that Mr. Reynolds' position either as a Senior Vice President of Travelers or as a Senior Vice President of Travelers Insurance does not affect, and would not impair, his independence in acting on behalf of Applicant and its shareholders, and that the requested exemption is therefore consistent with the provisions of section 6(c) of the Act.

Notice is further given that any interested person may, not later than November 20, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. 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 the Applicant at the address stated above. Proof of such service (by affidavit, or in 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 the 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.

The period of public notification provided for herein is deemed reasonable in view of the nature of the application and Applicant's request that the application be resolved in time for a public offering of its shares to be made on or about November 22, 1972.

For the Commission, by the Division of Investment Company Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-19785 Filed 11-16-72;8:47 am]

[812-3276]

WINFIELD & CO., INC. ET AL.

Notice of Filing of Application for Exemption and Temporary Order of Exemption Pending Determination of the Application

NOVEMBER 8, 1972.

Notice is hereby given that Winfield & Co., Inc. (Winco), Applied Financial Systems, Inc. (AFS), Winfield Distributors, Inc. (WinDist), 155 Bovet Road, San Mateo, CA, Franklin Resources, Inc. (Resources), and Franklin Distributors, Inc. (FrankDist), 99 Wall Street, New York, NY, referred to collectively as Applicants, have filed an application pursuant to section 9(c) of the Investment Company Act of 1940 (Act) for an order exempting Applicants from the provisions of section 9(a) of the Act and, without prejudice to the Commission's consideration of such application, all of the Applicants, except Resources, have applied for a temporary order of exemption from section 9(a) pending the Commission's determination of the application for permanent exemption. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Winco is the investment adviser of Winfield Growth Fund, Inc., Wincap Fund, Inc., and Age Fund, Inc., open end investment companies (Winfield Funds). The Winfield Funds have net assets of more than $150 million and more than 100,000 stockholders.

AFS, a 62 percent owned subsidiary of Winco, acts as transfer agent for Winfield Funds and other investment companies and, while not admitting such, may be deemed to be a depositor. WinDist, a wholly owned subsidiary of Winco, is principal underwriter of the Winfield Funds, and acts as sponsor-depositor for Winfield Investment Programs (W.I.P.), a unit investment trust for the accumulation of shares of Winfield Growth Fund, Inc.

Resources owns, or has entered into a contract to purchase, subject to certain restrictions, approximately 52 percent of the voting stock of Winco. FrankDist, a wholly owned subsidiary of Resources, is the investment adviser and principal underwriter of Franklin Custodian Funds, Inc. (Franklin Funds), an open end investment company. Franklin Funds have net assets of approximately $70 million and 20,000 shareholders. FrankDist is also the sponsor-depositor for Franklin Investment Programs—Growth Series, and Franklin Investment Programs—Utilities Series, unit investment trusts for the accumulation of shares of Franklin Funds.

On November 8, 1972, the U.S. District Court for the Southern District of New York entered a Final Judgment of Permanent Injunction against Winco and Winfield Associates, Inc. (Associates), ("Securities and Exchange Commission v. Everest Management et al.", 71 Civ. Action No. 4932). Associates, a wholly owned subsidiary of Winco is presently in the process of dissolution. The judgment, among other things, enjoins Winco and Associates from violating section 17(a) of the Securities Act of 1933, section 10(b) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder, sections 206 (1) and (2) of the Investment Advisers Act of 1940, and sections 17(d), 17(e), 36, 36(a), and 37 of the Investment Company Act of 1940, and Rule 17d-1 thereunder.

Prior to the injunctive action Winco and WinDist and certain of their affiliates had been sanctioned by the Commission for violations of the securities laws (Securities Exchange Act Release No. 9478). That case is not related to the injunctive action.

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

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

Applicants contend that the standards for exemption, specified in section 9(c) of the Act, are entirely satisfied by the facts in this case.

Applicants represent that the complaint filed by the Commission did not allege violations of the Securities Acts with respect to any Applicant with the exception of Winco. All other applicants assert that they had no connection whatsoever with any of the activities alleged in the complaint.

Applicants represent that the allegations of the complaint charge that a former employee and officer of Winco and Associates, did, while so connected, engage in violations of the Federal securities laws for which Winco and Associates are chargeable, and that in the transactions leading to the Commission's injunctive action, Winco and Associates and its present officers and directors acted in good faith and without knowledge of the alleged activities of the former employee and officer.

Applicants represent further that Winco has made diligent efforts to prevent any recurrence of the kinds of violations charged by the Commission. Its Board of Directors has adopted formal rules and charged particular officers with enforcement responsibilities.

Applicants represent further that Winco has an agreement with Resources under which Winco will merge, subject to Winfield Funds shareholder approval, into a new subsidiary of Resources and that this proposed merger will transfer the control of Winco to persons which can in no way be charged with responsibilities for any wrongs which may have occurred in Winco's past.

Applicants also represent that the continued uninterrupted investment advisory, shareholder servicing and underwriting services rendered by Winco, WinDist, AFS, and FrankDist to the Winfield and Franklin Funds are essential for the protection and welfare of the Winfield and Franklin Funds, and their respective shareholders.

The Commission has considered the matter and finds that:

(1) The conduct of the Applicants has been such as not to make it against the public interest or protection of investors to grant the application by Winco, WinDist, AFS, and FrankDist for a temporary exemption from section 9(a) pending determination of the application, and

(2) In order to maintain uninterrupted management of the investment companies under the management of Winco, WinDist, AFS, and FrankDist, it is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act that the temporary order of exemption be issued forthwith.

Accordingly, it is ordered, Pursuant to section 9(c) of the Act that Winco, WinDist, AFS, and FrankDist be and they are hereby temporarily exempted from the provisions of section 9(a) of the Act, operative as a result of the entry of the injunction against Winco and Associates in "Securities and Exchange Commission v. Everest Management Corp. et al.", pending determination by the Commission of Applicants' application for an order unconditionally exempting them from the provisions of section 9(a) operative as a result of the entry of such injunction.

Notice is further given that any interested person may not later than November 28, 1972, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such a request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. 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 Applicants at the addresses set forth 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 in Rule 0-5 of the 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.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-19789 Filed 11-16-72;8:47 am]

OFFICE OF EMERGENCY PREPAREDNESS

ILLINOIS

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Illinois, dated September 5, 1972, and published September 12, 1972 (37 F.R. 18500), and amended October 6, 1972, and published October 13, 1972 (37 F.R. 21668), is hereby further amended to include the following county among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 4, 1972:

COUNTY

McHenry.

Dated: November 13, 1972.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[FR Doc.72-19809 Filed 11-16-72;8:46 am]

TARIFF COMMISSION

[337-L-55]

CONVERTIBLE GAME TABLES

Notice of Complaint Received

The U.S. Tariff Commission hereby gives notice of the receipt on October 26, 1972, of a complaint under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) filed by ATI Recreation, Inc., of Miami Lakes, Fla., alleging unfair methods of competition and unfair acts in the importation and sale of convertible game tables which are embraced within the claims of U.S. Design Patent No. 233,539 and are covered by U.S. trademark application 416,491 for the name TRIO owned by the complainant. In addition, complainant is the owner of U.S. trademark application 407,363 covering the name GAMBIT, but no allegations of infringement of this trademark have been made. Armac Enterprises, Inc., 3900 South Union Street, Chicago, IL 60609 and Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, IL, have been named as either importing or offering for sale the subject product.

In accordance with the provisions of § 203.3 of its rules of practice and procedure (19 CFR 203.3), the Commission has initiated a preliminary inquiry into the allegations of the complaint for the purpose of determining whether there is good

and sufficient reason for a full investigation, and if so whether the Commission should recommend to the President the issuance of a temporary exclusion from entry under section 337(f) of the Tariff Act.

A copy of the complaint is available for public inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, DC, and at the New York office of the Tariff Commission located in Room 437 of the Customhouse.

Information submitted by interested persons which is pertinent to the aforementioned preliminary inquiry will be considered by the Commission if it is received not later than December 28, 1972. Extensions of time for submitting information will not be granted unless good and sufficient cause is shown thereon. Such information should be sent to the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, DC 20436. A signed original and nineteen (19) true copies of each document must be filed.

Issued: November 14, 1972.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.72-19853 Filed 11-16-72;8:52 am]

TENNESSEE VALLEY AUTHORITY

WATTS BAR NUCLEAR PLANT

Notice of Availability of Final Environmental Statement

Notice is hereby given that a document entitled "Environmental Statement, Watts Bar Nuclear Plant Units 1 and 2" dated November 9, 1972, is being made available to the President, the Council on Environmental Quality, and to the public as required by section 102(2)(C) of the National Environmental Policy Act. The statement contains the comments and views of appropriate Federal and State agencies concerning the project. Copies of the document are being placed for public examination in the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545, in the office of the Director of Information, Tennessee Valley Authority, 508 Union Avenue, Knoxville, TN 37902, and at TVA's Washington office, 435 Woodward Building, 15th and H Streets, Washington, DC 20444. The statement will also be available for examination in the Dayton Public Library, First Avenue, Dayton, Tenn. 37321.

Single copies of the final statement will be furnished upon request addressed to the Director of Information at the above address.

Dated at Knoxville, Tenn., this the 9th day of November 1972, for the Tennessee Valley Authority.

LYNN SEEBER,
General Manager.

[FR Doc.72-19791 Filed 11-16-72;8:47 am]

DEPARTMENT OF LABOR

Office of the Secretary

RCA CORP.

Notice of Certification of Eligibility of Workers To Apply for Adjustment Assistance

Under date of July 30, 1972, the U.S. Tariff Commission made a report of the results of its investigation (TEA-W-144) under section 301(c)(2) of the Trade Expansion Act of 1962 (76 Stat. 884) in response to a petition for determination of eligibility to apply for adjustment assistance submitted on behalf of workers formerly employed by RCA Corp., at its Indianapolis and Rockville plants, Indianapolis, Ind. In this report, the Commission, being equally divided, made no finding with respect to whether articles like or directly competitive with the television yokes, tuners, and horizontal output transformers produced at the plants are, as a result in major part of concessions granted under trade agreements, 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. The President subsequently decided, under the authority of section 330(d)(1) of the Tariff Act of 1930, as amended, to consider the findings of those Commissioners who found in the affirmative as the finding of the Commission.

Upon receipt of the President's authorization, the Department, through the Director of the Office of Foreign Economic Policy, Bureau of International Labor Affairs, instituted an investigation. Following this, the Director made a recommendation to me relating to the matter of certification (Notice of Delegation of Authority and Notice of Investigation, 34 F.R. 18342; 37 F.R. 2472, 21023; 29 CFR Part 90). In the recommendation she noted that imports by the company of articles like or directly competitive with the television tuners produced at the Rockville plant and the television yokes and horizontal output transformers produced at the Indianapolis plant increased substantially. As a result, the company cut back production of these imported articles and employment levels of workers engaged in producing these articles declined. Unemployment and underemployment directly related to import competition began in October 1969. Tuner production at the Rockville plant ceased at the end of March 1971; transformer production at the Indianapolis plant ceased at the end of December 1971. Yoke production at the Indianapolis plant stabilized in December 1971 and employment related to yoke production has remained constant since that time. After due consideration, I make the following certification:

All hourly and salaried employees of the Indianapolis plant of RCA Corp., Indianapolis, Ind., who became unemployed or underemployed after September 30, 1969, and before January 2, 1972, and all hourly and salaried workers of the Rockville plant of RCA Corp., Indianapolis, Ind., who became unemployed or underemployed after September 30, 1969, and before April 4, 1971, and who were employed in the production of television yokes, television tuners, or television horizontal output transformers or, who were employed in employment related to the production of television yokes, television tuners or television horizontal output transformers are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C., this 13th day of November 1972.

JOEL SEGALL,
Deputy Under Secretary, International Affairs.

[FR Doc.72-19823 Filed 11-16-72;8:48 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 119]

ASSIGNMENT OF HEARINGS

NOVEMBER 14, 1972.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC-121303 Sub 3, O. K. Warehouse Co., Inc., extension used household goods in containers, now assigned December 11, 1972, will be held in Room 577, Federal Office Building, 300 East Eighth Street, Austin, TX.

MC 115703 Sub 6, Kreitz Motor Express, Inc., now assigned December 11, 1972, at Cleveland, Ohio, in Room 1455, 14th Floor, Federal Office Building, 1240 East Ninth Street.

MC 134738 Sub 1, Lawrence D. Willoughby and Robert Fritz doing business as Solon Equipment, now assigned December 13, 1972, at Cleveland, Ohio, in Room 1455, 14th Floor, Federal Office Building, 1240 East Ninth Street.

MC-F-11483, Lattavo Bros., Inc. Purchase—Crown Cartage & Storage Co., MC 45194 Sub 12, Lattavo Bros., Inc., now assigned December 18, 1972, at Columbus, Ohio, hearing will be held in Room 4, State Office Building, 65 South Front Street.

MC 51312 Sub 12, Bowling Green Transfer, Inc., now assigned December 20, 1972, at Columbus, Ohio, hearing will be held in Room 4, State Office Building, 65 South Front Street.

MC 109397 Sub 277, Tri-state Motor Transit Co., now assigned December 21, 1972, at Columbus, Ohio, hearing will be held in Room 4, State Office Building, 65 South Front Street.

MC 115162 Sub 238, Poole Truck Line, Inc., now assigned November 30, 1972, at Birmingham, Ala., hearing will be held in Room 428, Fourth Floor, Department of Labor, Ninth Avenue South.

MC-C-7776, Cooper Transfer Co., Inc.—investigation and revocation of certificates, now assigned November 28, 1972, MC 73165 Sub 302, Eagle Mtr. Lines, Inc., now assigned December 4, 1972, MC 20783 Sub 85, Tompkins Motor Lines, Inc., now assigned December 5, 1972, at Birmingham, Ala., hearings will be held in Room 1931, Conference Room, Department of Labor, Ninth Avenue South.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-19835 Filed 11-16-72;8:50 am]

[Ex Parte 241, Rule 19; 7th Rev. Exemption 12]

ATLANTIC & WESTERN RAILWAY CO. ET AL.

Exemption From Mandatory Car Service Rules

It appearing, that the railroads named herein own numerous plain boxcars; that under present conditions, there is virtually no demand for these cars on the lines of the car owners; that return of these cars to the car owners would result in their being stored idle on these lines; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of plain boxcars owned by the railroads listed herein, resulting in unnecessary loss of utilization of such cars.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, plain boxcars described in the Official Railway Equipment Register, ICC R.E.R. No. 385, issued by W J. Trezise, or successive issues thereof, as having mechanical designation XM, and bearing reporting marks assigned to the railroads named below, shall be exempt from the provisions of Car Service Rules 1(a), 2 (a), and 2(b).

Atlantic & Western Railway Co., Reporting marks: ATW.
Chicago & Illinois Midland Railway Co., Reporting marks: CIM.
The La Salle & Bureau County Railroad Co., Reporting marks: LSBC.
Louisville, New Albany & Corydon Railroad Co., Reporting marks: LNAC.
Manufacturers Railway Co., Reporting marks: MRS.
Richmond, Fredericksburg & Potomac Railroad Co., Reporting marks: RFP.
Toledo, Peoria & Western Railroad Co., Reporting marks: TPW.
Vermont Railway, Inc., Reporting marks: Rut or VTR.
Wellsville, Addison & Galeton Railroad Corp., Reporting marks: WAG.

Effective November 15, 1972, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., November 10, 1972.

INTERSTATE COMMERCE COMMISSION,
R. D. PFAHLER,
Agent.

[FR Doc.72-19840 Filed 11-16-72;8:51 am]

[Ex Parte 241; Rule 19; Exemption 16, Amdt. 1]

EXEMPTION FROM MANDATORY CAR SERVICE RULES

Extension of Expiration Date

Upon further consideration of Exemption No. 16 issued August 9, 1972.[1]

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 16 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby, amended to expire January 31, 1973.

This amendment shall become effective November 15, 1972.

Issued at Washington, D.C., November 10, 1972.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.72-19837 Filed 11-16-72;8:51 am]

[Ex Parte 241, Rule 19; Third Rev. Exemption 19]

BALTIMORE & OHIO RAILROAD CO. ET AL.

Exemption From Mandatory Car Service Rules

It appearing, that there has been a substantial increase in the movement of grain and grain products originating at stations on the railroads listed herein; that major harvests of corn, milo, and soybeans are commencing in the areas served by these railroads; that boxcar supplies available to these railroads are inadequate to meet all of the needs of the shippers served by them; that surpluses of plain boxcars exist on certain railroads; and that these railroads have consented to the use of their cars by the railroads listed herein.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, plain boxcars described in the Official Railway Equipment Register, ICC R.E.R. No. 384, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation XM, with inside length 44 feet 6 inches, or less and regardless of door width, owned by the following railroads:

The Baltimore & Ohio Railroad Co.
Bangor & Aroostook Railroad Co.
The Chesapeake & Ohio Railway Co.
Delaware & Hudson Railway Co.
The Denver & Rio Grande Western Railroad Co.

are exempt from the provisions of Car Service Rules 1 and 2 when located empty on, or loaded by, any of the lines named below:

Illinois Terminal Railroad Co. eliminated.
Toledo, Peoria & Western Railroad Co. eliminated.
The Atchison, Topeka & Santa Fe Railway Co.
Burlington Northern Inc.:
The Colorado & Southern Railway Co.
Fort Worth & Denver Railway Co.
Chicago & Eastern Illinois Railroad Co.
Chicago & North Western Railway Co.
Chicago, Milwaukee, St. Paul & Pacific Railroad Co.
Chicago, Rock Island & Pacific Railroad Co.
Illinois Central Gulf Railroad Co.
The Kansas City Southern Railway Co.
Missouri-Kansas-Texas Railroad Co.
Missouri Pacific Railroad Co.
Norfolk & Western Railway Co.:
(Lines Connersville, Indiana, and Montpelier, Ohio, and west, including stations on line between Connersville and Montpelier via New Castle, Muncie, Bluffton, Kingsland, Fort Wayne, and Butler, Indiana)
St. Louis-San Francisco Railway Co.
St. Louis Southwestern Railway Co.
Soo Line Railroad Co.
Union Pacific Railroad Co.

Effective November 15, 1972,

Expires December 15, 1972.

Issued at Washington, D.C., November 10, 1972.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.72-19839 Filed 11-16-72;8:51 am]

[Ex Parte 241, Rule 19; Rev. Exemption 21, Amdt. 1]

EXEMPTION FROM MANDATORY CAR SERVICE RULES

Extension of Expiration Date

Upon further consideration of Revised Exemption No. 21 issued October 12, 1972.

It is ordered, That, under authority vested in me by Car Service Rule 19, Revised Exemption No. 21 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby, amended to expire December 15, 1972.

This amendment shall become effective November 15, 1972.

Issued at Washington, D.C., November 10, 1972.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.72-19836 Filed 11-16-72;8:50 am]

[Revised S.O. 994; ICC Order 70, Amdt. 3]

WELLSVILLE, ADDISON & GALETON RAILROAD CORP.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 70 (Wellsville, Addison & Galeton Railroad Corp.) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 70 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., March 15, 1973, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 15, 1972, and that this amendment shall be served upon the

[1] Published at 37 F.R. 16451, August 12, 1972.

Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 10, 1972.

INTERSTATE COMMERCE COMMISSION
[SEAL] R. D. PFAHLER, *Agent.*

[FR Doc.72-19838 Filed 11-16-72;8:51 am]

FOURTH SECTION APPLICATION FOR RELIEF

NOVEMBER 14, 1972.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 42571—*Fine Coal to Terrell, N.C.* Filed by M. B. Hart, Jr., agent (No. A6328), for interested rail carriers. Rates on bituminous fine coal, in carloads, as described in the application, from mine origins in Kentucky and Virginia, to Terrell, N.C.

Grounds for relief—Rail carrier competition.

Tariff—Southern Freight Association, agent, tariff ICC S-1076.

Rates are published to become effective on January 1, 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-19834 Filed 11-16-72;8:50 am]

[Notice 150]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 10, 1972.

The following are notices of filing of applications[1] for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 82841 (Sub-No. 103 TA), filed October 25, 1972. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, NE 68127. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* as described in Appendix V of *Description in Motor Carrier Certificates*, Ex Parte No. MC-45, 64 M.C.C. 209, between Tulsa and the Port of Catoosa, Okla., on the one hand, and points in Idaho, on the other, for 180 days. Supporting shipper: Jones & Laughlin Steel Corp., 3 Gateway Center, Pittsburgh, Pa. 15230. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 106 South 15 Street, 711 Federal Office Building, Omaha, NE 68102.

No. MC 100666 (Sub-No. 229 TA), filed October 26, 1972. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, 1129 Grimmett Drive, Shreveport, LA 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Center, 3535 Northwest 58th Street, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic tubing, plastic conduit, valves, fittings, compound joint sealer, bonding cement and accessories and tools* used in the installation of such products, from the plantsite of Ethyl Corp. at Columbia, Miss., to points in Alabama, Arizona, Florida, Georgia, Louisiana, and Texas, for 180 days. Supporting shipper: Ethyl Corp., Ethyl Tower, 451 Florida Boulevard, Baton Rouge, LA 70801. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 701 Loyola Avenue, New Orleans, LA 70113.

No. MC 103051 (Sub-No. 259 TA), filed October 24, 1972. Applicant: FLEET TRANSPORT COMPANY, INC., Post Office Box 90408, 934 44th Avenue N., Nashville, TN 37209. Applicant's representative: W. G. North (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, in bags, blocks, packages, and in bulk, in dump vehicles, from Cairo, Ga., to points in Alabama and Florida, for 180 days. Supporting shipper: Cargill, Inc., Salt Department, Cargill Building, Minneapolis, Minn. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803—1808 West End Building, Nashville, Tenn. 37203.

No. MC 111729 (Sub-No. 362 TA), filed October 24, 1972. Applicant: AMERICAN COURIER CORPORATION, 2 Nevada Drive, Lake Success, NY 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, and audit and accounting media of all kinds, and advertising material moving therewith*, (a) between Hicksville, N.Y., on the one hand, and, on the other, Atlantic City and Pennsauken, N.J., and Levittown, Pa.; (b) between Downers Grove, Ill., and Madison, Wis.; and (2) *business papers, records and adult and accounting media of all kinds, and advertising material moving therewith, and cardiac pacemakers and related accessories, instruction booklets, specification sheets and identification charts*, between New Orleans, La., on the one hand, and, on the other, points in Alabama, Arkansas, Mississippi, and Tennessee, and points in Florida, on and west of U.S. Highway 231, for 90 days. Supporting shippers: Major Computer Corp., 17 West Marie Street, Hicksville, NY; Medtronic, Inc., 4900 Veterans Boulevard, Suite 710, Security Homestead Building, Metairie, LA 70002; "Numbers", 1017 Burlington Street, Downers Grove, IL 60515. Send protests to: Thomas W. Hopp, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, NY 10007.

No. MC 111729 (Sub-No. 363 TA), filed October 24, 1972. Applicant: AMERICAN COURIER CORPORATION, 2 Nevada Drive, Lake Success, NY 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records and audit and accounting media of all kinds, and advertising material moving therewith*, between West Springfield, Mass., on the one hand, and, on the other, points in Connecticut, Maine, New Hampshire, New York, and Rhode Island, for 90 days. Supporting shipper: Agway Inc., Box 1333, Syracuse, NY 13201. Send protests to: Thomas W. Hopp, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, NY 10007.

No. MC 112801 (Sub-No. 138 TA), filed October 25, 1972. Applicant: TRANSPORT SERVICE CO., Post Office Box 50272, 5100 West 41st Street, Chicago, IL 60650. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic resins and synthetic latex*, liquid, in bulk, in tank vehicles, from the plant and warehouse facilities of Borden Chemical Co., at Illiopolis, Ill., to points in Georgia, Massachusetts, New York, Ohio, Pennsylvania, and Wisconsin; and to Demopolis and Mobile, Ala.; Boca Raton, Orlando, and Tampa, Fla.; Alexandria, Cediyerville, Richmond, and Wabash, Ind.; Hutchinson, Wichita, and Kansas City, Kans.; Louisville, Lexington, and Danville, Ky.; Battle Creek,

[1] Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

Grand Rapids, Benton Harbor, Port Huron, and Rockford, Mich.; Greenville and Picayune, Miss.; Grand Rapids, Cloquet, and St. Paul, Minn.; Carl Junction, Kansas City, St. Louis, and Kirkwood, Mo.; Newark and South Kearney, N.J.; Oklahoma City and Tulsa, Okla.; Nashville and Memphis, Tenn.; Dallas, Gainsville, Itasca, and Houston, Tex., for 180 days. Supporting shipper: Borden Chemical Co., Illiopolis, Ill. Send protests to: District Supervisor Robert G. Anderson, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL 60604.

No. MC 114533 (Sub-No. 263 TA), filed October 24, 1972. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, IL 60632. Applicant's representative: Stanley Komosa (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Audit media and other business records*, between Oakbrook, Ill., on the one hand, and, on the other, points in Indiana, Iowa, Ohio, Wisconsin, Michigan, and Missouri, between St. Joseph, Mich., on the one hand, and on the other, points in Illinois, Indiana, and Wisconsin; (2) *graphic arts material*, between St. Joseph, Mich., on the one hand, and, on the other, points in Illinois, Indiana, and Wisconsin and (3) *eyeglasses, frames, lenses, and parts thereof*, between Joliet, Ill., on the one hand, and, on the other, points in Indiana and Wisconsin, for 180 days. Supporting shippers: Prudential Property and Casualty Insurance Co., 2111 Enco Drive, Oak Brook, IL 60521; A & R Roe Printers, Wayne near Pleasant Street, St. Joseph, Mich. 49085; B & M Optical Co., 551 Columbia Street, Joliet, IL 60434. Send protests to: District Supervisor Robert G. Anderson, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chiacgo, IL 60604.

No. MC 117644 (Sub-No. 29 TA), filed October 27, 1972. Applicant: D & T TRUCKING CO., INC., 498 Northwest First Street, Post Office Box 2611, New Brighton, MN 55112. Applicant's representative: Robert Dolle (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and other commodities distributed by dairies* (except commodities in bulk), from plantsites, warehouses, storage, and production facilities utilized by Land O'Lakes, Inc., in Minnesota, Eau Claire, Reedsburg, Spencer, and Whitehall, Wis., and Chicago, Ill., to points in Ohio and Louisville, Ky., for 180 days. Supporting shipper: Land O'Lakes, Inc., Minneapolis, Minn. Send protests to: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 119789 (Sub-No. 122 TA), filed October 24, 1972. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, 1612 Irving Boulevard, Dallas, TX 75222. Applicant's representative: James N. Weatherly (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and bottled foodstuffs*, from Lafayette and New Iberia, La., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin, for 180 days. NOTE: Carrier does not intend to tack authority. Supporting shipper: B. F. Trappey's Sons, Inc., Locker Drawer 400, New Iberia, LA 70560. Send protests to: District Supervisor E. K. Willis, Jr., Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, TX 75202.

No. MC 119934 (Sub-No. 185 TA), filed October 24, 1972. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, IN 46040. Applicant's representative: J. F. Crouch (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cupric chloride*, from Vincennes, Ind., to Elyria, Ohio, in bulk, in rubber-lined tank vehicles, for 180 days. Supporting shipper: Universal Scientific Co., Inc., 1312 South 13th Street, Vincennes, IN 47591. Send protests to: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Penn Street, Indianapolis, IN 46204.

No. MC 123048 (Sub-No. 234 TA), filed October 27, 1972. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Post Office Box A (53401), Racine, WI 53403. Applicant's representative: Carl S. Pope (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, forklifts, front-end loaders, self-propelled compactors, and attachments and parts*, from the plant and warehouse facilities of Bilco, Inc., at or near Grantsburg, Wis., to points in California, Georgia, New York, North Dakota, Texas, Vermont, Wisconsin, and Minnesota, for 180 days. Supporting shipper: Bilco Inc., Grantsburg, Wis. 54840 (George Zirnhelt, president). Send protests to: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 123829 (Sub-No. 1 TA), filed October 25, 1972. Applicant: LUBBOCK-AMARILLO ARMORED SERVICE, INC., 524 32d Street, Lubbock, TX 79408. Applicant's representative: John M. Delany, 2 Nevada Drive, Lake Success, NY 11040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radiopharmaceuticals, radioactive drugs, medical isotopes, medical kits, medical instruments, and replacement parts therefor*, restricted to articles or packages weighing in the aggregate less than 42 pounds, from one consignor to one consignee on any one day, between all airports in the State of Texas, on the one hand, and, on the other, points in New Mexico, having an immediately prior or subsequent movement by air, for 90 days. Supporting shipper: Thomas F. Moffitt, manager of operations, Abbott Laboratories, Radio-Pharmaceutical Products Division, Abbott Park Building 8 D–919, North Chicago, Ill. 60064. Send protests to: Haskell E. Ballard, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box H–4395, Herring Plaza, Amarillo, TX 79101.

No. MC 125154 (Sub-No. 53 TA), filed October 26, 1972. Applicant: WINGATE TRUCKING COMPANY, INC., 1004 21st Avenue, Post Office Box 645, Albany, GA 31702. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, FL 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden textile bobbin blanks*, from Wheatley, Ark., to Greenville, S.C., for 180 days. Supporting shipper: Steele Heddle Manufacturing Co., Greenville, S.C. Send protests to: District Supervisor G. H. Fauss, Jr., Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

No. MC 138101 (Sub-No. 1 TA), filed October 24, 1972. Applicant: DOUG AMORE, doing business as, AMORE'S HEAVY DUTY WRECKER SERVICE, 355 Gale Street, Oconto, WI 54153. Applicant's representative: John J. Keller, 145 West Wisconsin Avenue, Neenah, WI 54956. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trucks, tractors, and semitrailers* as replacement vehicles for wrecked or disabled trucks, tractors, and semitrailers and wrecked or disabled trucks, tractors, and semitrailers, between points in Brown, Marinette, Menominee, Oconto, and Shawano Counties, Wis., and points in the United States (excluding Alaska and Hawaii), for 180 days. Supporting shippers: Bond Pickle Co., Inc., Oconto, Wis. 54153 (J. McTavish, traffic manager); Carver Boat Corp., Pulaski, Wis. 54162 (Glen Nordin, vice president); Cruisers, Inc., Oconto, Wis. 54153; Stock Lumber Co., Oconto, Wis. 54153 (K. C. Stock); W. A. Rusch Leasing, Inc., Lena, Wis. 54139. Send protests to: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72–19841 Filed 11–16–72;8:51 am]

[Notice 151]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 13, 1972.

The following are notices of filing of applications[1] for temporary authority under section 210a(a) of the Interstate

Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 123885 (Sub-No. 9 TA), filed October 27, 1972. Applicant: C AND R TRANSFER CO., 1315 West Blackhawk Street, Sioux Falls, SD 57104. Applicant's representative: James W. Olson, 506 West Boulevard, Rapid City, SD 57701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bags and in bulk, from points in Codington County, S. Dak., to points in Minnesota and North Dakota, and from Sioux Falls, S. Dak., to points in Dickinson County, Iowa; and Lamberton, Minn., for 180 days. Supporting shipper: South Dakota State Cement Plant, Rapid City, S. Dak. 57701, John E. Doane, Director of Transportation and Terminals. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 124774 (Sub-No. 58 TA) (Correction), filed October 16, 1972, published in the FEDERAL REGISTER issue of November 3, 1972, corrected and republished in part as corrected this issue. Applicant: MIDWEST REFRIGERATED EXPRESS, INC., 3200 Highway 75 North, Post Office Box 536, Sioux City, IA 51101. Applicant's representative: Patrick E. Quinn, 300 NSEA Building, Lincoln, Nebr. 68501. NOTE: The purpose of this partial republication is to set forth the correct MC No. 124774 (Sub-No. 85 TA), in lieu of MC 124774 (Sub-No. 57 TA), shown in error in previous publication. The rest of the application remains the same.

No. MC 125279 (Sub-No. 4 TA), filed October 24, 1972. Applicant: TERRY P. KIEFER, Star Route 3, Tionesta, PA 16353. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Clarion County, Pa., to Dunkirk, N.Y., for 180 days. Supporting shippers: Ernest C. Dean Contractor, Inc., Post Office Box 161, New Bethlehem, PA 16242; The Sheridan Coal Sales Co., Inc., 2070 Sheridan Drive, Buffalo, NY. 14223. Send protests to: James C. Donaldson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 128075 (Sub-No. 25 TA), filed October 26, 1972. Applicant: LEON JOHNSRUD, Post Office Box 447, Highway 9 West Cresco, IA 52136. Applicant's representative: Cal M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Butter*, from Cresco and Little Cedar, Iowa, to Chicago, Ill., for 180 days. Supporting shipper: Land O'Lakes, Inc., Post Office Box 116, Minneapolis, MN 55440. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 128866 (Sub-No. 43 TA), filed October 25, 1972. Applicant: B & B TRUCKING, INC., Post Office Box 129, 9 Brade Lane, Cherry Hill, NJ 08034. Applicant's representative: J. Michael Farrell, Federal Bar Building, Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum food containers*, from the plantsite of Penny Plate, Inc., at Cherry Hill, N.J., Searcy, Ark., and Deerfield, Ill., to Patterson, Calif., for 180 days. Supporting shipper: Penny Plate, Inc., Post Office Box 458, Haddonfield, NJ 08033. Send protests to: Richard M. Regan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 129615 (Sub-No. 12 TA), filed October 27, 1972. Applicant: AMERICAN INTERNATIONAL DRIVE-AWAY, 2000 West 16th Street, Long Beach, CA 90813. Applicant's representative: E. D. Helmer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motorhomes and campers*, between points in Thomas County, Ga., Yamhill County, Oreg., and Cowley County, Kans., on the one hand, and, on the other, points in the United States, for 180 days. Supporting shipper: Skyline Corp., Corporate Office, 2520 By-Pass Road, Elkhart, IN 46514. Send protests to: John E. Nance, Officer in Charge, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 134734 (Sub-No. 7 TA), filed October 24, 1972. Applicant: NATIONAL TRANSPORTATION, INC., Post Office Box 31, Norfolk, NE 68701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cranberry products*, from North Chicago, Ill., and Kenosha, Wis., to Denver, Colo., Concordia, Kansas City, Topeka, and Wichita, Kans., Omaha, Lincoln, Norfolk, and Grand Island, Nebr., Kansas City, Mo., Oklahoma City and Tulsa, Okla., for 180 days. Supporting shipper: Ocean Spray Cranberries, Kenosha, Wis. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 106 South 15th Street, 711 Federal Office Building, Omaha, NE 68102.

No. MC 135352 (Sub-No. 5 TA), filed October 26, 1972. Applicant: VANDER HART TRANSFER & STORAGE, INC., 1207 Franklin Street, Pella, IA 50219. Applicant's representative: Cecil L. Goethsch, 1100 Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bagged insulation*, from Oskaloosa, Iowa, to points in Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Missouri, Arkansas, Illinois, Wisconsin, and Michigan, north of the Straits of Mackinac, with *return of used paper* for recycling purposes only, for 180 days. Supporting shipper: Hagan Manufacturing Co., 601 First Avenue West, Oskaloosa, IA 52577. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 135751 (Sub-No. 3 TA), filed October 27, 1972. Applicant: ATLANTIC CARRIERS, INC., Post Office Box 284, First and Hazel Streets, Atlantic, IA 50022. Applicant's representative: Thomas E. Leahy, Jr., 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Grain bins, augers, and steel buildings*, from Mattoon, Ill., to points in that part of Iowa on and west of U.S. Highway 65 and on and south of U.S. Highway 30 and points in that part of Nebraska on and east of U.S. Highway 81 and on and south of Nebraska Highway 51, for 180 days. Supporting shipper: Anderson Construction Co., Lewis, Iowa. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 711 Federal Office Building, Omaha, Nebr. 68102.

No. MC 135751 (Sub-No. 4 TA), filed October 27, 1972. Applicant: ATLANTIC CARRIERS, INC., Post Office Box 284, First and Hazel Streets, Atlantic, IA 50022. Applicant's representative: Thomas E. Leahy, Jr., 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Shenandoah, Iowa to Wooster, Ohio, and Corsicana, Tex., for 180 days. Supporting shipper: Farmaster Products,

[1] Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

Inc., Shenandoah, Iowa 51601. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 711 Federal Office Building, Omaha, Nebr. 68102.

No. MC 135813 (Sub-No. 2 TA), filed October 19, 1972. Applicant: PARR TRUCKING SERVICE, INC., 829 Alsop Lane, Post Office Box 1308, Owensboro, KY 42301. Applicant's representative: George M. Catlett, 703–706 McClure Building, Frankfort, KY 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molten aluminum alloy*, from the plantsite of National Southwire Aluminum Co., in Hancock County, Ky., to Bedford, Ind., for 180 days. Supporting shipper: Paul L. Klinvex, manager, traffic and transportation, National Aluminum Corp., 2800 Grant Building, Pittsburgh, Pa. 15219. Send protests to: R. W. Schneiter, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 222 Bakhaus Building, 1500 West Main Street, Lexington, KY 40505.

No. MC 138131 TA, filed October 20, 1972. Applicant: ARROW TRANSFER & STORAGE CO. (a corporation), 1124 Market Street, Chattanooga, TN 37402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and supplies, including tools* used in the construction and maintenance of telephone systems and communications, between Chattanooga, Tenn., and points in the counties of Bledsoe, Bradley, Cumberland, Fentress, Grundy, Hamilton, McMinn, Marion, Meigs, Monroe, Overton, Pickett, Polk, Putnam, Sequatchie, Van Buren, and White, for 180 days. Supporting shipper: Western Electric, 6701 Roswell Road NE., Atlanta, GA 30328, J. F. Ballard, resident transportation manager. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 803, 1808 West End Building, Nashville, Tenn. 37203.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-19842 Filed 11-16-72;8:51 am]

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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 and Modifications and Supersedeas Decisions

Area wage determination decisions. Area Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 F.R. 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

Area Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and supersedeas decisions to area wage determination decisions. Modifications and Supersedeas Decisions to Area Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and 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 (37 F.R. 21138) 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 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.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 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 has been set forth in the original Area Wage Determination Decision.

The following is a list of the Area Wage Determination Decision, Modifications, and Supersedeas Decisions which are set forth below in this document.

Area Wage Determination Decision No. AP–48 for the State of Ohio.

Modifications to Area Wage Determination Decisions for specified localities in the States of Alabama, Arkansas, California, Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Pennsylvania, Tennessee, and Texas which were published in the FEDERAL REGISTER on the following dates:

Decision No.	*Date*
AM–475; AM–1,854; AM–1,859; AM–1,863; AM–1,864.	Aug. 20, 1971.
AM–8,588; AM–8,589; AM–8,590.	Mar. 17, 1972.
AM–8,618; AM–8,619	June 2, 1972.
AP–117; AP–119	Aug. 18, 1972.
AP–116; AP–118; AP–235; AP–322; AP–323.	Sept. 15, 1972.
AP–342; AP–343; AP–349; AP–421.	Sept. 29, 1972.
AP–132; AP–133; AP–246	Oct. 13, 1972.
AP–28; AP–29	Nov. 3, 1972.

Supersedeas Decisions to Area Wage Determination Decisions for specified localities in the States of Delaware, Florida, Kansas, Maryland, Missouri, Ohio, Oklahoma, Texas, Virginia, and the District of Columbia which were published in the FEDERAL REGISTER on the following dates:

Decision No.	*Date*
AM–411(AP–41); AM–416 (AP–46).	Aug. 11, 1971.
AM–404(AP–34); AM–405 (AP–35); AM–406(AP–36); AM–407(AP–37); AM–408 (AP–38); AM–410(AP–40); AM–412(AP–42); AM–413 (AP–43); AM–414(AP–44); AM–415(AP–45); AM–417 (AP–47).	Aug. 18, 1971.
AM–451(AP–128); AM–452 (AP–123); AM–453(AP–127); AM–455(AP–125); AM–457(AP–124); AM–461 (AP–126).	Aug. 20, 1971.
AM–6,724(AP–514)	April 28, 1972.
AM–6,728(AP–515)	May 19, 1972.
AM–8,614(AP–39)	May 26, 1972.
AM–9,699(AP–444)	June 30, 1972.
AP–409(AP–443); AP–411 (AP–442).	Aug. 4, 1972.
AP–306(AP–361); AP–308 (AP–360).	Aug. 11, 1972.

Supersedeas decision numbers are in parentheses following the number of the decision being superseded.

Signed at Washington, D.C., this 10th day of November 1972.

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

NEW DECISION

STATE: Ohio COUNTY: Cuyahoga
DECISION NO.: AP-48 DATE: Date of Publication
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$10.31					
Boilermakers	8.96	.50	.85		.01	
Bricklayers & Stone masons	8.13	.65	.65	1.00		
Carpenters	9.45	.40	.55		.01	
Millwrights	9.45	.40	.55		.01	
Piledrivermen	9.45	.40	.55		.01	
Cement masons:						
Building	9.61	.30				
Heavy & Highway	7.63	.42			.02	
Electricians	9.53	.45	.32+1%		.02	
Elevator constructors	9.435	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	70%JR	.195	.20	2%+a&b	.005	
Elevator constructors; helpers (prob)	50%JR					
Glaziers	9.11	.25	.55		.01	
Ironworkers, structural & ornamental	8.20	.50	.80	.90	.01	
Inronworkers, reinforcing	8.20	.50	.80	.90	.01	
Laborers:						
Laborers, construction	5.97	.25	.25			
Gunite operator	6.295	.25	.25			
Blasters and shooters	6.295	.25	.25			
Caisson, well cylinders, mine workers without air, cofferdams	6.295	.25	.25			
Muckers	6.17	.25	.25			
Jackhammers, acetylene burners, vibrator	6.17	.25	.25			
Sewer & utility laborers	6.12	.25	.25			
Swinging scaffolds	6.22	.25	.25			
Top man on free standing radial stack	6.47	.25	.25			
Powerdriven tools and vibrator	6.12	.25	.25			
Linemen	10.16	.15	1%			
Lathers	9.91				.01	
Leadburners	7.80	.30		c	.01	
Marble setters	8.13	.65	.65	1.00		
Marble setters' helpers	8.79					
Painters:						
Brush & paperhangers Rollers & tarpers	8.71	.37	.34			
Structural steel & Bridge	9.41	.37	.34			
Swing stage & bos'n chair	9.01	.37	.34			
Sign Painters:						
Display builder	5.94	.25	.15	d	.01	
Spray painter	5.74	.25	.15	d	.01	
Pipefitters & Sprinkler fitters	9.25	.60	.65		.03	

18 - Ohio 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Plasterers	$7.71					
Plumbers	9.16	.55	.70		.02	
Roofers	9.76	.25	.30		.005	
Sheet metal workers	9.71		.60			
Soft floor layers (resilient)	9.45	.40	.55		.01	
Terrazzo workers	8.06	.65	.65	1.00		
Terrazzo workers' helpers	9.10		.25			
Tile setters	9.435					
Tile setters' helpers	9.32					
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. Nine paid holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Eight paid holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, The Friday after Thanksgiving, and Christmas Day.

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Ohio - 3 - PEO X 1 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
POWER EQUIPMENT OPERATORS:						
A-Frames, air compressor on steel erection, all rotary drills used on caisson for foundations and sub-structure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggyback operation boom trucks (all types), cableways, cherry pickers, combination concrete mixer & tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter operator (hoisting builders materials), helicopter winch oper., (hoisting builders materials), hoes (all types), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction site), tower derricks, trench machines (over 24" wide)	$9.33	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kholman type loaders (dirt loading), mucking machines, power graders, power scoops, power scrapers	9.18	.38	.65		.09	
Air compressor (pressurizing shafts or tunnels), all asphalt rollers, fork lifts, hoist (one drum), house elevators, man lift, power boiler (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pump (4" and over discharge), submersible pumps (4" & over discharge), trenchers (24" & under)	9.03	.38	.65		.09	

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Ohio - 3 - PEO 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
POWER EQUIPMENT OPERATORS: (CONT'D)						
Compressors on building construction, conveyors (building material), gunite machines, mixers (cap., more than one bag), mixers (one bag cap., side loader), post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers, welder operator	8.35	.38	.65		.09	
Backfillers and tamper, batch plant, bar & joint installing machine, bull floats burlap & curing machines, clefplanters, concrete spreading machines, crushers, drum firemen (asphalt), farm type tractors (pulling attachment) finishing machines, form trenchers, high pressure pumps (over ½" discharge), hydro seeders, self propelled power spreader, self propelled sub-grader, tractor (pulling sheep foot roller or grader) tire repairman, vibratory compactors (with integral power)	8.03	.38	.65		.09	
Oiler, helper, signalmen, light plant oper., power driven heaters (oil fired), power boilers (less than 15 lbs, pressure), submersible pumps (under 4" discharge), pumps (under 4" discharge)	7.40	.38	.65		.09	

OHIO-9-TD

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
TRUCK DRIVERS:						
Straight and dumps, including asphalt, warehousemen in bona fide warehouses for storage of construction material, straight fuel	$5.25	.30	.30	a+b		
Semi fuel, semi pole drivers hauling steel pipe and semi tractor drivers	5.40	.30	.30	a+b		
Ready-mix, agitator or bulk concrete drivers, dry batch truck	5.63	.30	.30	a+b		
Euclids, darts, tank asphalt spreaders, low boys, carry-all drivers, tournarockers, hi-lifts, fork lifts, extra long trailers & semi pole trailers (except when hauling steel pipe), double hook-up tractor trailers, including team track and railroad siding, semi tractor and tri-axle trailer, tandem tractor and tandem trailer and tri-axle trailer, tag along trailers, expandable trailers, loads requiring road permits	5.75	.30	.30	a+b		

OHIO-9-TD

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's vacation for one year of service; two weeks for five years of service; three weeks for ten years of service and four weeks for seventeen years of service.

b. Seven paid holidays: A through F plus National Election Day.

DECISION #AM-475 - Mod. #2
(36 FR 16424 - August 20, 1971)
Bryan, Chatham and Liberty Counties, Georgia

Omit:

Schedule issued for Dredging Construction

Add:

Schedule Decision #AP-439 issued in 37 FR 22701 - October 20, 1972

DECISION #AM-8589 - Mod. #1
(37 FR 5654 - March 17, 1972)
Alabama, Arkansas, Florida (West of the Chattahoochee River), Kentucky, Louisiana, Mississippi, Missouri, Texas and Tennessee

Change:
Description of States to Read:

ALABAMA, ARKANSAS, FLORIDA (WEST OF THE AUCILLA RIVER), KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, TEXAS AND TENNESSEE

DECISION #AM-8590 - Mod. #1
(37 FR 5655 - March 17, 1972)
Atlantic Coast and Gulf Coast West to the Chattahoochee River and all Tributary Waterways, Florida.

Change:
Description of Area to read:
Atlantic Coast and Gulf Coast West to the Aucilla River and all Tributary Waterways, Florida

DECISION #AM-8588 - Mod. #2
(37 FR 5654 - March 17, 1972)
Arkansas, Louisiana, Mississippi, and Tennessee

Change:
FOR CONSTRUCTION OF ALL FLOOD CONTROL PROJECTS ON THE MISSISSIPPI RIVER AND IT'S TRIBUTARIES.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:					
Unskilled	$1.70				
Asphalt workers, rakers, tampers, shovelers, ironers, etc.	1.70				
Revetment hookers, weavers	1.70				
Revetment laborers & twisters	1.70				
Deckhand revetment	1.80				
Head deckhand, revetment	1.90				
Chain saw operator or filer	2.10				
Air tool operator	2.35				
Powderman	2.90				
Power Equipment Operators:					
Pile driver operator, mechanic (heavy equipment), cranes, derricks, draglines, welder, power shovels and backhoes, mixer (concrete, 21 cu. ft. & Over), asphalt plant operator, trenching machine (over 18")	4.25				.05
Bulldozer (finisher, push cat & on barges), motor patrol finisher, scrapers and like equipment, front end loader, backhoe (tractor mounted) asphalt finisher or spreading machine, well point system operator, self-propelled loader (conveyor type)	3.85				.05
Firemen (Heavy construction), pile driver leadsman, winchman	3.30				.05
Asphalt plant dryer operator, asphalt distributor, asphalt roller, bulldozer (rough, including disc, plow or roller) motor patrol (haul roads), trenching machine (18" and under), self propelled roller (except asphalt) end dump equipment (off highway), mixer (concrete up to 21 cu. ft.), bottom dump euclids (and like equipment)	3.05				.05
Oiler, pump, mechanic helper, greaser, welder helper, tractor (farm type including disc, plow or roller)	2.45				.05
Truck Drivers:					
1½ tons or less	1.85				
Over 1½ tons	1.95				

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-116 - Mod. #1 (37 FR 18835 - September 15, 1972) Colbert, Lauderdale, Madison and Morgan Counties, Alabama						
Change:						
Description of Work to Read: Highway Construction, excluding Airports Construction						
DECISION #AP-117 - Mod. #1 (37 FR 16732 - August 18, 1972) Calhoun, Etowah, St. Clair, Shelby, Talladega, Tuscaloosa and Walker Counties, Alabama						
Change:						
Description of Work to Read: Highway Construction, excluding Airports Construction						
DECISION #AP-118 - Mod. #1 (37 FR 18836 - September 15, 1972) Baldwin and Montgomery Counties, Alabama						
Change:						
Description of Work to Read: Highway Construction, excluding Airports Construction						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-119 - Mod. #1 (37 FR 16733 - August 18, 1972) Autauga, Barbour, Bibb, Blount, Butler, Chambers, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Conecuh, Coosa, Covington, Crenshaw, Cullman, Dale, Dallas, DeKalb, Elmore, Escambia, Fayette, Franklin, Geneva, Greene, Hale, Henry, Houston, Jackson, Lamar, Larence, Lee, Limestone, Lowndes, Macon, Marengo, Marion, Marshall, Monroe, Perry, Pickens, Pike, Randolph, Russell, Sumter, Tallapoosa, Washington, Wilcox and Winston Counties, Alabama						
Change:						
Description of Work to Read: Highway Construction, excluding Airports Construction						
DECISION #AP-132 - Mod. #3 (37 FR 21763 - October 13, 1972) Jefferson County, Kentucky						
Change:						
Millwrights	$8.28	.30	.30			
Millwrights, when working 30' above ground or solid floor	8.78	.30	.30			
Sheet Metal Workers	8.55	.60	.60		.05	
DECISION #AP-133 - Mod. #3 (37 FR 21766 - October 13, 1972) Warren County, Kentucky						
Change:						
Building Construction:						
Line Construction:						
Linemen	$7.40		1%		¼ of 1%	
Line truck, hole digger and cable splicer	7.90		1%		¼ of 1%	
Groundmen	5.90		1%		¼ of 1%	

MODIFICATIONS P. 5

DECISION #AP-235 - Mod. #1
(37 FR 18837 - September 15, 1972)
Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Plumas, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba Counties, California

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Change:						
Bricklayers; Stonemasons:						
San Benito & Santa Clara Counties	$8.50	.70	.60	.60	.02	
Amador, Alpine, Calaveras, San Joaquin, Stanislaus and Tuolumne	7.77	.33	.15	1.00		
Tulare County	7.80	.40	.40	.30	.05	
Drywall Installers	8.45	.60	.55	.75	.04	
Elevator Constructors	8.99	.195	.20	2%+a		
Elevator Constructors' Helpers	70%JR	.195	.20	2%+a		
Painters:						
Lake, Marin, Mendocino, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz & Sonoma Counties						
Brush	7.77	.64	.65	.80		
Spray	8.02	.64	.65	.80		
Tapers	8.27	.64	.65	.80		
Soft Floor Layers:						
Alpine, Amador, Butte, Calaveras, Colusa, Glenn, Lassen (excluding Honey Lake Area), Merced (east of the San Joaquin River), Plumas, San Joaquin, Shasta, Sacramento, Stanislaus, Sutter, Tehams, Trinity Tuolumne, Yolo & Yuba Counties, & those portions of El Dorado, Nevada, Placer & Sierra Counties (excluding Lake Tahoe Area)	7.455	.495	.45	1.00	.07	
Fresno, Kings, Madera & Tulare Cos.	7.65	.20				
Tile Setters:						
Alpine, Amador, Calaveras, San Joaquin Counties	7.02	.33		.65		
Add:						
Sheet Metal Workers:						
Yuba County	8.21	.36	.83		.07	

DECISION #AP-235 (cont'd)

MODIFICATIONS P. 6

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
Change:						
HYDRAULIC SUCTION DREDGES						
BARGEMEN; Dechhand; Fireman; Leveehand; Oiler	$6.53	.62	.90	.60	.19	
WINCHMAN (stern winch on dredge)	7.08	.62	.90	.60	.19	
DECKMATE	7.15	.62	.90	.60	.19	
WATCH ENGINEER; Welder	7.67	.62	.90	.60	.19	
LEVERMAN	8.36	.62	.90	.60	.19	
CLAMSHELL & DIPPER DREDGES						
DECKHAND; Fireman; Oiler	6.63	.62	.90	.60	.19	
DECK ENGINEER	7.94	.62	.90	.60	.19	
WELDER; Mechanic welder	8.26	.62	.90	.60	.19	
CLAMSHELL OP. (up to & incl. 7 cu. yds. m.v.c.) (long boom pay)	8.83	.62	.90	.60	.19	
CLAMSHELL OP. (over 7 cu. yds. m.v.c) (long boom pay)	9.70	.62	.90	.60	.19	

DECISION #AP-246 - Mod. #1
(37 FR 21728 - October 13, 1972)
Alameda, Amador, Contra Costa, Fresno, Marin, Merced, Monterey, Napa, Nevada, Placer, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, Sonoma, Sutter, Yolo and Yuba Counties, California

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Change:						
Bricklayers; Stonemasons:						
Santa Clara County	$8.50	.70	.60	.60	.02	
Amador and San Joaquin Counties	7.77	.33	.15	1.00		
Drywall Installers	8.45	.60	.55	.75	.04	
Painters:						
Marin, Monterey, San Francisco, San Mateo, Santa Clara and Sonoma Counties						
Brush	7.77	.64	.65	.80		
Spray	8.02	.64	.65	.80		
Tapers	8.27	.64	.65	.80		
Soft Floor Layers:						
Amador, Merced (east of the San Joaquin River), San Joaquin, Sacramento, Sutter, Yolo & Yuba Counties, & those portions of Nevada and Placer Cos. excluding Lake Tahoe Area	7.455	.495	.45	1.00	.07	
Fresno County	7.65	.20				
Tile Setters:						
Amador and San Joaquin Counties	7.02	.33		.65		
Add:						
Painters:						
Sutter and Yuba Counties						
Tapers	5.65	.25	.25	.65		
Sheet Metal Workers:						
Yuba County	8.21	.36	.83		.07	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-28-Mod. #1						
(37 FR 23513 - November 3, 1972)						
Cook County, Illinois						
Add:						
Bricklayers & Stonemasons	$8.90	.40	.60		.03	
Change:						
Boilermakers	8.75	.40	.75	4%	.01	
Boilermakers' helpers	8.65	.40	.75	4%	.01	
Electricians	9.00	.405	.405	.39	.045	
Power Equipment Operators (Building Construction):						
Class I	9.55	.40	.50	.20	.02	
Class II	8.30	.40	.50	.20	.02	
Class III	7.30	.40	.50	.20	.02	
Class IV	6.15	.40	.50	.20	.02	
Power Equipment Operators (Heavy & Sewer Construction):						
Class I	8.90	.40	.40	.10	.02	
Class II	8.40	.40	.40	.10	.02	
Class III	7.80	.40	.40	.10	.02	
Class IV	6.85	.40	.40	.10	.02	
Class V	5.85	.40	.40	.10	.02	
DECISION #AP-29-Mod. #1						
(37 FR 23490 - November 3, 1972)						
Cook County, Illinois						
Add:						
Bricklayers & Stonemasons	8.90	.40	.60		.03	
Change:						
Boilermakers	8.75	.40	.75	4%	.01	
Boilermakers' helpers	8.65	.40	.75	4%	.01	
Electricians	9.00	.405	.405	.39	.045	
Power Equipment Operators:						
Class I	9.55	.40	.50	.20	.02	
Class II	8.30	.40	.50	.20	.02	
Class III	7.30	.40	.50	.20	.02	
Class IV	6.15	.40	.50	.20	.02	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-8618 - Mod. #4						
(37 FR 11140 - June 2, 1972)						
Hinds County, Mississippi						
Change:						
Asbestos workers	$6.95	.30				
Bricklayers and Stonemasons	6.22				.02	
Cement Masons:						
Cement masons	5.05	.25				
Traveling and/or floating machine & power grinders' operators	5.25	.25				
Elevator Constructors' helpers (Prob.)	4.95					
Ironworkers:						
Structural, Ornamental and Reinforcing	6.15	.30	.15		.04	
Plasterers	5.70	.25				
Roofers	5.50					
Roofers' helpers	4.00					
DECISION #AM-8619 - Mod. #3						
(37 FR 11142 - June 2, 1972)						
Harrison and Pearl River Counties, Mississippi						
Change:						
Asbestos Workers:	7.70	.395	.75	d	.02	
Harrison County	7.70	.395	.75	d	.02	
Pearl River County	6.65	.30	.70			
Bricklayers:						
Bricklayers and Stonemasons	6.50					
Marble setters, Blockmasons, Caulkers and Pointers	6.50					
Terrazzo workers	6.40					
Tile setters and Plasterers	6.40					
Cement masons	5.88					
Carpenters:						
Carpenters	6.10					
Millwrights	6.42					
Add:						
Footnote:						
d. Two paid holidays, Labor Day and Mardi Gras Day, provided the employee works at least one day out of the 3 work days prior to the paid holidays and the first work day after the paid holiday.						

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
DECISION #AP-322 - Mod. #2						
(37 FR 18876 - September 15, 1972)						
Los Alamos County, New Mexico						
Change:						
General Building and Heavy Engineering Construction:						
Plumbers & pipefitters	$8.63	.36	.49		.09	
DECISION #AP-323 - Mod. #2						
(37 FR 18879 - September 15, 1972)						
Bernalillo County, New Mexico						
Change:						
General Building and Heavy Engineering Construction:						
PLUMBERS - PIPEFITTERS:						
Zone (1) - 0 to 5 road miles from Albuquerque	8.00	.36	.49		.09	
Zone (2) - 5 to 13 road miles from Albuquerque	8.25	.36	.49		.09	
Zone (3) - 13 to 23 road miles from Albuquerque	8.50	.36	.49		.09	
Zone (4) - 23 to 35 road miles from Albuquerque	8.75	.36	.49		.09	
Zone (5) - 35 to 45 road miles from Albuquerque	9.25	.36	.49		.09	
Zone (6) - over 45 road miles from Albuquerque	9.50	.36	.49		.09	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-1,854 - Mod. #7 (36 FR 16272 - August 20, 1971) Franklin County, Pennsylvania						
Change:						
Heavy and Highway:						
Carpenters	$6.76	6%	3%			
Cement Masons	7.05	.423	.705			
Piledrivermen	7.96	5%	6%			
DECISION #AM-1,859 - Mod. #7 (36 FR 16299 - August 20, 1971) Mercer County, Pennsylvania						
Change:						
Heavy and Highway:						
Cement Masons	7.05	.423	.705			
DECISION #AM-1,863 - Mod. #6 (36 FR 16319 - August 20, 1971) Washington County, Pennsylvania						
Change:						
Heavy and Highway:						
Cement Masons	7.05	.423	.705			
DECISION #AM-1,864 - Mod. #7 (36 FR 16326 - August 20, 1971) Westmoreland County, Pennsylvania						
Change:						
Heavy and Highway:						
Cement Masons	7.05	.423	.705			
DECISION #AP-421 - Mod. #3 (37 FR 20447 - September 29, 1972) Allegheny County, Pennsylvania						
Change:						
Heavy and Highway:						
Cement Masons	7.05	.423	.705			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-342 - Mod. #5 (37 FR 20485 - September 29, 1972) Nueces County, Texas						
Change:						
Building Construction:						
Bricklayers	$6.45	.15			.02	
DECISION #AP-343 - Mod. #5 (37 FR 20488 - September 29, 1972) Bexar County, Texas						
Change:						
Building Construction:						
Glaziers	5.20		.20			
Painters:						
Brush	5.20		.20			
Spray	5.45		.20			
Structural steel	5.45		.20			
Spray on structural steel; sandblaster	5.70		.20			
Sheet metal workers	7.05	.25	.25		.05	
DECISION #AP-349 - Mod. #4 (37 FR 20503 - September 29, 1972) Galveston County, Texas						
Change:						
Building Construction:						
Painters:						
Painters	5.675	.55	.45	.665	.02	
Painters on swinging stage work or using materials injurious to the skin	5.925	.55	.45	.665	.02	

SUPERSEDEAS DECISION

STATE: Washington, D. C.
DECISION NO.: AP-442 DATE: Date of Publication
Supersedes Decision No. AP-411, dated August 4, 1972, in 37 FR 15790.
DESCRIPTION OF WORK: Building Construction (excluding single family houses & garden type apartments up to & including 4-stories); Highway Construction, Sewer & Water Lines.

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$8.65	.25	.15		.015	
Boilermakers - Blacksmiths	7.65	.30	.70	.20	.01	
Bricklayers	8.70	.37	.33			
Carpenters	7.77	.25	.29		.07	
Cement Masons:						
Cement Masons	7.75	.255	.20		.05	
Grinding Machine	8.00	.255	.20		.05	
Electricians	8.85	.35	1% + .30		.10	
Elevator Constructors:						
Elevator Constructors	8.58	.195	.20	½% + a&b	.005	
Elevator Constructors' Helpers	6.01	.195	.20	½% + a&b	.005	
Elevator Constructors' Helpers (Prob).	4.29					
Glaziers	7.58	.46	.40			
Ironworkers:						
Structural	8.00	.45	.35		.01	
Ornamental & chain link fence	8.00	.45	.35		.01	
Reinforcing	7.85	.35	.25		.03	
Laborers:						
Common laborers, landscapers	5.77	.25	.25		.03	
Acetylene burners used on wrecking	6.27	.25	.25		.03	
Air tool op., scaffold builders, pavement busters, townmasters, buggy mobiles, spaders, mortarmen and scootcretes	5.92	.25	.25		.03	
Pipelayers	5.92	.25	.25		.03	
Plasterers' tenders	6.07	.32	.20		.03	
Plumbers' laborers	5.42	.30	.15		.03	
Powdermen	6.365	.25	.25		.03	
Powersaw, well points	5.44	.25	.25		.03	
Stone carvers	6.355	.175	.20			
Stone trimmers, fitters & cutters	6.30	.175	.20			
Lathers	7.225	.30	.30		.025	
Lead Burners	7.80	.30		c	.01	
Line Construction:						
Linemen, cable splicers, equipment ops.	9.36	.20	1%		¼ of 1%	
Truck with winch, truck pole or steel handling	6.94	.20	1%		¼ of 1%	
Groundmen (0 to 1 year)	5.52	.20	1%		¼ of 1%	
Groundmen (1 to 2 years)	6.43	.20	1%		¼ of 1%	
Groundmen (over 2 years)	6.68	.20	1%		¼ of 1%	
Marble Setters	8.60	.35	.25			
Marble Setters' Helpers	7.35					
Millwrights	7.89	.25	.29		.07	
Painters:						
Brush, spray, paperhangers, tapers	7.46	.41	.18		.03	
Steel, sandblasting, swing stage, power brushing	7.79	.41	.18		.03	
Pildrivermen	7.905	.25	.29		.07	
Plasterers	7.515	.45	.25		.06	

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BUILDING CONSTRUCTION, (Continued)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Plumbers	$8.93	.38	.25		.10	
Roofers:						
Composition	6.65	.35	.20			
Slate, tile mopmen, waterproofers, sprayers, sprandrel & ironite	7.15	.35	.20			
Helpers	4.85	.35	.20			
Sheet metal workers	8.03	.545	.545		.04	
Soft floor layers	7.77	.25	.29		.07	
Sprinkler fitters	8.75	.30	.50		.05	
Steamfitters, refrigeration & air conditioning mechanic	9.04	.30	.25		.07	
Stone masons	8.60	.35	.25			
Terrazzo & mosaic workers	8.10	e	.20			
Terrazzo workers' helpers	7.10	e	.20			
Tile setters	8.10	e	.20			
Tile setters' helpers	7.10	e	.20			
Truck Drivers:						
Boom trucks	4.10	.22	f	g		
Small dump, water sprinkler, grease & oil	3.85	.22	f	g		
Flat, pick-up hauling materials, small Euclids, dump over 8 wheels	3.95	.22	f	g		
Trailers, low-boys, tractor pulls	4.15	.22	f	g		
Helpers	3.70	.22	f	g		
Carryalls, large Euclids, water sprinkler, tunnel work ground	4.25	.22	f	g		
Mechanics	4.00	.22	f	g		
Concrete mixers	3.20	.12	.15	a		
Riggers & Welders - receive rates prescribed for crafts performing operations to which rigging & welding are incidental.						

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years service as Vacation Pay Credit.

c. Holidays: A through F, plus Washington's Birthday, Good Friday and Christmas Eve (providing employee has worked at least 45 full dys during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday).

e. Employer contributes $37.92 per man per month.

f. $6.00 per week when employee has worked 90 dyas and works 3 days in a work week.

g. Holidays: A - D - E and F (providing the employee works the regularly scheduled work days immediately preceding and following the holiday).

SEWER AND WATER LINES	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
Bricklayers	$8.70	.37	.33			
Carpenters	7.77	.25	.29		.07	
Cement masons	7.75	.225	.20		.05	
Ironworkers, reinforcing	7.85	.35	.25		.03	
Piledrivermen	7.905	.25	.29		.07	
Plumbers	8.93	.38	.25		.10	
Power Equipment Operators:						
Backhoes, cableways, cranes, draglines, power shovels, tunnel shovels, tunnel mucking machines of 1 c.y. or above	6.54	.25	.25		.05	
Backhoes, cableways, cranes, derricks, draglines, power shovels, tunnel mucking machines up to 1 c.y. and boom cats, elevating graders, hoists, paving mixers, pile driving engines, batch plant, concrete pumps	6.29	.25	.25		.05	
Trenching machines (above 8'3")	6.09	.25	.25		.05	
Backhoes (hydraulic, under ½ c.y.)	6.17	.25	.25		.05	
Trenching machines (up to 8'3"), boilers skeleton, well drilling machines	5.99	.25	.25		.05	
Air Compressors, tunnel	5.96	.25	.25		.05	
Front end loaders (high lift)	5.94	.25	.25		.05	
Concrete mixers, power wheel scoops and scrapers, motor graders, tunnel motor men	5.84	.25	.25		.05	
Mechanics	5.82	.25	.25		.05	
Bulldozers, hydraulic tampers	5.74	.25	.25		.05	
Roller	5.64	.25	.25		.05	
Air compressors, pumps welding machines, well points	5.565	.25	.25		.05	
Apprentice Engineers:						
Firemen	5.10	.25	.25		.05	
Truck crane oilers	4.95	.25	.25		.05	
Oilers	4.90	.25	.25		.05	
Truck drivers:						
Dump trucks	2.75	.12	c			
Dump trucks over 8 wheels	2.85	.12	c			
Flat trucks	2.85	.12	c			
Trailers	2.95	.12	c			
Fuel and oil trucks	2.75	.12	c			
Euclids	3.10	.12	c			

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HIGHWAY CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Asphalt shoveler	$4.15	.22	.15			
Asphalt raker	4.35	.22	.15			
Asphalt tamper	4.25	.22	.15			
Bricklayers	8.70	.37	.33			
Carpenters	7.77	.25	.29		.07	
Cement masons	4.60	.22	.15			
Concrete saw operator	4.35	.22	.15			
Concrete shoveler	4.25	.22	.15			
Form setter	4.60	.22	.15			
Laborers:						
Laborers	4.10	.22	.15			
Jackhammer	4.30	.22	.15			
Hand burner operator	4.25	.22	.15			
Power Equipment Operators:						
Concrete spreader operator, finishing machine, roller (rough), compressor, rubber tired loader (1-½ cu. yds., or less), asphalt plant mixer	4.35	.22	.15			
Loader operator tracks (2-½ cu. yds. or less), burner planer, bulldozer, mechanical welder, rubber tired loader (over 1-½ cu. yds.)	4.55	.22	.15			
Asphalt spreader, hydraulic backhoe (½ cu.yd., or less), asphalt plant engineer, asphalt roller op., concrete breaker (machine)	4.60	.22	.15			
Crane operator, concrete paving op.	4.75	.22	.15			
Shovel operator	4.85	.22	.15			
Gradall operator (1-½ cu. yds., or less), motor grader, loader op. tracks (over 2-½ cu. yds.)	5.50	.22	.15			
G-1000 Gradall operator (over 1-½ cu.yds.)	5.75	.22	.15			
Power broom, oiler	4.25	.22	.15			
Sand setter	4.60	.22	.15			
Truck Drivers:						
Truck drivers (standard)	4.10	.22	.15			
Tandem	4.22	.22	.15			
Tractor trailer (capable of moving heavy equipment)	4.60	.22	.15			

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2-D.C.-PEO-1-2-L

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Power Equipment Operators:						
35 ton cranes & above, tower & climbing cranes	$8.285	.35	.35		.10	
Backhoes, boom cats, cableways, cranes or derricks, draglines, elevating graders, hoists, elevator (permanent) paving mixers, piledriving engines, power shovels, tunnel shovels, mucking machines, batch platns, concrete pumps, locomotives (standard narrow gauge), power driven wheel scoops & scrapers 50 cu. yds. struck capacity or above, multiple concrete conveyors	8.035	.35	.35		.10	
Hydrocrane, and all other hydraulic cranes 12 tons or under	7.985	.35	.35		.10	
Hydraulic backhoes, under ½ yd., mounted on tractors	7.885	.35	.35		.10	
Front end loader (over 3½ cu. yds.)	8.035	.35	.35		.10	
Front end loader (over 2-3/4 cu. yds. to and including 3-½ cu. yds.)	7.885	.35	.35		.10	
Front end loaders (Hi-lift), fork lifts	7.635	.35	.35		.10	
Air compressors (on steel)	7.705	.35	.35		.10	
Air compressors (except on steel), concrete mixers, mechanics & maintenance men, pumps, tunnel mechanics, tunnel motormen, welding machines, well points	7.455	.35	.35		.10	
Boilers (skeleton), trenching machines, tug boats, well drilling machines	7.625	.35	.35		.10	
Power driven wheel scoops & scrapers under 50 cu. yds. struck capacity blade graders, bulldozers, motor graders	7.435	.35	.35		.10	
Rollers, asphalt spreaders, bull float finishing machines, concrete spreaders, concrete finishing machines, fine graders, form graders, concrete saws	7.235	.35	.35		.10	
Apprentice engineers:						
Firemen	6.575	.35	.35		.10	
Truck crane oilers	6.455	.35	.35		.10	
Oilers	6.405	.35	.35		.10	

STATES: Maryland and Virginia

SUPERSEDEAS DECISION

COUNTIES: Montgomery and Prince Georges Counties, Maryland; City of Alexandria, Virginia; Arlington and Fairfax Counties, Virginia and Dulles International Airport

DECISION NO.: AP-443

DATE: Date of Publication

Supersedes Decision No. AP-409, dated August 4, 1972, in 37 FR 15821.

DESCRIPTION OF WORK: Building Construction (excluding single family houses and garden type apartments up to and including 4-stories, and excluding all residential construction in Prince Georges County, Maryland and the City of Alexandria, Virginia).

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$8.65	.25	.15		.015	
Boilermakers - Blacksmiths	7.65	.30	.70	.20	.01	
Bricklayers	8.70	.37	.33			
Carpenters	7.77	.25	.29		.07	
Cement Masons:						
Cement Masons	7.75	.255	.20		.05	
Grinding Machine	8.00	.255	.20		.05	
Electricians	8.85	.35	1% + .30		.10	
Elevator Constructors:						
Elevator Constructors	8.58	.195	.20	½% + a&b	.005	
Elevator Constructors' Helpers	6.01	.195	.20	½% + a&b	.005	
Elevator Constructors' Helpers (Prob).	4.29					
Glaziers	7.58	.46	.40			
Ironworkers:						
Structural	8.00	.45	.35		.01	
Ornamental & chain link fence	8.00	.45	.35		.01	
Reinforcing	7.85	.35	.25		.03	
Laborers:						
Common laborers, landscapers	5.77	.25	.25		.03	
Acetylene burners used on wrecking	6.27	.25	.25		.03	
Air tool op., scaffold builders, pavement busters, townmasters, buggy mobiles, spaders, mortarmen and scootcretes	5.92	.25	.25		.03	
Pipelayers	5.92	.25	.25		.03	
Plasterers' tenders	6.07	.32	.20		.03	
Plumbers' laborers	5.42	.30	.15		.03	
Powdermen	6.365	.25	.25		.03	
Powersaw, well points	5.44	.25	.25		.03	
Stone carvers	6.355	.175	.20			
Stone trimmers, fitters & cutters	6.30	.175	.20			
Lathers	7.225	.30	.30		.025	
Lead Burners	7.80	.30		c	.01	
Line Construction:						
Linemen, cable splicers, equipment ops.	9.36	.20	1%		¼ of 1%	
Truck with winch, truck pole or steel handling	6.94	.20	1%		¼ of 1%	
Groundmen (0 to 1 year)	5.52	.20	1%		¼ of 1%	
Groundmen (1 to 2 years)	6.43	.20	1%		¼ of 1%	
Groundmen (over 2 years)	6.68	.20	1%		¼ of 1%	
Marble Setters	8.60	.35	.25			
Marble Setters' Helpers	7.35					
Millwrights	7.89	.25	.29		.07	
Painters:						
Brush, spray, paperhangers, tapers	7.46	.41	.18		.03	
Steel, sandblasting, swing stage, power brushing	7.79	.41	.18		.03	
Pildrivermen	7.905	.25	.29		.07	
Plasterers	7.515	.45	.25		.06	

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BUILDING CONSTRUCTION, (Continued)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Plumbers	$8.93	.38	.25		.10	
Roofers:						
Composition	6.65	.35	.20			
Slate, tile mopmen, waterproofers, sprayers, sprandrel & ironite	7.15	.35	.20			
Helpers	4.85	.35	.20			
Sheet metal workers	8.03	.545	.545		.04	
Soft floor layers	7.77	.25	.29		.07	
Sprinkler fitters	8.75	.30	.50		.05	
Steamfitters, refrigeration & air conditioning mechanic	9.04	.30	.25		.07	
Stone masons	8.60	.35	.25			
Terrazzo & mosaic workers	8.10	e	.20			
Terrazzo workers' helpers	7.10	e	.20			
Tile setters	8.10	e	.20			
Tile setters' helpers	7.10	e	.20			
Truck Drivers:						
Boom trucks	4.10	.22	f	g		
Small dump, water sprinkler, grease & oil	3.85	.22	f	g		
Flat, pick-up hauling materials, small Euclids, dump over 8 wheels	3.95	.22	f	g		
Trailers, low-boys, tractor pulls	4.15	.22	f	g		
Helpers	3.70	.22	f	g		
Carryalls, large Euclids, water sprinkler, tunnel work ground	4.25	.22	f	g		
Mechanics	4.00	.22	f	g		
Concrete mixers	3.20	.12	.15	a		
Riggers & Welders - receive rates prescribed for crafts performing operations to which rigging & welding are incidental.						

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years service as Vacation Pay Credit.

c. Holidays: A through F, plus Washington's Birthday, Good Friday and Christmas Eve (providing employee has worked at least 45 full dys during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday).

e. Employer contributes $37.92 per man per month.

f. $6.00 per week when employee has worked 90 dyas and works 3 days in a work week.

g. Holidays: A - D - E and F (providing the employee works the regularly scheduled work days immediately preceding and following the holiday).

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Power Equipment Operators:						
35 ton cranes & above, tower & climbing cranes	$8.285	.35	.35		.10	
Backhoes, boom cats, cableways, cranes or derricks, draglines, elevating graders, hoists, elevator (permanent) paving mixers, piledriving engines, power shovels, tunnel shovels, mucking machines, batch platns, concrete pumps, locomotives (standard narrow gauge), power driven wheel scoops & scrapers 50 cu. yds. struck capacity or above, multiple concrete conveyors	8.035	.35	.35		.10	
Hydrocrane, and all other hydraulic cranes 12 tons or under	7.985	.35	.35		.10	
Hydraulic backhoes, under ½ yd., mounted on tractors	7.885	.35	.35		.10	
Front end loader (over 3½ cu. yds.)	8.035	.35	.35		.10	
Front end loader (over 2-3/4 cu. yds. to and including 3-½ cu. yds.)	7.885	.35	.35		.10	
Front end loaders (Hi-lift), fork lifts	7.635	.35	.35		.10	
Air compressors (on steel)	7.705	.35	.35		.10	
Air compressors (except on steel), concrete mixers, mechanics & maintenance men, pumps, tunnel mechanics, tunnel motormen, welding machines, well points	7.455	.35	.35		.10	
Boilers (skeleton), trenching machines, tug boats, well drilling machines	7.625	.35	.35		.10	
Power driven wheel scoops & scrapers under 50 cu. yds. struck capacity blade graders, bulldozers, motor graders	7.435	.35	.35		.10	
Rollers, asphalt spreaders, bull float finishing machines, concrete spreaders, concrete finishing machines, fine graders, form graders, concrete saws	7.235	.35	.35		.10	
Apprentice engineers:						
Firemen	6.575	.35	.35		.10	
Truck crane oilers	6.455	.35	.35		.10	
Oilers	6.405	.35	.35		.10	

SUPERSEDEAS DECISION

STATE: Delaware COUNTY: Statewide
DECISION NO.: AP-444 DATE: Date of Publication
Supersedes Decision No. AM-9,699, dated June 30, 1972, in 37 FR 13023.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4-stories) heavy and highway construction.

1-DEL-1-2-3-H

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$8.55	.20	.50		.01	
Boilermakers (New Castle Co.)	8.50	.40	.90		.01	
Boilermakers (Kent and Sussex Cos.)	7.65	.30	.70	.20	.01	
Bricklayers	9.00	.30	.15			
Carpenters, Building and Heavy:						
New Castle and Kent Cos.:	8.65	.48	.40		.02	
Sussex Co.	6.80		.18			
Carpenters, Highway Construction	5.10	.25	.15	.15		
Cement masons	6.60	.485	.21			
Electricians	9.04	4%	4%		½of1%	
Elevator constructors	9.15	.195	.20	1-½%+a+b	.005	
Elevator constructors' helpers	6.405	.195	.20	1-½%+a+b	.005	
Elevator constructors' helpers (prob.)	4.575					
Glaziers	8.38	.35	.30		.01	
Ironworkers:						
Structural, ornamental, reinforcing, Riggers and machinery movers	7.15	f			.05	
Laborers: (New Castle Co., Bldg.)						
General construction, dumpmen & truck spotters	6.35	.30	.30			
Caulkers, opers. of pneumatic & electric tools, vibrating machines, concrete saws. pumps, pot tenders, sewer pipe layers, demolition (use of hand tools), driller (except core, diamond or multiple wagon), mason & plasterers tenders, cement workers, mobile buggy opers., opers., of power saws (portable), scaffold builders, hookup men, signal men, stripping of flat arch & form work & cleaning & oiling thereof, tool room attendant & welder	6.58	.30	.30			
Burners, driller (core, daimond, or multiple wagon) sandblaster (nozzleman)	6.95	.30	.30			
Blasters	7.60	.30	.30			
Gunite workers:						
Industrial fume stack men, nozzlemen & rodmen	6.85	.30	.30			
Laborers: (Kent & Sussex Co., Bldg.)						
General construction dumpmen & truck spotters	6.15	.30	.30			
Caulkers, opers., of pneumatic & electric tools, vibrating machines, concrete saws, pumps, pot tenders, sewer pipe layers, demolition (use of hand tools), driller (except core, diamond or multiple wagon), mason & plasterers tenders, cement workers, mobile buggy opers., opers., of power saws (portable), scaffoldbuilders, hookup men, signal men, stripping of lfat arch & form work & cleaning & oiling thereof, tool room attendant & welder	$6.40	.30	.30			
Burners, driller (core, diamond, or multiple wagon) sandblaster (nozzleman)	6.45	.30	.30			
Blasters	7.40	.30	.30			
Gunite Workers:						
Industrial fume stack men, nozzlemen & rodmen	6.45	.30	.30			
Laborers (New Castle County - Heavy and Highway						
Common laborers; landscapers; planters seeders; aborists; asphalt tampers & rakers; concrete pitmen; puddlers; rubbers; magazine tenders; railroad trackmen; signal men	2.90	.10	.15			
Pipelayers	3.05	.10	.15			
Wagon drill; daimond point drill; gunnite nozzlemen; form setters (road); blasters; caisson & cofferdam, open-air, below 8'	3.20	.10	.15			
Laborers (Kent & Sessex Counties - Heavy and Highway						
Common laborers; landscapers; planters seeders; aborists; asphalt tampers & rakers; concrete pitmen; puddles, rubbers; magazine tenders; railroad trackmen; signal men	2.70	.10	.15			
Pipelayers	2.85	.10	.15			
Wagon drill; diamond point drill; gunnite nozzlemen, forms setters (road); blasters; caisson & cofferdam, oper air, below 8'	3.00	.10	.15			
Lathers	7.90	.20	.15		.01	
Line Construction:						
Line men, cable splicers	9.45	.15	1%		½%	
Winch truck operator	6.62	.15	1%		½%	
Groundmen	5.67	.15	1%		½%	
Marble setters	9.00	.30	.15			
Millwrights (New Castle & Kent Cos.)	9.37	.47	.52			
Painters:						
Brush	6.94	.50	.15		.01	
Tanks, sandblasting & spray	7.44	.50	.15		.01	
Piledrivermen, wharf & dock builders	9.22	1.08	.40		.07	
Plasterers	8.42	.25			.01	
Plumbers (New Castle Co. & Kent Co., North of the Southern Boundary of Dover City)	7.71	.50	.15	9% + j	.01	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Plumbers (Sussex & Kent Cos., South of the Southern Boundary of Dover City)	$7.50	.45	.35	1.25+d	.02	
Roofers:						
Composition, damp and waterproofing	8.425	.80	.55	e		
Helper	4.70	.80	.55	e		
Sheet metal workers	8.40	.25	.20			
Soft floor layers (Sussex County)	6.80		.18			
Soft floor layers (New Castle and Kent Cos. only)	8.65	.48	.40		.02	
Sprinkler fitters	8.75	.30	.50		.05	
Steamfitters & pipe fitters (New Castle and Kent County, North of the Southern Boundary of Dover City)	8.77	.30	.55	.08136+c	.05	
Steamfitters (Sussex Co. & Kent Co. South of the Southern Boundary of Dover City)	7.50	.45	.35	1.25+d	.02	
Stone masons	9.00	.30	.15			
Terrazzo workers	9.00	.30	.15			
Tile setters	8.725	.30	.15			
Truck Drivers: Building						
Fork lifts, pickups, panel trucks flatbody material truck, dump trucks, dumpsters, form trucks, rubber tired, truck helpers, material checkers receivers, greasers, tiremen, mechanical helpers	3.60	g	h			
Tandems & batch truck, A-frame, semi-trailers, low boy trucks, asphalt distributor trucks, agitator or mixer trucks, mechanics, dispatcher	3.75	g	h			
Specialized earth moving equipment, euclid or similar off-highway equipment, off-highway tandem back-dump, twin engine equipment, double-hitched equipment, water tank sprinkler trucks, winch trucks	3.85	g	h			
Truck Drivers: (New Castle County Only Heavy and Highway)						
Helpers, pickups, panels, flat material, dumps (single axle), dumpsters, greasers, tiremen & mechanic helpers, rubber-tired (towing or pushing flatbody vehicles, form trucks	2.75	g	h			
Tandems, batch trucks, mechanics, dispatchers, A-frame, semi-trailers, lowboys, asphalt distributors, agitators, mixers	2.90	g	h			
Special earth moving equipment (Euclids)	3.00	g	h			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Truck Drivers (Kent and Sussex Counties Heavy and Highway)						
Helpers, pickups, panels flat material dumps (single axle), dumpsters, greasers, tiremen & mechanic helpers, rubber-tired (towing or pushing flatboy vehicles), form trucks	2.00					
Tandem, batch trucks, mechanics, dispatchers, A-frame, semi-trailers, low boys, asphalt distributors, agitators, mixers	2.40					
Special earth moving equipment (Euclids)	2.50					

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% of basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. 6 paid holidays: A through F.

c. One paid holiday: Labor Day, providing employee is currently on payroll and would be scheduled to work the holiday, also employee must work the day prior to and after the holiday.

d. A through F, provided that the employee worked the days preceding and following the holiday.

e. Election Day paid holiday.

f. Employer contributes $.90 to Health and Welfare and Pension Fund.

g. $4.00 per week for Health and Welfare and $1.00 per week for life insurance contribution.

h. $6.00 per week for those on the payroll for over 90 days.

j. Paid Holidays: A through F for employee currently employed by the employer at the time the holiday occurs, and who would otherwise be scheduled to work and would work on such day if it were not observed as a holiday, and who has worked under working conditions, the last regularly scheduled workday after the holiday.

1-DEL-PEO-1-2-C

POWER EQUIPMENT OPERATORS
BUILDING AND HEAVY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
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, tranching 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 plant 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 winch 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 fit. lift, machines similar to the above	8.09	4.6%	6.5%	a	.7%	
WAGE GROUP IV						
Welding machines, well points, pumps, heaters, farm tractors, form line graders, fine grade machine, road finishing machines, concrete breaking machines, rollers, seaman pullverizing 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						
Firemen, grease truck	6.87	4.6%	6.5%	a	.7%	

1-DEL-PEO-1-2-C

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
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 (indluding 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 Christams Day, provided the employee works the day before and after the holiday.

1-DEL-PEO-3-B

POWER EQUIPMENT OPERATORS
HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
WAGE GROUP I						
Pippin type backhoe, euclid loader, all types of cranes, all types of backhoes, draglines, all types of shovels, keystones, pavers 21E and over, trenching machines, cableways, all loaders 2 cu. yds. and over, machines similar to the above	$8.27	4.6%	6.5%		.7%	
WAGE GROUP II						
Carryalls, tournapulls, asphalt spreaders, motor patrols, concrete pumps, asphalt plant engineers, well drillers, all bulldozers, tractors, maintenance engineer, welders, conveyor loader, all loaders under 2 cu. yds., machines similar to the above	7.47	4.6%	6.5%		.7%	
WAGE GROUP III						
Form line grader, farm tractor, road finishing machine, concrete spreader, fine grade machines, compressors, pumps -- four inches or over, pumps -- two or more any size, well point pumps, concrete breaking machines, roller (grade fill and stone base), fireman, machines similar to the above	6.70	4.6%	6.5%		.7%	
WAGE GROUP IV						
Oilers	5.59	4.6%	6.5%		.7%	

STATE: Florida
DECISION NUMBER: AP-123
COUNTY: Broward
DATE: Date of Publication
Supersedes Decision No. AM-452 dated August 20, 1971 in 36 FR 16370
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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Building Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$7.10	.25	.25			
Boilermakers	7.25	.30	.50		.01	
Bricklayers:						
Bricklayers	7.74	.20	.20		.01	
Stonemasons	7.74	.20	.20		.01	
Marble setters	7.74	.20	.20		.01	
Terrazzo workers	7.74	.20	.20		.01	
Tile setters	7.74	.20	.20		.01	
Plasterers	7.74	.20	.20		.01	
Cement Masons	7.74	.20	.20		.01	
Block layers	7.74	.20	.20		.01	
Carpenters	7.60	.45	.30		.02	
Electricians:						
Electricians	8.40	3%	1%+40	4%	2%	
Cable splicers	8.90	3%	1%+40	4%	2%	
Elevators constructors	7.55	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers	70%JR	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers (prob.)	50%JR					
Ironworkers:						
Structural	8.30	.30	.33		.03	
Ornamental	8.30	.30	.33		.03	
Reinforcing	8.30	.30	.33		.03	
Laborers:						
Laborers	5.35	.41				
Mason tenders	5.35	.41				
Plasterers' tenders	5.60	.41				
Mortar mixers	5.35	.41				
Power tool operators	5.35	.41				
Vibrators	5.35	.41				
Glaziers	4.25					
Lathers	5.95	.30	.10		.02	
Line Construction:						
Lineman	7.56	3%	1%		1/4 of 1%	
Cable splicer	7.81	3%	1%		1/4 of 1%	
Groundman	4.54	3%	1%		1/4 of 1%	
"A" Class operators	7.56	3%	1%		1/4 of 1%	
"B" Class operators	6.05	3%	1%		1/4 of 1%	
Painters:						
Brush	7.45	.25	.30		.01	
Spray	7.95	.25	.30		.01	
Structural steel	7.70	.25	.30		.01	
Plumbers:						
Plumbers	9.60	.50	.50		.05	
Steamfitters	9.60	.50	.50		.05	

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	
Roofers:						
Foofers	7.75	.30	.10	.20		
Kettlemen	7.25	.30	.10	.20		
Helpers	6.20	.30	.10	.20		
Terrazzo workers helpers	1.60					
Tile setters helpers	1.60					
Truck Drivers	1.60					
Soft floor layers	7.25	.25	.25		.01	
Sheet metal workers	9.20	.45	.35		.02	
Sprinkler fitters	7.64	.20	.30		.05 & .02	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

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.

PAID HOLIDAYS

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

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Building, Heavy & Highway Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Power Equipment Operators:						
Asphalt Finishing Machines	$3.00					
Bulldozers	2.50					
Concrete Batch Scalemen	1.70					
Cranes, Derricks & Draglines	3.00					
Distributors	1.90					
Drill Rigs	1.84					
Earth movers	1.90					
Finishing machines	2.00					
Loaders, front end	1.75					
Mechanics	2.00					
Mechanics' helpers	1.60					
Motor graders	3.00					
Oilers - firemen	2.80					
Piledrivers	2.60					
Pumps	1.60					
Rollers	2.25					
Scrapers	1.75					
Shovels, backhoes	3.00					
Tractors, crawler	1.825					

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HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Carpenters	$4.45					
Carpenters' Helpers	1.60					
Cement Masons	3.625					
Cement Masons' Helpers	1.60					
Ironworkers, reinforcing	4.80					
Laborers:						
Unskilled	1.60					
Air tool operators	1.80					
Form setters	2.00					
Pipelayers (concrete & clay)	2.00					
Powerman	2.00					
Piledrivermen	4.25					
Truck Drivers	1.85					

Canals, Levees, Shore Work and Structures other than Building Construction.	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	C
Air tool operators	1.60					
Blaster-Powderman	1.60					
Bricklayers	2.40					
Carpenters	3.40					
Concrete finishers	2.40					
Ironworkers, reinforcing	3.00					
Laborers	1.60					
Motor boat operators	1.60					
Painters, brush	2.00					
Painters, spray	2.50					
Piledrivermen	2.40					
Pipelayer	1.60					
Sandblasters	2.50					
Truck Drivers	1.60					
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						
Power Equipment Operators:						
Air compressors	1.60					
Asphalt distributors	1.60					
Asphalt paving machines	1.75					
Batching plant operators	2.50					
Bulldozer	2.00					
Cranes, derricks, draglines, backhoes etc.	2.875					
Drill rigs	1.75					
Earth movers	1.75					
Finishing machines	2.00					
Gradall	2.875					
Loaders, front end	1.75					
Mechanics	2.00					
Mechanics helpers	1.60					
Motor graders	2.00					
Oilers	1.60					
Piledrivers	2.875					
Pumps	1.60					
Rollers	1.75					
Scrapers	2.00					
Tractors	1.75					
Trenching machines	2.00					

SUPERSEDEAS DECISION

AP-124 P. 2

STATE: Florida
DECISION NUMBER: AP-124
COUNTY: Monroe
DATE: Date of Publication
Supersedes Decision No. AM-457 dated August 20, 1971 in 36 FR 16388
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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Building, Heavy and Highway Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asbestos workers	9.50	.25	.25			
Boilermakers - Blacksmiths (Key West) Boilermakers-Blacksmiths	7.25	.30	.50		.01	
Boilermakers - Blacksmiths (Rmndr. of County) Boilermakers-Blacksmiths	6.85	.40	.60		.01	
Bricklayers	3.50					
Carpenters & Soft floor layers	5.35	.20			.01	
Cement masons	3.40					
Electricians	9.25	4%	1%+.20	7%	1%	
Elevator constructors	7.55	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers	5.28	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers (Prob)	3.775	.17	.185	1½%+a&b	.005	
Glaziers	7.70	.30	.20		.01	
Ironworkers, structural & ornamental	8.30	.30	.33		.03	
Ironworkers, reinforcing	8.30	.30	.33		.03	
Laborers:						
Air tool op. (jackhammer, vibrator	1.60					
Laborers	1.60					
Concrete and unskilled	1.60					
Mason tenders	1.60					
Mortar mixer	1.60					
Pipe layers (concrete and clay)	1.60					
Plasterers tenders	1.675					
Lathers	8.20	.35	.10		.06	
Line construction:						
Linemen & heavy equipment op.	6.80	.20				
Cable splicers	7.05	.20				
Groundmen	3.65	.20				
Linemen: winch truck op.	5.40	.20				
Millwrights	5.60	.20			.01	
Painters:						
Brush	6.25	.25	.30		.01	
Steel	6.50	.25	.30		.01	
Spray	6.75	.25	.30		.01	
Piledrivermen	5.20	.20			.01	
Lead burners	6.35	.25	c			
Plasterers	3.50					
Plumbers (South of Pigon Key)	6.86					
Roofers, damp & waterproofers	7.77	.43	.25		.02	
Roofers, tile	8.02	.43	.25		.02	
Roofers, kettlemen	6.77	.30	.15			
Roofers, kettlemen helpers	6.07	.30	.15			
Sheet metal workers	9.20	.45	.35		.02	
Sprinkler fitters	8.21	.25	.40		.07	

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	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Steamfitters	$9.16	.46	.61		.08	
Stonemasons	3.50					
Terrazzo workers	3.50					
Terrazzo workers' helpers	1.60					
Plumbers - Remainder of County	8.34	.40	.80		.07	
Marble setters	3.50					
Tile setters	3.50					
Tile setters' helpers	1.60					
Truck drivers	1.60					
Refrigeration & air conditioning mechanic	9.16	.46	.61		.08	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						
POWER EQUIPMENT OPERATORS:						
Air Compressor	2.26					
Air Compressor on steel	2.76					
Blade graders	2.01					
Bulldozers	2.01					
Cranes, derricks	2.56					
Cranes, derricks on steel	2.95					
Draglines	2.56					
Distributors (bituminous)	2.01					
Hoists, 1 drum	2.56					
Hoists, 2 drums or more	2.76					
Hoist on steel	2.95					
Mixers (charger pan)	2.26					
Motor graders (finish)	2.56					
Piledrivers	2.75					
Firemen	1.85					
Oilers - helper -apprentices	1.85					
Pumps	2.26					
Rollers	2.01					
Scrapers	2.01					
Shovels	2.56					
Tractors (boom or shovel)	2.56					
Trenching machines	2.26					
Finishing machine paving	2.01					

FOOTNOTES:

PAID HOLIDAYS (Where Applicable):
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day: F-Christmas Day.

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. Eight paid holidays: A thru F plus Washington's Birthday and Good Friday.

STATE: Florida
DECISION NUMBER: AP-125
Supersedes Decision No. AM-455 dated August 20, 1971 in 36 FR 16381
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

COUNTY: Hillsborough
DATE: Date of Publication

29 - Florida I (1-2)

Building Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	6.04	.25	.20		.01	
Boilermakers	6.85	.40	.60		.01	
Bricklayers:						
Bricklayers	6.20	.275	.20		.05	
Stone Masons	6.20	.275	.20		.05	
Marble masons	6.20	.275	.20		.05	
Terrazzo workers	6.20	.275	.20		.05	
Tile setters	6.20	.275	.20		.05	
Cement masons	5.75	.275	.20		.05	
Cement block layers	6.20	.275	.20		.05	
Carpenters	6.38	.30	.20		.02	
Millwrights	6.24	.30	.45			
Piledrivermen	6.63	.30	.20		.02	
Electricians	8.10	.15	1%		.05	
Cable splicers	8.45	.15	1%		.05	
Elevator constructors	6.255	.195	.20	2% + a&b	.005	
Elevator constructors' helpers	70%JR	.17	.185	2% + a&b	.005	
Elevator constructors' mechanics helpers (probationary)	50%JR					
Glaziers	4.65	.20				
Ironworkers:						
Structural	7.55	.45	.30	.075	.05	
Ornamental	7.55	.45	.30	.075	.05	
Reinforcing	7.55	.45	.30	.075	.05	
Sheeters	7.55	.45	.30	.075	.05	
Lathers	6.76	.21	.10		.035	
Laborers:						
Power tool operator	4.825	.125				
Mortar mixers	4.825	.125				
Pipelayers (concrete & clay)	4.825	.125				
Masons, plasterers' tenders	4.825	.125				
Common laborers	4.675	.125				
Lead burners	6.35	.25		c	.01	
Line Construction:						
Linemen & heavy equipment operator	7.36	.25	1%		¼	
Cable splicers	7.75	.25	1%		¼	
Cable splicers' helpers	7.36	.25	1%		¼	
Winch truck driver operator	5.75	.25	1%		¼	
Groundmen	4.30	.25	1%		¼	
Painters:						
Brush & roller	5.80	.25	.20			
Swing stage & window jacks, spray & sandblasting	6.05	.25	.20			
Dry wall tapers	6.65	.25	.20			
Structural steel, bridge & Ind.:						
Brush, roller, swing, stage, bos'n chair	6.40	.25	.20			
Spray & sandblasting	6.65	.25	.20			

29 - Florida I (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Paperhangers	6.30	.25	.20			
Plumbers	7.70	.35	.40	.40	.05	
Steamfitters	7.70	.35	.40	.40	.05	
Roofers	6.10	.25	.15			
Roofers' helpers	3.25	.25	.15			
Roofers, Kettlemen	4.15	.25	.15			
Plasterers	7.06	.25	.30		.05	
Sheet metal workers	5.85	.20	.10			
Soft floor layers	6.38	.30	.20	.10	.02	
Sprinkler fitters	8.21	.25	.40		.07	
Terrazzo workers' helpers, tile setters helpers, and marble masons' helpers	4.05	.20				
terrazzo grinders	4.15	.20				
Base grinders	4.35	.20				
Truck drivers:						
Station wagons, pick-ups, single axle dumps, flat beds, stake bodies	3.67					
10-wheelers, pole trucks, low boys, semi-trailers, tractor-trailers, fork trucks up to but not including 4 tons	3.82					
For trucks 4 tons and over, road rollers, wabbly wheels, spreaders, winch trucks	4.32					
Sound Technicians	4.10					
Welders - receive rate prescribed for craft performing operation to which welding is incidental						

FOOTNOTES:

a. Six paid holidays: A through F.

b. Employer contribu ;s 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. Eight paid holidays: A through F, Washington's, Birthday, and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

PAID HOLIDAYS: (Where Applicable):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

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Fla. PEO-2 1 of 1 S.

Building Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
POWER EQUIPMENT OPERATORS						
Cat cranes, truck cranes, pile driver crane, derrick, dragline, material hoist with chicago boom, material hoist with two drums, hydraulic lift form, diesel electric and steam generators, motor grader, pumpcrete or similar machine, cherry picker, gradall, hypto and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor	8.49	.225	.20		.02	
Trenching machine over 24", winch truck, material hoist (elevator type)	7.505	.225	.20		.02	
Tugger hoist	7.74	.225	.20		.02	
Crawler bulldozer, crawler tractor and turnapull, heavy hufftype front end loader, heavy DW-10 to DW-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator	7.285	.225	.20		.02	
Wellpoint system and pumps, material hoist, front end loader other than heavy huff type, rubber tired tractor with attachments other than backhoe	5.475	.225	.20		.02	
Air compressor 125 cu. ft. or over	5.735	.225	.20		.02	
Concrete mixer, rubber tired tractor without attachments, trenching machines under 24", high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps	5.245	.225	.20		.02	
150' boom, including jib scale of top operator classification plus .25 per hour.						
Tower crane operators .25 per above top operator classification not including long boom pay.						

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Building Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS On building sites and includes roads, parking lots, storm sewer systems, railroads, drain fields, settling basins, pipelines (concrete and/or clay), land cleaning, bulk heads and sea walls, and site preparation exclusive of excavation for buildings.						
HEAVY DUTY EQUIPMENT OPERATORS Cranes, shovels, draglines, piledrivers (all types), concrete paving machines, ditching machines, mechanics, finish, motor grades, front end loaders, hoist (two drums or more), cherry pickers	$5.63	.225	.20		.02	
MEDIUM DUTY EQUIPMENT OPERATORS Motor patrols, bulldozers, rubber tired scrapers (all types), winch trucks, stabilizers, asphalt spreaders, rollers, asphalt rock crushers, concrete mixers (changer pan), light duty hydraulic tractor backhoe, and wellpoint pumps	5.355	.225	.20		.02	
LIGHT DUTY EQUIPMENT OPERATORS Finishing machine, bull floats, spray machines, subgraders, rollers on subgrade, pull cats (all types), form grader, bituminous distributor, hoist (less than two drums) and fireman	5.08	.225	.20		.02	

112-Fla. F (1-2)

Heavy & Highway Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Bricklayers	$1.60					
Carpenters	2.35					
Carpenters' helpers	1.60					
Concrete finishers	2.00					
Concrete finishers' helpers	1.60					
Form setter, paving & curb	1.60					
Form setters' Helpers	1.60					
Ironworkers, structural	3.16					
Ironworkers, reinforcing	2.00					
Laborers:						
Air tool operator	1.60					
Asphalt raker	1.60					
Concrete laborer	1.60					
Unskilled	1.60					
Landscapers	1.60					
Painters	2.50					
Piledrivers	2.45					
Piledriver leadsmen	2.05					
Piledriver laborer	1.60					
Pipelayers	1.60					
Plumbers	3.60					
Reinforcing ironworkers' helper	1.60					
Soil treaters	1.60					
Truck drivers:						
Single rear axle	1.60					
Multi rear axle	1.60					
Lowboy	1.60					
Weighter scale	1.60					
Power Equipment Operators:						
Air compressors	1.60					
Asphalt distributor, spreaders	1.60					
Bulldozers	2.00					
Cranes, derricks, draglines	2.00					
Concrete finishing machine	1.96					
Concrete paving machines	1.96					
Earth mover, rubber-tired	1.75					
Firemen	1.60					
Mechanics	1.82					
Mechanics' helper	1.60					
Mixers, concrete	1.60					
Motor grader	2.00					
Oilers-greasers	1.60					
Pumps	1.60					
Rollers	1.60					
Rollers, S.P., rubber-tired	1.60					
Rollers, finish	1.60					
Scrapers	1.60					

112-Fla. F (2-2)

Heavy & Highway Construction (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Power Equipment Operators (Cont'd)						
Tractors, over 80 HP	$1.60					
Tractors, light rubber-tired	1.60					
Front end loader	1.60					
Trenching machine	2.00					
Asphalt paving machine	1.60					
Welder	1.75					

SUPERSEDEAS DECISION

STATE: Florida
DECISION NUMBER: AP-126
Supersedes Decision No. AM-461
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

COUNTY: Pinellas
DATE: Date of Publication
dated August 20, 1971 in 36 FR 16401

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Building Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Asbestos workers	$6.04	.25	.20	.75	.02	
Boilermakers	6.85	.40	.60		.01	
Bricklayers	6.20	.275	.20		.05	
Carpenters:						
Carpenters	6.38	.30	.20	.10	.02	
Piledrivermen	6.63	.30	.20	.10	.02	
Soft floor layers	6.38	.30	.20	.10	.02	
Millwrights	5.92	.30	.45			
Cement masons	5.75	.275	.20		.05	
Electricians	8.00	.25	1%		3/4of1%	
Elevator constructors	5.39	.17	.185	2%+a&b	.005	
Elevator constructors' helpers	70%JR	.17	.185	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50%JR					
Ironworkers, structural & ornamental	7.55	.45	.30	.075	.05	
Ironworkers, reinforcing	7.55	.45	.30	.075	.05	
Laborers:						
Air tool operator (jackhammer, vib.)	4.975	.225				
Mason tenders	4.975	.225				
Mortar mixers	4.975	.225				
Pipelayers (concrete & clay)	4.975	.225				
Plasterers' tenders	4.975	.225				
Common laborers	4.825	.225				
Lathers	6.76	.21	.10		.035	
Line Construction & Equipment Opr.:						
Class "A"	7.21		1%	a	1/10of1%	
Class "B"	5.70		1%	a	1/10of1%	
Cable splicers	7.71		1%	a	1/10of1%	
Groundmen	4.25		1%	a	1/10of1%	
Marble setters	6.20	.275	.20		.05	
Marble setters' helpers	4.05	.20				
Painters:						
Brush	5.80	.25	.20			
Structural steel	6.05	.25	.20			
Spray	6.05	.25	.20			
Sandblasting and tapers	6.05	.25	.20			
Paperhangers	6.30	.25	.20			
Glaziers	4.65	.20				
Plasterers	7.06	.25	.30		.05	
Plumbers and steamfitters	6.50	.25	.60		.025	
Roofers	6.10	.25	.15			
Roofers' helpers	3.25	.25	.15			
Roofers, kettlemen	4.15	.25	.15			
Sheet metal workers	5.85	.20	.10			
Sprinkler fitters	8.21	.25	.40		.07	
Stonemasons	6.20	.275	.20		.05	

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	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Terrazzo workers	$6.20	.275	.20		.05	
Terrazzo workers' helpers	4.05	.20				
Terrazzo grinders	4.15	.20				
Tile setters	6.20	.275	.20		.05	
Tile setters' helpers	4.05	.20				
Truck drivers	1.60					
Lead burners	6.35	.25		c	.01	
Sound Technicians	4.10					
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						
Terrazzo base grinders	4.35	.20				
Air conditioning or refirgeration mechanics	6.50	.25	.60		.025	

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 employer who has worked in business less than 5 years.

c. Eight paid holidays, A through F plus Washington's Birthday and Good Friday, 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. One-half day paid holiday: National General Election's Day.

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

Building Construction

POWER EQUIPMENT OPERATORS	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHE
Cat cranes, truck cranes, pile driver crane, derrick, dragline, material hoist with chicago boom, material hoist with two drums, hydraulic lift form, diesel electric and steam generators, motor grader, pumpcrete or similar machine, cherry picker, gradall, hypto and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor	8.49	.225	.20		.02	
Trenching machine over 24", winch truck, material hoist (elevator type)	7.505	.225	.20		.02	
Tugger hoist	7.74	.225	.20		.02	
Crawler bulldozer, crawler tractor and turnapull, heavy hufftype front end loader, heavy DW-10 to DW-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator	7.285	.225	.20		.02	
Wellpoint system and pumps, material hoist, front end loader other than heavy huff type, rubber tired tractor with attachments other than backhoe	5.475	.225	.20		.02	
Air compressor 125 cu. ft. or over	5.735	.225	.20		.02	
Concrete mixer, rubber tired tractor without attachments, trenching machines under 24", high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps	5.245	.225	.20		.02	

150' boom, including jib scale of top operator classification plus .25 per hour.

Tower crane operators .25 per above top operator classification not including long boom pay.

Building Construction

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHER
POWER EQUIPMENT OPERATORS On building sites and includes roads, parking lots, storm sewer systems, railroads, drain fields, settling basins, pipelines (concrete and/or clay), land cleaning, bulk heads and sea walls, and site preparation exclusive of excavation for buildings.						
HEAVY DUTY EQUIPMENT OPERATORS Cranes, shovels, draglines, piledrivers (all types), concrete paving machines, ditching machines, mechanics, finish, motor grades, front end loaders, hoist (two drums or more), cherry pickers	$5.63	.225	.20		.02	
MEDIUM DUTY EQUIPMENT OPERATORS Motor patrols, bulldozers, rubber tired scrapers (all types), winch trucks, stabilizers, asphalt spreaders, rollers, asphalt rock crushers, concrete mixers (changer pan), light duty hydraulic tractor backhoe, and wellpoint pumps	5.355	.225	.20		.02	
LIGHT DUTY EQUIPMENT OPERATORS Finishing machine, bull floats, spray machines, subgraders, rollers on subgrade, pull cats (all types), form grader, bituminous distributor, hoist (less than two drums) and fireman	5.08	.225	.20		.02	

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112-Fla. F (1-2)

Heavy & Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
Bricklayers	$1.60					
Carpenters	2.35					
Carpenters' helpers	1.60					
Concrete finishers	2.00					
Concrete finishers' helpers	1.60					
Form setter, paving & curb	1.60					
Form setters' Helpers	1.60					
Ironworkers, structural	3.16					
Ironworkers, reinforcing	2.00					
Laborers:						
Air tool operator	1.60					
Asphalt raker	1.60					
Concrete laborer	1.60					
Unskilled	1.60					
Landscapers	1.60					
Painters	2.50					
Piledrivers	2.45					
Piledriver leadsmen	2.05					
Piledriver laborer	1.60					
Pipelayers	1.60					
Plumbers	3.60					
Reinforcing ironworkers' helper	1.60					
Soil treaters	1.60					
Truck drivers:						
Single rear axle	1.60					
Multi rear axle	1.60					
Lowboy	1.60					
Weighter scale	1.60					
Power Equipment Operators:						
Air compressors	1.60					
Asphalt distributor, spreaders	1.60					
Bulldozers	2.00					
Cranes, derricks, draglines	2.00					
Concrete finishing machine	1.96					
Concrete paving machines	1.96					
Earth mover, rubber-tired	1.75					
Firemen	1.60					
Mechanics	1.82					
Mechanics' helper	1.60					
Mixers, concrete	1.60					
Motor grader	2.00					
Oilers-greasers	1.60					
Pumps	1.60					
Rollers	1.60					
Rollers, S.P., rubber-tired	1.60					
Rollers, finish	1.60					
Scrapers	1.60					

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112-Fla. F (2-2)

Heavy & Highway Construction (cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Power Equipment Operators (Cont'd)						
Tractors, over 80 HP	$1.60					
Tractors, light rubber-tired	1.60					
Front end loader	1.60					
Trenching machine	2.00					
Asphalt paving machine	1.60					
Welder	1.75					

STATE: Florida
DECISION NUMBER: AP-127
Supersedes Decision No. AM-453
COUNTY: Dade
DATE: Date of Publication
dated August 20, 1971 in 36 FR 16373
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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Building Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asbestos workers	$9.50	.25	.25			
Boilermakers	7.25	.30	.60		.01	
Bricklayer:						
Bricklayers	5.12	.20	.20			
Stonemasons	5.12	.20	.20			
Marble masons	5.12	.20	.20			
Terrazzo workers	5.12	.20	.20			
Tile setters	5.12	.20	.20			
Plasterers	5.12	.20	.20			
Cement masons	5.12	.20	.20			
Carpenters:						
Carpenters	7.95	.45	.30		.01	
Millwrights	8.20	.45	.30		.01	
Piledrivermen	7.95	.45	.30		.01	
Soft floor layers	7.95	.45	.30		.01	
Carpenters: (Marine Construction)						
Carpenters & piledrivermen	4.95	.20	.10		.01	
Millwrights	5.20	.20	.10		.01	
Electricians:						
Electricians, welders & equip. ops.:						
Zone 1 - 24½ mi. radius from the Dade County Courthouse	9.25	4%	1% + .20	7%	1%	
Zone 2 - 6 mi. radius from Zone 1	9.90	4%	1% + .20	7%	1%	
Zone 3 - 6 mi. radius from Zone 2	10.55	4%	1% + .20	7%	1%	
Zone 4 - 6 mi. radius from Zone 3	11.25	4%	1% + .20	7%	1%	
Cable splicers (25¢ an hour above JR)						
Elevator constructors	7.55	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers	70%JR	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers (prob.)	50%JR					
Glaziers	7.70	.30	.20		.01	
Ironworkers:						
Structural & ornamental	8.30	.30	.33		.03	
Reinforcing	8.30	.30	.33		.03	
Laborers:						
Air tool operator	5.80	.10	.30			
Laborers (Common)	5.70	.10	.30			
Mason tenders	5.80	.10	.30			
Plasterers' tenders	5.98	.10	.30		.01	
Mortar mixers	5.80	.10	.30			
Pipelayers	5.80	.10	.30			
Lathers	8.20	.35	.10		.06	
Line Construction: Linemen	6.80	3%	.20		.5%	
Cable splicer	7.05	3%	.20		.5%	
Groundmen	3.65	3%	.20		.5%	
Heavy equipment operator	6.80	3%	.20		.5%	
Winch truck operator	5.40	3%	.20		.5%	

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	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Painters:						
Brush	7.45	.25	.30		.01	
Scaffold work	7.85	.25	.30		.01	
Spray	7.95	.25	.30		.01	
Tapers & paperhangers	7.70	.25	.30		.01	
Extension ladder & errected scaffold over 28'	7.70	.25	.30		.01	
Structural steel	7.70	.25	.30		.01	
Drywall taper mechanical	8.20	.25	.30		.01	
Plumbers	8.34	.40	.80		.07	
Refrigeration and air conditioning mechanic	9.16	.46	.61		.08	
Roofers:						
Roofers, damp and waterproofers	7.77	.43	.25		.02	
Tile	8.02	.43	.25		.02	
Kettlemen	6.77	.30	.15			
Kettlemen helpers	6.07	.30	.15			
Sheet metal workers	9.20	.45	.35		.02	
Sprinkler fitters	8.21	.25	.40		.07	
Steamfitters	9.16	.46	.61		.08	
Surfacing machine operator (marble and terrazzo):						
Base, curb, steps & wainscot surfacing	3.25					
Floor surfacing	3.00					
Helpers (Tile, Marble, & Terrazzo):						
More than 60 days experience	2.65					
Less than 60 days experience	2.30					
Truck Drivers	1.60					
Welders & riggers - receive rate prescribed for craft performing operation to which welding and rigging are incidental.						

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.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

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Building Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS:						
Field mechanic, cranes, derricks, hoist (2 or more drums), oiler-fireman combination	$8.35	.35	.25			
Draglines, backhoes, gradalls, finish grader, welding machine, 1 drum hoist, fork lift, hopto machine, air compressor (above 125 CFM, more than one pump or combination of other equip., up to 5), winch trucks	7.71	.35	.25			
Bulldozers, distributors, scrapers, motor graders, trenching machines, front end loaders, pumps (3" or more), mixers	6.86	.35	.25			
Rollers, finishing machines, tractors, oilers & drivers, mechanic helpers	6.36	.35	.25			
Oiler on crawler cranes	5.36	.35	.25			

110 - Florida P 1 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
HEAVY & HIGHWAY EXCEPT BRIDGE CONSTRUCTION						
Bricklayers	$2.25					
Carpenters	6.70	.30	.10		.01	
Cement finisher	5.12	.20	.20			
Cement finisher helper	1.60					
Form setter	1.75					
Form setter helper	1.60					
Ironworkers, structural	3.65					
Ironworkers, reinforcing	3.65					
Laborers:						
Air tool operator	1.60					
Asphalt raker	1.60					
Concrete	1.60					
Pipelayers	1.75					
Unskilled	1.60					
Truck drivers:						
Single rear axle	1.60					
Multi rear axle	1.65					
Lowboy	1.75					
Welders	2.28					
Painters, brush	3.37					
Power Equipment Operators:						
Air compressors	2.40					
Asphalt distributors, spreaders	2.06					
Asphalt paving machine	1.90					
Backhoes	2.75					
Bulldozers	2.00					
Cranes, derricks & draglines	3.40					
Concrete finishing machines	2.40					
Concrete paving machines	2.50					
Concrete spreader operator	2.05					
Concrete transverse screed operator	2.05					
Concrete longitudinal float operator	2.05					
Concrete joint machine operator	1.65					
Concrete belt machine operator	1.65					
Concrete curing spray machine op.	1.65					
Concrete sawing machine operator	1.65					
Earth movers	2.15					
Firemen	2.40					
Form grade operator	1.65					
Loaders, 1 cu. yd. or less	1.60					
Loaders, over 1 cu. yd.	1.84					
Mechanics	2.00					
Mechanics helpers	1.60					
Mixers, concrete	2.40					

110 - Florida 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
Motor patrols	$2.25					
Oilers, greasers	1.60					
Piledriver operator	3.90					
POWER EQUIPMENT OPERATORS:						
Pumps	2.05					
Rollers	1.75					
Rollers, finish	1.65					
Scrapers	1.85					
Subgrade machine operator	2.05					
Tractors, light, rubber tires	1.60					
Tractors, 80 HP or less	1.60					
Tractors, over 80 HP	1.85					
Trenching machine operator	2.10					
Batch plant operator	2.50					
Concrete joint machine operators helpers	1.60					
Well drillers	2.465					

110 Fla. Bridge H

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Carpenters	$6.70	.30	.20		.01	
Cement finishers	5.12	.20	.20			
Electricians						
Electricians						
Zone 1 - 24½ mi. radius from the Dade County Court House	7.10	3%	20+1%	5%	1%	
Zone 2 - 6 mi. radius from Zone 1	7.34	3%	20+1%	5%	1%	
Zone 3 - 6 mi. radius from Zone 2	7.68	3%	20+1%	5%	1%	
Zone 4 - 6 mi. radius from Zone 3	4.06	3%	20+1%	5%	1%	
Cable splicers (25¢ an hour above JR)						
Ironworkers	6.90	.25	.28			
Laborers	1.60					
Piledrivermen	6.70	.30	.20		.01	
Truck drivers	1.75					
Crane and dragline operators	3.70					
Oilers	2.05					
Piledriver operator	3.90					

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131-FLORIDA- D

Canals, Levees, Shore Work and Structures Other than Building Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Air tool operators	$1.60					
Blaster-powderman	1.60					
Bricklayers	3.20					
Carpenters	4.80	.20	.10		.01	
Concrete finishers	3.20					
Ironworkers, reinforcing	3.65					
Laborers	1.50					
Painters, brush	2.00					
Painters, spray	2.50					
Pipelayer	1.60					
Sandblasters	2.50					
Truck drivers	1.60					
Welders	2.00					
POWER EQUIPMENT OPERATORS:						
Air compressors	1.60					
Asphalt distributors	1.60					
Asphalt paving machines	1.75					
Batching plant operators	2.50					
Bulldozer	2.00					
Cranes, derricks, draglines, backhoes, etc.	2.875					
Drill rigs	1.75					
Earth movers	1.75					
Finishing machines	2.00					
Gradall	2.875					
Loaders, front end	1.75					
Mechanics	2.00					
Mechanic helpers	1.60					
Motor graders	2.00					
Oilers	1.60					
Piledrivers	2.875					
Pumps	1.60					
Rollers	1.75					
Scrapers	2.00					
Tractors	1.75					
Trenching machines	2.00					

SUPERSEDEAS DECISION

STATE: Florida

COUNTIES: Brevard and Volusia (Cape Kennedy, Kennedy Space Flight Center and Patrick Air Force Base only).

DECISION NUMBER: AP-128

DATE: Date of Publication

Supersedes Decision No. AM-451 dated August 20, 1971 in 36 FR 16367

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

5 - Fla. (SP) Z 1-2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$6.04	.25	.20	75	.02	
Boilermakers, blacksmiths	6.85	.40	.60		.01	
Bricklayers:						
Bricklayers	5.65	.20				
Blocklayers	5.65	.20				
Cement Masons	5.50	.20				
Masonry cutting or grinding machines	5.80	.20				
Plasterers & manhole bricklayers	5.65	.20				
Terrazzo workers	5.65	.20				
Tile Setters	5.65	.20				
Carpenters:						
Carpenters, gypsum dry-wall hangers	6.30	.20	.25		.01	
Millwrights	6.24	.30	.45			
Piledrivermen	6.55	.20	.25		.01	
Saw operators (radial)	5.70	.20	.25		.01	
Soft floor layers	6.30	.20	.25		.01	
Electricians:						
Electricians	7.35	.25	1%		1/2%	
Cable splicers	7.60	.25	1%		1/2%	
Elevator constructors	3.975					
Elevator constructors' helpers	2.78					
Elevator constructors' mechanic's helpers (prob) 50% of JR						
Glaziers	3.25					
Ironworkers:						
Structural, finishers, burners, rodmen, welders, riggers, machinery movers	6.30	.30	.25	.43	.01	
Sheeters	6.30	.30	.25	.43	.01	
Laborers:						
Common laborers	4.05	.20	.20		.01	
Hod carriers	4.20	.20	.20		.01	
Kettlemen	4.20	.20	.20		.01	
Mason tenders	4.20	.20	.20		.01	
Mortar mixers	4.20	.20	.20		.01	
Pipelayers (conc. & clay)	4.20	.20	.20		.01	
Plasterers tenders	4.20	.20	.20		.01	
Nozzlemen (handling the nozzle of cement gun)	4.37	.20	.20		.01	
Well point and dewatering	4.20	.20	.20		.01	
Air tool op. (vibrator)	4.20	.20	.20		.01	
Powdermen	4.20	.20	.20		.01	
Paving form setters	4.20	.20	.20		.01	
Curb & gutter form setters	4.20	.20	.20		.01	

5 - Fla. (SP) Z 2-2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Laborers (cont'd):						
Sidewalk	4.20	.20	.20		.01	
Concrete workers	4.20	.20	.20		.01	
Lathers	4.10					
Linemen:						
Linemen	6.30	.25	1%		1/2 of 1%	
Cable splicer	6.55	.25	1%		1/2 of 1%	
Cable splicer's helper	6.30	.25	1%		1/2 of 1%	
Class "A" Operators	6.30	.25	1%		1/2 of 1%	
Class "B" Operators	4.66	.25	1%		1/2 of 1%	
Groundman over 1 year	3.47	.25	1%		1/2 of 1%	
Groundman under 1 year	2.90	.25	1%		1/2 of 1%	
Marble Helpers	1.80					
Marble Polishers	1.60					
Plumbers & Pipefitters	6.80	.25	.35		.03	
Roofers	4.85	.10	.05			
Helpers and tile tenders	2.75	.10	.05			
Kettlemen	3.40	.10	.05			
Sheet metal workers	8.60	.30	.25		.05	
Sprinkler fitters	8.25	.25	.40		.07	
Terrazzo grinders	1.90					
Terrazzo helpers	1.65					
Tile helpers	1.80					

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

5 - Florida TD (SP) E

TRUCK DRIVERS:	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Buses, jeeps, station wagons, pilot or escort cars, trucks up to 6 cu. yds. or 2-ton capacity, water trucks (single axle), dumpmen & tire repairmen	$4.40					
Dump trucks 6 cu. yds. to 13 cu. yds. capacity, transit mix trucks (single axle), 3 axle trucks	4.50					
Dump trucks 13 cu. yds. capacity, truck mechanic helper	4.60					
Asphalt distributor trucks, lumber carriers & similar type equipment, lift gate trucks, transit mix trucks (tandem axle), dump trucks 16 cu. yds. or more, fuel & grease trucks, and 4-axle trucks	4.65					
A-frame trucks, boom trucks, gin pole trucks, winch trucks (when used for hauling material & equipment), trucks with 5-axles or more, fork lift trucks	5.00					
Euclids, euclid water truck, caterpillars, or similar off highway earth moving equipment (not self-loaded), truck mechanic	5.10					

5-Florida Painters (SP)- G 1-1

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
Painters:						
Commercial Repainting:						
Brush and roller	5.40		.20		.05	
Spray and Sandblasting	5.90		.20		.05	
All other painting:						
Brush and roller	5.80		.20		.05	
Spray	6.50		.20		.05	
Sandblasting	6.50		.20		.05	
Hand Drywall Taping and Finishing	5.80		.20		.05	
Drywall work using Ames tools or Automatic tapers	6.50		.20		.05	
Gloves and Mittens	6.50		.20		.05	
Paper hanging	6.50		.20		.05	
Steam Cleaning or Power Driven tools	6.50		.20		.05	
Grouting or Caulking	5.80		.20		.05	
Hot or cold tar materials Bitumastic, Martite, Flame mastic or any similar materials	6.50		.20		.05	
Asphalt Excluding Asphalt base aluminum and varnish	6.50		.20		.05	

Florida - 5 - PEO (SP) - Ö 1 of 1

POWERED EQUIPMENT OPERATORS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Cranes, hydraulic or derrick on structural or reinforcing iron	$6.46	.25	.20			
Crane or derrick, Clam shell, Dragline, Piledriver operator (including auger & boring machine op. for drilling in piling), Backhoe (including hydraulic), Hydraulic crane Gradeall, Shovel, Motor patrol, Mechanic heavy equipment, Side boom cat & Multi-drum hoist	6.21	.25	.20			
Bulldozer & trenching machine, Bridge crane, Highlift, Straddle buggy, Hoist, Earth hauling scraper (regardless how powered), Pump crete & Front end loader	5.90	.25	.20			
Winch truck, Concrete/asphalt paver, Fork lift, Locomotive engineer, Boring machine, Well drilling machine & Mobile cleaning plant	5.49	.25	.20			
Tractor, Well point pump & installation man, Firemen, Lubrication engineer-equipment greaser & Air compressor	5.15	.25	.20			
Motor boat, Oiler, Mechanic helper, Pumpman (other than well point), Roller (steel & rubber tires) self-powered, Conveyor, Welding machine (three or more conbustion engines) & Pulver mixer	4.53	.25	.20			

SUPERSEDEAS DECISION

STATE: Missouri & Kansas

COUNTIES: Cass, Clay, Jackson, Platte, & Ray, Missouri; Johnson & Wyandotte, Kansas

DECISION NO.: AP-514

DATE: Date of Publication

Supersedes Decision No. AM-6,724, dated April 28, 1972, in 37 FR 8642.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

BUILDING CONSTRUCTION

10 - Missouri - 1 c

"Cass, Clay, Jackson, Platte, & Ray Counties, Missouri"	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ROOFERS HELPERS:						
1st 6 mos.	$4.56	.18	.40		.04	
2nd 6 mos.	4.88	.18	.40		.04	
3rd 6 mos.	5.21	.18	.40		.04	
4th 6 mos.	5.53	.18	.40		.04	
5th 6 mos.	5.86	.18	.40		.04	
TRUCK DRIVERS:						
Flat bed, pick-up, & dump-under 10 yds.	4.225					
Dump-10 yds. & over	4.30					
HEAVY & HIGHWAY CONSTRUCTION:						
CEMENT MASONS (not incl. Cass Co.)	8.905	.20	.45	.50	.05	
CARPENTERS (CASS CO., MO.)	7.67	.23	.15		.03	

"Cass, Clay, Jackson, Platte, & Ray Counties, Missouri"

10 - Missouri - 1 c (1-2)

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
ASBESTOS WORKERS	$8.40	.30	.30		.02	
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS	7.725	.35	.35	.15		
CARPENTERS (CASS COUNTY)	7.30	.23	.15		.04	
CARPENTERS:						
Carpenters; millwrights; piledrivermen	7.55	.23	.15		.04	
CEMENT MASONS:						
Cement masons	6.025	.10	.15			
Composition	6.275	.10	.15			
ELECTRICIANS:						
Western half of Clay & Jackson Cos. not including Blue Springs; Northern half of Platte Co.; Northwestern portion of Cass Co. not including Pleasant Hill:						
Electricians (except residential)	7.10	.15	1%+.20	.55	.03	
Electricians (residential*)	5.72	.15	1%+.20	.55	.03	
Remainder of Clay, Jackson, Platte and Cass Counties:						
Electricians (contracts over $5,000 except residential)	7.95	.15	1%+.20	.70	.03	
Electricians (contracts under $5,000 except residential)	7.45	.15	1%+.20	.70	.03	
Electricians (residential*)	5.69	.15	1%+.20	.70	.03	
Ray County:						
Electricians (contracts over $5,000 except residential)	7.10	.15	1%+.20	.55	.03	
Electricians (contracts under $5,000 except residential)	6.05	.15	1%+.20	.55	.03	
Electricians (residential*)	5.17	.15	1%+.20	.55	.03	
ELEVATOR CONSTRUCTORS	7.29	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS HELPERS	70%JR	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS HELPERS (PROB.)	50%JR					
GLAZIERS	7.41	.35	.20	7% + d	.01	
IRONWORKERS:						
Structural; ornamental; riggers	8.50	.40	.40	.50	.05	
Reinforcing	8.50	.40	.40	.50	.05	
LATHERS	6.75	.20				
MARBLE, TERRAZZO, & TILE WORKERS	8.425	3.65%	3.25%			
MARBLE & TILE HELPERS	6.68					
TERRAZZO HELPERS	4.55					
TERRAZZO BASE MACHINE GRINDERS	4.90					
PAINTERS:						
Painters	7.52	.20	.20			
Paperhangers	8.02	.20	.20			
Bridges	8.27	.20	.20			
Structural Steel (exterior)	8.27	.20	.20			

BUILDING CONSTRUCTION"

PAINTERS (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHE
All interior surfaces over 27 ft. from the floor including structural steel	$8.27	.20	.20			
All exterior work performed on swing stages, window jacks or with belts (over 7 ft. above ground level)	8.27	.20	.20			
Storage bins and storage tanks (over 7 ft. above ground level)	8.27	.20	.20			
All work performed by air, steam aggregate and/or sandblasting	8.27	.20	.20			
Structural Steel, exterior over 75 ft. in height	8.52	.20	.20			
All work in elevator shafts above 27 ft.	8.27	.20	.20			
Tapers using power machine (Bazooka)	8.27	.20	.20			
Spray	9.27	.20	.20			
PLASTERERS	6.90	.20				
PIPEFITTERS	8.02	.38	.75		.06	
PLUMBERS	8.45	.30	.40		.06	
ROOFERS	6.51	.18	.40		.04	
SHEET METAL WORKERS	8.225	.25	.25			
SOFT FLOOR LAYERS	7.09	.35	.25	7%	.05	
SPRINKLER FITTERS	8.485	.25	.40		.05	
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 G.
c - Employees having one year continous service shall receive 1 week vacation with pay and employees having 3 years or more continous service shall receive 2 weeks vacation with pay.
d - Employers contribution of 3.02% for each hour paid plus fringes into the Paid Holiday Trust Fund - (7) paid holidays, A thru G.

* - Residential work shall be defined to mean the construction, maintenance and repair of single and multi-family dwellings not exceeding three stories in height.

PAID HOLIDAYS:

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day; G-Friday after Thanksgiving.

CASS, CLAY, JACKSON, & PLATTE COS., MO
BUILDING CONSTRUCTION

Missouri - 3 - IAB - 1 - b

LABORERS:	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Common labor; wire mesh handlers or setters; carpenter tender; trackmen; flagmen; signalmen; salamander tenders; window cleaners; floor cleaners; landscape men; sod layers; wrecker (for alterations or entire projects).	$5.71	.30	.15			
Plumber laborers (conduit pipe, sewer work, drain tile & duck lines, digging & back filling); power tool operators; pier hole diggers (over 10 ft.); vibrator, jackhammer & chipping hammer operators; chain saw operators; concrete saw operators; brush feeders on pulverizers; reinforcing steel handlers; air tamp operators; ditch witch operators; swinging scaffolds.	5.805	.30	.15			
Stonemason tenders; cutting torch or burner men; Georgia buggies (self-propelled); brick tenders; plasterer tenders; fork lift (up to 9 ft.); hoseman; insulation man.	5.905	.30	.15			
Mortar men (hod carriers); scaffolding (swinging or tubing) hod carriers.	6.00	.30	.15			
Barco, Jackson or similar tamp operators; asphalt rakers; powder men; mastic hot kettle men; sandblasting & gunite nozzle men; wagon & churn drill operators.	6.10	.30	.15			

Ray County, Missouri
Building Construction

Missouri - 7 - IAB - 1 - b

LABORERS:	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Common labor; wire mesh handlers or setters; carpenter tender; track men; flagmen; signalmen; salamander tenders; floor cleaners; landscape men; sod layers; wreckers (for alterations or entire projects).	$5.55	.30	.15			
Plumber laborers (conduit pipe, sewer work, drain tile & duct lines, digging & back filling); power tool operators; pier hole diggers (over 10 ft.); vibrator, jackhammer & chipping hammer operators; chain saw operators; concrete saw operators; brush feeders on pulverizers; reinforcing steel handlers; air tamp operators; ditch witch operators; swinging scaffolds.	5.65	.30	.15			
Stonemason tenders; cutting torch or burner men; Georgia buggies (self-propelled); brick tenders; fork lift (up to 9 ft.); hoseman; insulation man.	5.725	.30	.15			
Mortar men (hod carriers); scaffolding (swinging or tubing) hod carriers.	5.80	.30	.15			
Barco, Jackson or similar tamp operators; asphalt rakers; powder men; mastic hot kettle men; sandblasting & gunite nozzle men; wagon & churn drill operators.	5.90	.30	.15			

"Cass, Clay, Jackson, Platte, & Ray Counties, Missouri"
Building Construction

AP-514 P. 5
Mo.3-PEO-1-1 (1-2)

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS: "A" From Trucks; Boilers (1); Brooms-Power Operated (all types); Chip Spreader (frontman); Clef Plane Operators; Compressor (1) 105 feet or over; Concrete Saws, self-propelled; Conveyor Operator; Crab-power operated; Curb Finishing Machine; Elevator; Finishing Machine; Firemen on Rigs; Flex Plane; Floating Machine; Form Grader; Fork Lift - all types & sizes; Greaser; Hoist; Hoist, Endless Chain - power operated; Hopper - Power operated; Hydra Hammer (all types); Lad-A-Vator; Mixers (with Side Loaders); Pumps (with well points); Pump (water well points); Pump (Water) Rollers (all types); Siphons, Jets & Jennys; Sub Grader; Tractors over 50 h.p.	$6.90	.25	.25		.02	
Asphalt Paver & Spreader; Asphalt Plant Mixer Operator; Asphalt Plant Operator; Back Fillers; Back Hoe, all types; Barber-Greene Loader; Blase Power, all types; Boats - Power; Boilers (2); Boring Machine (all types); Cableways; Cherry Pickers (all types); Chip Spreader; Clamshells; Combination Concrete Hoist & Mixer; such as mixers-mobile (with tower, 50¢ per hour additional) Compressors (2) 105 feet or over not more than 20 feet apart; Compressors - tandem (any sizes); Compressors - Single, Truck Mounted; Concrete Ready-Mixed Plant, Portable (job site); Concrete Mixer Paver; Crane or Rigs (all types); Crane - overhead; Crusher; rock; Derricks & Derrick Cars (power operated); Ditching Machines; Dozers; Draglines; Dredges, any type power; Gradeall; Hoist, Endless Chain - Power Operated with Power Travel; Loaders - all types Locomotives - all types; Mechanic & welder; Mucking Machine; Orange Peels; Pile Drivers; Pumps - material - all types; Push Cats; Scoops (all types); Self-propelled Rotary Drill; Shovel, Power; Side Boom; Skimmer Scoop; Testhole Machine; Throttle Man	7.15	.25	.25		.02	

AP-514 P. 6

"Building Construction" Mo. 3-PEO-1-1 (2-2)

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
POWER EQUIPMENT OPERATORS: (cont'd)		H & W	PENSIONS	VACATION	APP. TR.	OTH
Crane-tower or climbing	$7.65	.25	.25		.02	
Clamshells, Crane or Rigs, Draglines & Pile Drivers with 80 feet of boom or over (including jib)	7.40	.25	.25		.02	
Crane or Rigs over 200 feet	7.65	.25	.25		.02	
Hoists - each additional drum over 1 drum	7.15	.25	.25		.02	
Master Mechanic	8.15	.25	.25		.02	
Master Mechanic - Assistant	7.90	.25	.25		.02	
Oiler; Tractors (except when hauling material) less than 50 h.p.	6.35	.25	.25		.02	
Oiler Driver - all types	6.60	.25	.25		.02	
Ready-Mixed Concrete Plants: Crane Operator	6.83	.25	.25		.02	
Conveyor; Loader Operator; Plant Man	6.63	.25	.25		.02	

Cass County, Missouri

MO. 2 - TD - 2,3 (1-1)

HEAVY & HIGHWAY CONSTRUCTION

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Flat bed trucks - single axle	$7.33	.50	.50			
Flat bed trucks - tandem axle	7.48	.50	.50			
Station wagons	7.33	.50	.50			
Pickup trucks	7.33	.50	.50			
Material trucks - single axle	7.33	.50	.50			
Material trucks - tandem axle	7.48	.50	.50			
Semi and/or pole trailers	7.55	.50	.50			
Winch, fork and steel trucks	7.55	.50	.50			
Distributor drivers and operators	7.55	.50	.50			
Agitator and transit mix trucks	7.44	.50	.50			
Tank wagon - single axle	7.33	.50	.50			
Tank wagon - semi-trailer	7.55	.50	.50			
Tank wagon - tandem axle	7.48	.50	.50			
Insley wagons, dumpsters, half-tracks, speedace, euclids, and other similar equipment	7.55	.50	.50			
A-frame and derrick trucks	7.55	.50	.50			
Float or low boy	7.55	.50	.50			
Warehouseman	7.23	.50	.50			

MO. 8-PEO 2,3, (1-2)

HEAVY & HIGHWAY CONSTRUCTION
CASS COUNTY, MISSOURI

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asphalt finishing machine & Trench widening spreader; Asphalt plant Console Op.; Autograder; Automatic slipform paver; Backhoe, Blade Op. - all types; Boat Op.-tow; Boilers-2; Central mix concrete plant Op.; Clamshell Op.; Concrete mixer paver; Crane Op.; Derrick or Derrick trucks; Ditching machine; Dozer Op.; Dragline Op.; Dredge booster pump; Dredge Engineman; Dredge Op.; Drill cat with Compressor mounted on Cat; Drilling or Boring machine rotary self-propelled; Highloader; Hoisting engine -2 active drums; Lauchhammer wheel; Locomotive Op.- standard gauge; Mechanics and Welders; Mucking machine; Piledriver Op.; Pitman Crane Op.; Push Cat Op.; Quad Trac; Scoop Op. - all types; Shovel Op.; Sideboom Cats; Skimmer scoop Op.; Trenching machine Op.; Truck crane	$9.10	.40	.40		.05	
A-Frame; Asphalt hot-mix silo; Asphalt plant fireman (drum or boiler); Asphalt plant man; Asphalt plant mixer Op.; Asphalt roller Op.; Backfiller Op.; Barber-Greene loader; Boat Op. (bridges & dams); Chip spreader; Compressor Maintenance Op. -2; Concrete mixer Op.; Skip loader; Concrete plant Op.; Concrete pump Op.; Crusher Op.; Dredge oiler; Elevating grader Op.; Fork lift; Greaser-fleet; Hoisting engine - 1; Locomotive Op. narrow gauge; Multiple compactor; Pavement breaker; Power-broom self-propelled; Power shield; Rooter; Side discharge concrete spreader; Slip form finishing machine; Stumpcutter machine; Throttle man; Tractor Op. (over 50 H.P.); Welding machine Maintenance Op. -2; Winch truck	8.90	.40	.40		.05	

MO. 8-PEO 2,3 (2-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Boilers - 1; Chip Spreader (front man); Churn Drill Op.; Clef Plane Op.; Compressor Maintenance Op. -1; Concrete Saw Op. (self-propelled); Conveyor Op.; Curb Finishing Machine; Distributor Op.; Finishing Machine Op.; Fireman-Rig; Flex Plane Op.; Float Op.; Form Grader Op.; Generator-Maintenance Op.; Light Plant- Maintenance Op.; Maintenance Op.; Oiler Driver; Pugmill Op.; Pump Maintenance Op. (other than Dredge); Roller Op., other than high type asphalt; Screening & Washing Plant Op.; Siphons & Jets; Sub-grading Machine Operator; Spreader Box Op., self-propelled (not asphalt); Tank Car Heater Op. (Combination Boiler & Booster); Tractor Op. (50 H.P. or less); Ulmac, Ulric or similar spreader; Vibrating Machine Op., Welding Machine Maintenance Op. - 1	8.70	.40	.40		.05
Oiler	7.95	.40	.40		.05
Clamshells, 3 yds. or over; Crane, Rigs or Piledrivers 100' to 200' of boom (including jib); Draglines, 3 yds, or over; Hoists - each additional active drum over 2 drums; Shovels, 3 yds. or over	9.35	.40	.40		.05
Tandem Scoop; Crane, Rigs or Piledrivers 200' of boom or over (including jib)	9.60	.40	.40		.05

MO. 22 Lab 2,3

"Cass County, Missouri"

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS:						
General Labor						
Carpenter tenders; Salamander tenders; Dump man and ticket takers on stock piles; Flagmen; Loading trucks under bins, hoppers and conveyors; Track men and all other general laborers	6.975	.40	.40		.10	
First Semi-Skill						
Air tool operator; Cement handler-bulk or sack; Dump man on earth fill; Georgie buggie man; Material batch hopper man; Scale man; Spreader on asphalt machine; Material mixer man (except on manholes); Coffer dams; Riprap pavers-rock, block or brick; Signal man; Scaffolds over ten feet not self-supported from ground up; Skipman on concrete paving; All work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile & duct lines and all other pipe lines; Power tool operator; All work in connection with hydraulic or general dredging operations; Form setter helpers; Puddlers (paving only); Straw blower nozzleman; Wire mesh setters on concrete paving.	7.125	.40	.40		.10	
Second Semi-Skill						
Asphalt plant platform man; Chuck tender; Crusher feeder; Men handling creosote ties on creosote materials; Men working with and handling epoxy material or materials (where special protection is required); Head pipe layer on sewer work; Topper of standing trees; Batter board man on pipe and ditch work; Vibrator man; Feeder man on wood pulverizers; Board and willow mat weavers and cable tiers on river work; Deck hands; Pile dike and revetment work; All laborers working on underground tunnels less than 25 feet where compressed air is not used; Abutment and pier hole men working six (6) feet or more below ground; Man working in Coffer dams for bridge piers and footings in the river.	7.275	.40	.40		.10	

MO. 22-LAB 2,3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Third Semi-Skill						
Laser beam man; Asphalt rakers; Barco tamper; Jackson or any other similar tamp; Wagon driller; Churn drills; Air track drills; All other similar drills; Cutting torch man; Form setters; Liners and stringline man on concrete paving, curb, gutters, etc.; Hot mastic kettleman; Hot tar applicator; Hand blade operators; Manhole builder helpers and mortar men on brick or block manholes; Sandblasting & gunite nozzle men; Rubbing concrete; Air tool Operator in tunnels; Caulker and lead man; Screed man on asphalt machine; Chain on concrete saw; Cliff scalers working from scaffolds, Bosuns' Chairs or platforms on dams or power plants over ten (10) feet above ground; Grade checker on cuts and fills.	7.475	.40	.40		.10	
Fourth Semi-Skill						
Manhole builders-brick or block; Dynamite and powder men; Welder	7.725	.40	.40		.10	

"Clay, Jackson, Platte, & Ray Counties, Missouri"
HEAVY & HIGHWAY CONSTRUCTION

AP-514 P. 11

10 - Missouri - LAB - 2,3 (1-2)

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
General Laborer						
Carpenter Tenders; Salamander Tenders; Dump Man & Ticket Takers on Stock Piles; Flagmen; Loading Trucks under Bins, Hoppers and Conveyors; Track men and all other General Laborers	$7.00	.40	.40	.50	.10	
First Semi-Skill						
Air Tool Operator; Cement Handler (Bulk or Sack); Chain or Concrete Saw; Deck Hands; Dump man on Earth Fill; Grade Checkers on Cuts and Fills; Georgie Buggies Man; Material Batch Hopper Man; Scale Man; Material Mixer Man (except on Manholes, Coffer Dams, Abutments and Pierlole men working below ground); Riprap Pavers Rock, Block or Brick; Signal Man; Scaffolds over 10 ft. not self-supported from ground up; Skipman on concrete paving; Vibrator man; Wire mesh setters on concrete paving; all work in connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct lines and all other pipe lines; Power Tool Operator; all work in connection with Hydraulic or General Dredging Operations; Form Setter Helpers; Pudlers (paving only)	7.15	.40	.40	.50	.10	
Second Semi-Skill						
Crusher Feeder; Men handling creosote ties or creosote materials; Men working with and handling epoxy materials (where special protection is required); Head Pipe Layer on Sewer work; Topper of Standing trees; Batter Board man on Pipe & Ditch work; Feeder Man on Wood Pulverizers; Board and Willow Mat Weavers and Cable Tiers on River work; all Laborers working on underground tunnels where compressed air is not used	7.30	.40	.40	.50	.10	

AP-514 P. 12

10 - Missouri - LAB - 2,3 (2-2)

LABORERS (CONT'D):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Third Semi-Skill						
Spreader or Screed man on Asphalt Machine; Asphalt Raker; Laser Beam Man; Barco Tamper; Jackson or any other similar Tamp; Wagon Driller, Churn Drills, Air Track Drill and all other similar drills; Cutting Torch Man; Form Setter; Liners and Stringline Men on Concrete Paving, Curb, Gutters and etc.; Hot Mastic Kettleman; Hot Tar Applicator; Hand Blade Operators; Manhole Builders Helpers and Mortar Men on Brick or Block Manholes; Sand Blasting and Gunnite Nozzle Men; Rubbing Concrete; Air Tool Operator in Tunnels	7.50	.40	.40	.50	.10	
Fourth Semi-Skill						
Manhole Builder (Brick or Block); Dynamite and Powder Men;	7.80	.40	.40	.50	.10	

"Clay, Jackson, Platte, & Ray Cos., Mo.
HEAVY & HIGHWAY CONSTRUCTION

10 - Missouri - TD - 2,3

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
One Team; Station Wagons; Pickups; Material, Single Axle; Tank Wagon, Single Axle	$7.39	.50	.50	.50		
Two Teams; Material, Tandem; Semi-Trailers; Winch; Fork; Distributor Drivers and Operators; Agitator and Transit Mix; Tank Wagon, Tandem or Semi-Trailer; Insley Wagons; Dump; Excavating, 5 cu. yds. & over; Dumpsters; Half-Tracks; Speedace; Euclids and other similar excavating equipment	7.59	.50	.50	.50		
A-Frame; Low Boy; Boom	7.90	.50	.50	.50		
Mechanics & Welders	8.05	.50	.50	.50		
Mechanic's Helpers, Oilers & Greasers	7.165	.50	.50	.50		

"Clay, Jackson, Platte, & Ray Cos., Mo.

HEAVY & HIGHWAY CONSTRUCTION

AP-514 P. 13
10 - Missouri - PEO - 2,3 (1-2)

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Group I						
Asphalt Paver and Spreader; Asphalt Plant Console Operator; Auto Grader; Back Hoe; Blade Operator, all types; Boilers-2; Booster Pump on Dredge; Boring Machine (Truck or Crane Mounted); Bulldozer Operator; Clamshell Operator; Compressor Maintenance Operator-2; Concrete Plant Operator, Central Mix; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dragline Operator; Dredge Engineman; Dredge Operator; Drillcat with Compressor Mounted on Cat; Drilling or Boring Machine, Rotary, Self-propelled; High Loader-Fork Lift; Hoisting Engine-2 active drums; Locomotive Operator, Standard Gauge; Mechanics and Welders, Field or Shop; Maintenance Operator; Mucking Machine; Pile Driver Operator; Pitman Crane Operator; Pump-2; Quad-Trac; Scoop Operator-all types; Scoops in Tandem; Self-Propelled Rotary Drill(Leroy or Equal-not Air Trac); Shovel Operator; Side Discharge Spreader; Sideboom Cats; Skimmer Scoop Operator; Slip-form Paver (CMI, REX, or Equal); Throttle Man; Truck Crane; Welding Machine Maintenance Operator-2	$8.50	.40	.40	.50	.10	
Group II						
"A" Frame Truck; Asphalt Hot Mix Silo; Asphalt Plant Fireman, Drum or Boiler; Asphalt Plant Mixer Operator; Asphalt Plant Man; Asphalt Roller Operator; Backfiller Operator; Chip Spreader; Concrete Batch Plant, Dry, Power Operated; Concrete Mixer Operator, Skip Loader; Concrete Pump Operator; Crusher Operator; Elevating Grader Operator; Greaser; Hoisting Engine-1 drum; LaTourneau Rooter; Multiple Compactor; Pavement Breaker, Self-Propelled, of the Hydra-Hammer or Similar Type; Power Shield; Pug Mill Operator; Stump Cutting Machine; Towboat Operator; Tractor Operator-Over 50 HP	8.25	.40	.40	.50	.10	

AP-514 P. 14
10 - Missouri - PEO - 2,3 (2-2)

POWER EQUIPMENT OPERATORS (CONT'D):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Group III						
Boilers-1; Chip Spreader(Front Man); Churn Drill Operator; Compressor Maintenance Operator-1; Concrete Saws, Self-Propelled; Conveyor Operator; Distributor Operator; Finishing Machine Operator; Fireman, Rig; Float Operator; Form Grader Operator; Oiler Driver, all types; Pump; Pump Maintenance Operator, other than Dredge; Roller Operator, other than high type asphalt; Screening and Washing Plant Operator; Self Propelled Street Broom or Sweeper; Siphons and Jets; Sub-Grading Machine Operator; Tank Car Heater Operator-Combination Boiler and Booster; Tractor, 50 HP or less, without attachments; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator-1	8.00	.40	.40	.50	.10	
Group IV						
Mechanic's Helper, Oiler	7.50	.40	.40	.50	.10	
Clamshells, 3-yd. capacity or over	8.75	.40	.40	.50	.10	
Crane or Rigs, 80 ft. of boom or over (including jib)	8.75	.40	.40	.50	.10	
Crane or Rigs, over 200 ft. of boom (including jib)	9.00	.40	.40	.50	.10	
Draglines, 3-yd. capacity or over	8.75	.40	.40	.50	.10	
Pile Drivers, 80 ft. of boom or over (including jib)	8.75	.40	.40	.50	.10	
Shovels, 3-yd. capacity or over	8.75	.40	.40	.50	.10	

Line Construction - 1 - c

"JACKSON, PLATTE, RAY, CLAY, & CASS COUNTIES, MISSOURI"	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LINEMAN	$7.95	.15	1%+.15		1/2%	
LINEMAN OPERATOR	7.50	.15	1%+.15		1/2%	
LINEMAN MECHANIC	6.37	.15	1%+.15		1/2%	
GROUNDMAN POWDERMAN	5.47	.15	1%+.15		1/2%	
GROUNDMAN	5.19	.15	1%+.15		1/2%	
GROUNDMAN (1st year)	5.79	.15	1%+.15		1/2%	

Johnson & Wyandotte Cos., Kans.

20-Kansas-1-w (1-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
ASBESTOS WORKERS	$8.40	.30	.30		.02	
BOILERMAKERS	8.23	.30	1.00		.02	
BRICKLAYERS; Stonemasons	6.325	.20	.30			
CARPENTERS:						
Carpenters; Millwrights; Piledrivermen	7.55	.23	.15		.04	
CEMENT MASONS:						
Cement masons	6.025	.10	.15			
Composition	6.275	.10	.15			
ELECTRICIANS	7.95	.15	1%+.20	.70	.03	
ELEVATOR CONSTRUCTORS	7.29	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	7.41	.35	.20	7%+c	.01	
IRONWORKERS:						
Ornamental; Reinforcing; Riggers; Structural	8.50	.40	.40	.50	.05	
LATHERS	6.75	.20				
MARBLE SETTERS	8.425	3.65%	3.25%			
MARBLE SETTERS' HELPERS	6.68					
PAINTERS:						
Painters	7.52	.20	.20			
Paperhangers	8.02	.20	.20			
All interior surfaces over 27' from the floor including structural steel; All exterior work performed on swing stages, with jacks or with belts (Over 7' above ground level); Storage bins and storage tanks (Over 7' above ground level); All work performed by air, steam, aggregate and/or sand-blasting; All work in elevator shafts above 27'; Bridges; Structural steel (exterior); Structural steel, exterior over 75' in height; Tapers using power machine (Bazooka)	8.27	.20	.20			
Spray	9.27	.20	.20			
PIPEFITTERS	8.02	.38	.75		.06	
PLASTERERS	6.90	.20				
PLUMBERS	8.45	.30	.40		.06	
ROOFERS	6.51	.18	.40		.04	
SHEET METAL WORKERS	8.225	.25	.25			
SOFT FLOOR LAYERS	7.09	.35	.25	7%	.05	
SPRINKLER FITTERS	8.485	.25	.40		.05	
TERRAZZO WORKERS; Tile setters	8.425	3.65%	3.25%			
TERRAZZO WORKERS' HELPERS	4.55					
TERRAZZO BASE GRINDERS	4.90					
TILE SETTERS' HELPERS	6.68					
CEMENT MASONS (Heavy & Highway Const.)	8.905	.20	.45	.50	.05	

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; G-Friday after Thanksgiving Day.

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.
c. Paid Holidays: A through G.

"Johnson & Wyandotte Counties, Kansas

KAN - 1 - TD - 1 - h

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
TRUCK DRIVERS:						
Warehousemen and stock man	$4.175					
Flat beds	4.225					
Pick-ups	4.225					
Dump trucks, under 10 yards	4.225					
Dump trucks, 10 yards and over	4.30					
Straddle trucks	4.425					
Wheel tractors (when used for towing)	4.425					
Steel trucks	4.30					
Hydro lift trucks	4.425					
Hydraulically operated serial lifts	4.425					
Distributor truck drivers and operators	4.325					
Semi-truck drivers	4.30					
Heavy hauling, A-frame winch and fork lifts	4.425					
Heavy excavating (dumpter, Euclid, etc.)	4.425					
Oilers, greasers and mechanics' helpers	4.325					
Mechanics	4.525					
Transit mix, 5 yards and over	4.375					
Transit mix, under 5 yards	4.275					
Double bottom units (20 tons cap & over)	4.425					

Kansas 20 Lab - 1 - b

Johnson & Wyandotte Cos., Kans.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS:						
Common labor, Wire mesh handlers or setters; Carpenter tender; Track men; Flagmen; Signalman; Salamander tenders; Window cleaners; Floor cleaners; Landscape man; Sod layers; Wrecker (for alterations or entire projects)	$5.71	.30	.15			
Plumber laborers (conduit pipe, sewer work, drain tile & duck lines, digging & back filling), Power tool operators; Pier hole diggers (over 10 ft.); Vibrator, jackhammer, & Chipping hammer operators; Chain saw operators; Concrete saw operators; Brush feeders on pulverizers; Reinforcing steel handlers; Air tamp operators; Ditch witch operators; Swinging scaffolds	5.805	.30	.15			
Stone mason tenders; Cutting torch or burner men; Georgia buggies (self-propelled); Brick tenders; Plasterers tenders; Fork lift (up to 9 ft.); Hoseman; Insulation man	5.905	.30	.15			
Mortar men (Hod carriers); scaffolding (swinging or tubing) Hod carriers	6.00	.30	.15			
Barco, jackson or similar tamp operators; Asphalt rakers; Powder men; Mastic hot kettle man; Sandblasting & gunite nozzle men; Wagon & Churn drill operators	6.10	.30	.15			

Johnson & Wyandotte Counties, Kansas

KAN - 10 - PEO - 1 - h (1-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
"A" Frame Trucks; Boilers (1); Brooms Power Operated (all types); Chip Spreader (front man); Clef Plane Op.; Compressor (1) 105 feet or over; Concrete Saws, Self-propelled; Conveyor Operator; Crab-power operated; Curb Finishing Machine; Elevator; Finishing Machine; Firemen on Rigs; Flex Plane; Floating Machine; Form Grader; Fork Lift - all types & sizes; Greaser; Hoist, Endless Chain - power operated; Hopper - Power Operated; Hydra Hammer (all types); Lad-A-Vator; Mixers (with Side Loaders); Pumps (with well points); Pump (water) Rollers (all types); Siphons, Jets & Jennys; Sub Grader; Tractors over 50 H.P.	$6.90	.25	.25		.02	
Asphalt Paver & Spreader; Asphalt Plant Mixer Operator; Asphalt Plant Operator Back Fillers; Back Hoe, all types; Barber-Greene Loader; Blade - Power, all types; Boats - Power; Boiler (2); Boring Machine (all types); Cableways; Cherry Pickers (all types); Chip Spreader; Clamshells; Combination Concrete Hoist & Mixer, such as mixer-mobile (with tower, 50¢ per hour additional) Compressors (2) 105 feet or over not more than 20 feet apart; Compressors - tandem (any sizes); Compressors - Single, Truck Mounted; Concrete Ready-Mixed Plant, Portable (job site); Concrete Mixer Paver; Crane or Rigs (all types); Crane - overhead; Crusher, rock; Derricks & Derrick Cars (Power operated); Ditching Machines; Dozers; Draglines; Dredges, any type power; Gradeall; Hoist, Endless Chain-Power Operated with Power Travel; Loaders - all types Locomotives - all types; Mechanic & Welder; Mucking Machine; Orange Peels; Pile Drivers; Pumps - material - all types; Push Cats; Scoops (all types); Self-propelled Rotary Drill; Shovel Power; Side Boom; Skimmer Scoop; Testhole Machine; Throttle Man	7.15	.25	.25		.02	
Crane-tower or climbing	7.65	.25	.25		.02	

KAN - 10 - PEO - 1 - h (2-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS: (cont'd)						
Clamshells, crane or rigs, draglines & Pile Drivers with 80 feet of boom or over (including jib)	$7.40	.25	.25		.02	
Crane or Rigs over 200 feet	7.65	.25	.25		.02	
Hoists - each additional drum over 1 drum	7.15	.25	.25		.02	
Master Mechanic	8.15	.25	.25		.02	
Master Mechanic - Assistant	7.90	.25	.25		.02	
Oiler; Tractors (except when hauling material) less than 50 H.P.	6.35	.25	.25		.02	
Oiler Driver - all types	6.60	.25	.25		.02	
Ready-Mixed Concrete Plants:						
Crane Operator	6.83	.25	.25		.02	
Conveyor; loader operator; plant man	6.63	.25	.25		.02	

Johnson & Wyandotte Counties, Kansas AP-514 P. 21

"Site Preparation & Grading, Heavy & Highway Construction"

100 - KAN PEO 2 - 3 - h (1-2)

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Group I Asphalt Paver and Spreader; Auto Grader; Back Hoe; Blade Operator, all types; Boilers - 2; Booster Pump on Dredge; Boring Machine (Truck or Crane Mounted); Bulldozer Operator; Clamshell Operator; Compressor Maintenance Operator - 2; Concrete Plant Operator - Central Mix; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dragline Operator; Dredge Engineman; Dredge Operator; Drillcat with Compressor Mounted on Cat; Drilling or Boring Machine, Rotary, self-propelled; High Loader - Fork Lift; Locomotive Operator, Standard Gauge; Mechanics and Welders; Maintenance Operator; Mucking Machine; Pile Driver Operator; Pitman Crane Operator; Pump - 2; Quad-Trac; Scoop Operator - all types; Scoops in Tandem; Self-Propelled Rotary Drill (Leroy or Equal - not Air Trac); Shovel Operator; Side Discharge Spreader; Sideboom Cats; Skimmer Scoop Operator; Throttle Man; Truck Crane; Welding Machine Maintenance Operator - 2; Hoisting Engine-2 active drums	$8.50	.40	.40	.50	.10	
Group II "A" Frame Truck; Asphalt Hot Mix Silo; Asphalt Plant Fireman, Drum or Boiler; Asphalt Plant Mixer Operator; Asphalt Plant Operator; Asphalt Roller Operators; Backfiller Operator; Chip Spreader; Concrete Batch Plant, dry - Power Operated; Concrete Mixer Operator, Skip Loader; Concrete Pump Operator; Crusher Operator; Elevating Grader Operator; Greaser; Hoisting Engine - 1 drum; LaTourneau Rooter; Multiple Compactor; Pavement Breaker, Self-Propelled, of the Hydra-Hammer or Similar Type; Power Shield; Stump Cutting Machine; Towboat Operator; Tractor Operator - over 50 HP	8.25	.40	.40	.50	.10	
Group III Boilers - 1; Chip Spreader (Front Man); Churn Drill Operator; Compressor Maintenance Operator - 1; Concrete Saws, Self-Propelled; Conveyor Operator; Distributor Operator; Finishing Machine Operator; Fireman, Rig; Float Operator; Form Grader Operator; Oiler Driver, all types; Pump; Pump Maintenance Operator, other than Dredge; Roller Operator, other than High Type Asphalt; Screening and Washing Plant Operator	8.00	.40	.40	.50	.10	

AP-514 P. 22

100 - KAN PEC 2 - 3 - h (2-2)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Group III (Cont'd) Self-Propelled Street Broom or Sweeper; Siphons and Jets; Sub-Grading Machine Operator; Tank Car Heater Operator - Combination Boiler and Booster; Tractor - 50 HP or less, without attachments; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator - 1	8.00	.40	.40	.50	.10	
Group IV Mechanic's Helper; Oiler	7.50	.40	.40	.50	.10	
Clamshells, 3 yards or over	8.75	.40	.40	.50	.10	
Crane or Rigs, 80 feet of boom or over (including jib)	8.75	.40	.40	.50	.10	
Crane or Rigs 200 feet of boom or over	9.00	.40	.40	.50	.10	
Dragline, 3 yards or over	8.75	.40	.40	.50	.10	
Pile drivers, 80 feet of boom or over (including jib)	8.75	.40	.40	.50	.10	
Shovels, 3 yards or over	8.75	.40	.40	.50	.10	
Men working in tunnels or shafts (not air shafts or coffer dams) of twenty-five (25) feet or more in length or depth will be paid fifty (50) cents per hour above the regular classification.						

Johnson & Wyandotte Cos., Kans. AP-514 P. 23
Site, Preparation & Grading, Heavy & Highway Construction 100-KAN-LAB-2-3-H (1-2)

LABORERS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
GENERAL LABORER						
Carpenter Tenders, Salamander Tenders, Dump Man & Ticket Takers on Stock Piles, Flagmen, Loading Trucks under Bins, Hoppers and Conveyors, Track men and all other General Laborers	7.00	.40	.40	.50	.10	
FIRST SEMI-SKILL						
Air Tool Operator, Cement Handler (Bulk or Sack), Chain or Concrete Saw, Deck Hands, Dump man on earth fill, Grade checkers on Cuts and Fills, Georgie Buggies Man, Material Batch Hopper man, Scale man, Material Mixer Man (except on Manholes, Coffer Dams, Abutments and Pier Hole men working below ground, Riprap Pavers Rock, Block or Brick, Signal man, Scaffolds over 10 ft. not self-supported from ground up, Skipman on concrete paving, Vibrator man, Wire mesh setters on concrete paving, all work in connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct Lines and all other pipe lines, Power Tool Operator, all work in connection with Hydaulic or General Dredging Operations, Form Setter Helpers Pudlers (paving only)	7.15	.40	.40	.50	.10	
SECOND SEMI-SKILL						
Crusher Feeder, Men Handling creosote Ties or creosote materials, Men working with and handling epoxy material or materials (where special protection is required), Head Pipe Layer on Sewer work, Topper of Standing trees, Batter Board man on Pipe & Ditch work, Feeder Man on Wood Pulverizers, Board and Willow Mat Weavers and Cable Tiers on River Work, all Laborers working on underground tunnels where compressed air is not used	7.30	.40	.40	.50	.10	
THIRD SEMI-SKILL						
Spreader or Screed man on Asphalt Machine, Asphalt Raker, Laser Beam Man, Barco Tamper, Jackson or any other similar Tamp, Wagon Driller, Churn Drills, Air Track Drills and all other similar Drills, Cutting Torch Man, Form Setters, Liners and Stringline Men on Concrete Paving, Curb, Gutters and etc., Hot Mastic Kettleman, Hot Tar Applicator, Hand Blade Operators, Manhole Builders Helpers and Mortar Men on Brick or Block Manholes, Sand Blasting and Gunnite Nozzle Men, Rubbing Concrete, Air Tool Operator in Tunnels	7.50	.40	.40	.50	.10	

AP-514 P. 24 100-KAN-LAB-2-3-H (2-2)

LABORERS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
FOURTH SEMI-SKILL						
Manhole Builder (Brick or Block), Dynamite and Powder Men, Welder, Leadman or Working Foreman, Tunnel Leadman or Working Foreman	7.80	.40	.40	.50	.10	

Kansas Line Construction #2

"Johnson & Wyandotte Cos., Kansas"	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
LINE CONSTRUCTION:						
Lineman	$7.95	.15	1%+.15		½%	
Lineman operator	7.50	.15	1%+.15		½%	
Lineman mechanic	6.37	.15	1%+.15		½%	
Groundman powderman	5.47	.15	1%+.15		½%	
Groundman	5.19	.15	1%+.15		½%	
Groundman (1st year)	4.79	.15	1%+.15		½%	

Johnson & Wyandotte Counties, Kans.
Site Preparation & Grading, Heavy, & Highway Construction

100 - Kansas TD 2, 3 d

TRUCK DRIVERS:	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
One Team; Station Wagons; Pickup Trucks; Material Trucks, Single Axle; Tank Wagon Drivers, Single Axle	$7.39	.50	.50	.50		
Material Trucks, Tandem; Two Teams; Semi-Trailers; Winch Truck--Fork Trucks; Distributor Drivers and Operators; Agitator and Transit Mix; Tank Wagon Drivers, Tandem or Semi-Trailer; Insley Wagons; Dump Trucks excavation 5 cu. yds. and over; Dumpsters; Half-Tracks; Speedace; Euclids and other similar excavating equipment	7.59	.50	.50	.50		
A Frame-Low Boy-Boom truck drivers	7.90	.50	.50	.50		
Mechanics & Welders	8.05	.50	.50	.50		
Mechanics' Helpers, Oilers & Greasers	7.165	.50	.50	.50		

SUPERSEDEAS DECISION

STATE: Missouri & Kansas

COUNTIES: Cass, Clay, Jackson, Platte, & Ray, Missouri; Johnson & Wyandotte, Kansas

DECISION NO.: AP-515

DATE: Date of Publication

Supersedes Decision No. AM-6,728, dated May 19, 1972, in 37 FR 10253.

DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

Line Construction - 1 - c

"JACKSON, PLATTE, RAY, CLAY, & CASS COUNTIES, MISSOURI"	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LINEMAN	$7.95	.15	1%+.15		1/2%	
LINEMAN OPERATOR	7.50	.15	1%+.15		1/2%	
LINEMAN MECHANIC	6.37	.15	1%+.15		1/2%	
GROUNDMAN-POWDERMAN	5.47	.15	1%+.15		1/2%	
GROUNDMAN	5.19	.15	1%+.15		1/2%	
GROUNDMAN (1st year)	5.79	.15	1%+.15		1/2%	

10 - Missouri - 1a (1-2)

"JACKSON, PLATTE, RAY, CLAY, & CASS COUNTIES, MISSOURI" BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
ASBESTOS WORKERS	$8.40	.30	.30		.02	
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS	7.725	.35	.35	.15		
CARPENTERS (Jackson, Platte, Ray, & Clay Cos.):						
Carpenters; Millwrights; Piledriver men	7.55	.23	.15		.04	
Carpenters (Cass County);						
Carpenters	7.30	.23	.15		.04	
Millwrights & Piledrivermen	7.55	.23	.15		.04	
CEMENT MASONS:						
Cement masons	6.025	.10	.15			
Composition	6.275	.10	.15			
ELECTRICIANS:						
Western half of Clay & Jackson Cos. not including Blue Springs; Northern half of Platte Co.; Northwestern portion of Cass Co. not including Pleasant Hill	6.29	.15	1%+.20	.70	.03	
Remainder of Clay, Jackson, Platte, and Cass Counties	5.69	.15	1%+.20	.70	.03	
Ray County	5.69	.15	1%+.20	.70	.03	
ELEVATOR CONSTRUCTORS	7.29	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS HELPERS	70%JR	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS HELPERS (PROB.)	50%JR					
GLAZIERS	7.41	.35	.20	7%+d	.01	
IRONWORKERS:						
Structural; ornamental; riggers	8.50	.40	.40	.50	.05	
Reinforcing	8.50	.40	.40	.50	.05	
LATHERS	6.75	.20				
MARBLE, TERRAZZO & TILE WORKERS	8.425	3.65%	3.25%			
MARBLE & TILE & HELPERS	6.68					
TERRAZZO HELPERS	4.55					
TERRAZZO BASE MACHINE GRINDERS	4.90					
PAINTERS:						
Painters	7.52	.20	.20			
Paperhangers	8.02	.20	.20			
Bridges	8.27	.20	.20			
Structural Steel (exterior)	8.27	.20	.20			
All interior surfaces over 27 ft. from the floor including structural steel	8.27	.20	.20			
All exterior work performed on swing stages, window jacks or with belts (over 7 ft. above ground level)	8.27	.20	.20			
Storage bins and storage tanks (over 7 ft. above ground level	8.27	.20	.20			

10 - Missouri 1a

PAINTERS: (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
All work performed by air, steam aggregate and/or sandblasting	8.27	.20	.20			
Structural steel, exterior over 75 ft. in height	8.52	.20	.20			
All work in elevator shafts above 27 ft.	8.27	.20	.20			
Tapers using power machine(Bazooka)	8.27	.20	.20			
Spray	8.52	.20	.20			
PLASTERERS	6.90	.20				
PIPEFITTERS	8.02	.38	.75		.06	
PLUMBERS	8.45	.30	.40		.06	
ROOFERS	6.51	.18	.40		.04	
SHEET METAL WORKERS	8.225	.25	.25			
SOFT FLOOR LAYERS	7.09	.35	.25	7%		
SPRINKLER FITTERS	8.485	.25	.40		.05	
HEAVY & HIGHWAY CONSTRUCTION (CASS. CO.):						
Carpenters & Piledrivermen	6.92	.23	.15			
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:

a. 1st 6 mos. - none; 6 mos. to 5 years - 2%; over 5 yrs. - 4% of basic hourly rates.
b. Paid Holidays - A through F.
d. Paid Holidays - A through G.
* Residential work shall be defined to mean the construction, maintenance and and repair of single and multi-family dwellings not exceeding three stories in height.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day; G-Friday after Thanksgiving Day.

CASS, CLAY, JACKSON, & PLATTE COS., MO

Missouri - 3 - JAB - 1 - b

BUILDING CONSTRUCTION LABORERS:	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
Common labor; wire mesh handlers or setters; carpenter tender; trackmen; flagman; signalmen; salamander tenders; window cleaners; floor cleaners; landscape men; sod layers; wrecker (for alterations or entire projects).	$5.71	.30	.15			
Plumber laborers (conduit pipe, sewer work, drain tile & duck lines, digging & back filling); power tool operators; pier hole diggers (over 10 ft.); vibrator, jackhammer & chipping hammer operators; chain saw operators; concrete saw operators; brush feeders on pulverizers; reinforcing steel handlers; air tamp operators; ditch witch operators; swinging scaffolds.	5.805	.30	.15			
Stonemason tenders; cutting torch or burner men; Georgia buggies (self-propelled); brick tenders; plasterer tenders; fork lift (up to 9 ft.); hoseman; insulation man.	5.905	.30	.15			
Mortar men (hod carriers); scaffolding (swinging or tubing) hod carriers.	6.00	.30	.15			
Barco, jackson or similar tamp operators; asphalt rakers; powder men; mastic hot kettle men; sandblasting & gunite nozzle men; wagon & churn drill operators.	6.10	.30	.15			

AP-515 P. 5

Ray County, Missouri
Building Construction

Missouri - 7 - LAB - 1 - b

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
LABORERS:						
Common labor; wire mesh handlers or setters; carpenter tender; track men; flagmen; signalmen; salamander tenders; floor cleaners; landscape men; sod layers; wreckers (for alterations or entire projects).	$5.55	.30	.15			
Plumber laborers (conduit pipe, sewer work, drain tile & duct lines, digging & back filling); power tool operators; pier hole diggers (over 10 ft.); vibrator, jackhammer & chipping hammer operators; chain saw operators; concrete saw operators; brush feeders on pulverizers; reinforcing steel handlers; air tamp operators; ditch witch operators; swinging scaffolds.	5.65	.30	.15			
Stonemason tenders; cutting torch or burner men; Georgia buggies (self-propelled); brick tenders; fork lift (up to 9 ft.); hoseman; insulation man.	5.725	.30	.15			
Mortar men (hod carriers); scaffolding (swinging or tubing) hod carriers.	5.80	.30	.15			
Barco, jackson or similar tamp operators; asphalt rakers; powder men; mastic hot kettle men; sandblasting & gunite nozzle men; wagon & churn drill operators.	5.90	.30	.15			

"Jackson, Clay, Cass, Ray, & Platte Counties, Missouri"
Building Construction

AP-515 P. 6
No. 3-PEO-1-1 (1-2)

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHE
POWER EQUIPMENT OPERATORS: "A" From Trucks; Boilers (1); Brooms-Power Operated (all types); Chip Spreader (frontman); Clef Plane Operators; Compressor (1) 105 feet or over; Concrete Saws, self-propelled; Conveyor Operator; Crab-power operated; Curb Finishing Machine; Elevator; Finishing Machine; Firemen on Rigs; Flex Plane; Floating Machine; Form Grader; Fork Lift - all types & sizes; Greaser; Hoist; Hoist, Endless Chain - power operated; Hopper - Power operated; Hydra Hammer (all types); Lad-A-Vator; Mixers (with Side Loaders); Pumps (with well points); Pump (water well points); Pump (Water) Rollers (all types); Siphons, Jets & Jennys; Sub Grader; Tractors over 50 h.p.	$6.90	.25	.25		.02	
Asphalt Paver & Spreader; Asphalt Plant Mixer Operator; Asphalt Plant Operator; Back Fillers; Back Hoe, all types; Barber-Greene Loader; Blaso Power, all types; Boats - Power; Boilers (2); Boring Machine (all types); Cableways; Cherry Pickers (all types); Chip Spreader; Clamshells; Combination Concrete Hoist & Mixer; such as mixers-mobile (with tower, 50¢ per hour additional) Compressors (2) 105 feet or over not more than 20 feet apart; Compressors - tandem (any sizes); Compressors - Single, Truck Mounted; Concrete Ready-Mixed Plant, Portable (job site); Concrete Mixer Paver; Crane or Rigs (all types); Crane - overhead; Crusher; rock; Derricks & Derrick Cars (power operated); Ditching Machines; Dozers; Draglines; Dredges, any type power; Gradeall; Hoist, Endless Chain - Power Operated with Power Travel; Loaders - all types Locomotives - all types; Mechanic & welder; Mucking Machine; Orange Peels; Pile Drivers; Pumps - material - all types; Push Cats; Scoops (all types); Self-propelled Rotary Drill; Shovel, Power; Side Boom; Skimmer Scoop; Testhole Machine; Throttle Man	7.15	.25	.25		.02	

POWER EQUIPMENT OPERATORS: (cont'd	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTH
Crane-tower or climbing	$7.65	.25	.25		.02	
Clamshells, Crane or Rigs, Draglines & Pile Drivers with 80 feet of boom or over (including jib)	7.40	.25	.25		.02	
Crane or Rigs over 200 feet	7.65	.25	.25		.02	
Hoists - each additional drum over 1 drum	7.15	.25	.25		.02	
Master Mechanic	8.15	.25	.25		.02	
Master Mechanic - Assistant	7.90	.25	.25		.02	
Oiler; Tractors (except when hauling material) less than 50 h.p.	6.35	.25	.25		.02	
Oiler Driver - all types	6.60	.25	.25		.02	
Ready-Mixed Concrete Plants: Crane Operator	6.83	.25	.25		.02	
Conveyor; Loader Operator; Plant Man	6.63	.25	.25		.02	

Jackson, Platte, Ray, & Clay Counties, Missouri"

HEAVY & HIGHWAY CONSTRUCTION

10 - Missouri - LAB - 2,3 (1-2)

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Othe
General Laborer Carpenter Tenders; Salamander Tenders; Dump Man & Ticket Takers on Stock Piles; Flagmen; Loading Trucks under Bins, Hoppers and Conveyors; Track men and all other General Laborers	$7.00	.40	.40	.50	.10	
First Semi-Skill Air Tool Operator; Cement Handler (Bulk or Sack); Chain or Concrete Saw; Deck Hands; Dump man on Earth Fill; Grade Checkers on Cuts and Fills; Georgie Buggies Man; Material Batch Hopper Man; Scale Man; Material Mixer Man (except on Manholes, Coffer Dams, Abutments and PierHole men working below ground); Riprap Pavers Rock, Block or Brick; Signal Man; Scaffolds over 10 ft. not self-supported from ground up; Skipman on concrete paving; Vibrator man; Wire mesh setters on concrete paving; all work in connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct lines and all other pipe lines; Power Tool Operator; all work in connection with Hydraulic or General Dredging Operations; Form Setter Helpers; Pudlers (paving only)	7.15	.40	.40	.50	.10	
Second Semi-Skill Crusher Feeder; Men handling creosote ties or creosote materials; Men working with and handling epoxy materials (where special protection is required); Head Pipe Layer on Sewer work; Topper of Standing trees; Batter Board man on Pipe & Ditch work; Feeder Man on Wood Pulverizers; Board and Willow Mat Weavers and Cable Tiers on River work; all Laborers working on underground tunnels where compressed air is not used	7.30	.40	.40	.50	.10	

10 - Missouri - LAB - 2,3 (2-2)

LABORERS (CONT'D):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Third Semi-Skill						
Spreader or Screed man on Asphalt Machine; Asphalt Raker; Laser Beam Man; Barco Tamper; Jackson or any other similar Tamp; Wagon Driller, Churn Drills, Air Track Drill and all other similar drills; Cutting Torch Man; Form Setter; Liners and Stringline Men on Concrete Paving, Curb, Gutters and etc.; Hot Mastic Kettleman; Hot Tar Applicator; Hand Blade Operators; Manhole Builders Helpers and Mortar Men on Brick or Block Manholes; Sand Blasting and Gunnite Nozzle Men; Rubbing Concrete; Air Tool Operator in Tunnels	7.50	.40	.40	.50	.10	
Fourth Semi-Skill						
Manhole Builder (Brick or Block); Dynamite and Powder Men;	7.80	.40	.40	.50	.10	

Jackson, Platte, Ray, & Clay Cos., Mo.

10 - Missouri - TD - 2,3

HEAVY & HIGHWAY CONSTRUCTION TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
One Team; Station Wagons; Pickups; Material, Single Axle; Tank Wagon, Single Axle	$7.39	.50	.50	.50		
Two Teams; Material, Tandem; Semi-Trailers; Winch; Fork; Distributor Drivers and Operators; Agitator and Transit Mix; Tank Wagon, Tandem or Semi-Trailer; Insley Wagons; Dump; Excavating, 5 cu. yds. & over; Dumpsters; Half-Tracks; Speedace; Euclids and other similar excavating equipment	7.59	.50	.50	.50		
A-Frame; Low Boy; Boom	7.90	.50	.50	.50		
Mechanics & Welders	8.05	.50	.50	.50		
Mechanic's Helpers, Oilers & Greasers	7.165	.50	.50	.50		

"Jackson, Platte, Ray, & Clay Cos., Mo.

10 - Missouri - PEO - 2,3 (1-2)

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Group I						
Asphalt Paver and Spreader; Asphalt Plant Console Operator; Auto Grader; Back Hoe; Blade Operator, all types; Boilers-2; Booster Pump on Dredge; Boring Machine (Truck or Crane Mounted); Bulldozer Operator; Clamshell Operator; Compressor Maintenance Operator-2; Concrete Plant Operator, Central Mix; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dragline Operator; Dredge Engineman; Dredge Operator; Drillcat with Compressor Mounted on Cat; Drilling or Boring Machine, Rotary, Self-propelled; High Loader-Fork Lift; Hoisting Engine-2 active drums; Locomotive Operator, Standard Gauge; Mechanics and Welders, Field or Shop; Maintenance Operator; Mucking Machine; Pile Driver Operator; Pitman Crane Operator; Pump-2; Quad-Trac; Scoop Operator-all types; Scoops in Tandem; Self-Propelled Rotary Drill(Leroy or Equal-not Air Trac); Shovel Operator; Side Discharge Spreader; Sideboom Cats; Skimmer Scoop Operator; Slip-form Paver (CMI, REX, or Equal); Throttle Man; Truck Crane; Welding Machine Maintenance Operator-2	$8.50	.40	.40	.50	.10	
Group II						
"A" Frame Truck; Asphalt Hot Mix Silo; Asphalt Plant Fireman, Drum or Boiler; Asphalt Plant Mixer Operator; Asphalt Plant Man; Asphalt Roller Operator; Backfiller Operator; Chip Spreader; Concrete Batch Plant, Dry, Power Operated; Concrete Mixer Operator, Skip Loader; Concrete Pump Operator; Crusher Operator; Elevating Grader Operator; Greaser; Hoisting Engine-1 drum; LaTourneau Rooter; Multiple Compactor; Pavement Breaker, Self-Propelled, of the Hydra-Hammer or Similar Type; Power Shield; Pug Mill Operator; Stump Cutting Machine; Towboat Operator; Tractor Operator-Over 50 HP	8.25	.40	.40	.50	.10	

POWER EQUIPMENT OPERATORS (CONT'D):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Group III						
Boilers-1; Chip Spreader(Front Man); Churn Drill Operator; Compressor Maintenance Operator-1; Concrete Saws, Self-Propelled; Conveyor Operator; Distributor Operator; Finishing Machine Operator; Fireman, Rig; Float Operator; Form Grader Operator; Oiler Driver, all types; Pump; Pump Maintenance Operator, other than Dredge; Roller Operator, other than high type asphalt; Screening and Washing Plant Operator; Self Propelled Street Broom or Sweeper; Siphons and Jets; Sub-Grading Machine Operator; Tank Car Heater Operator-Combination Boiler and Booster; Tractor, 50 HP or less, without attachments; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator-1	8.00	.40	.40	.50	.10	
Group IV						
Mechanic's Helper, Oiler	7.50	.40	.40	.50	.10	
Clamshells, 3-yd. capacity or over	8.75	.40	.40	.50	.10	
Crane or Rigs, 80 ft. of boom or over (including jib)	8.75	.40	.40	.50	.10	
Crane or Rigs, over 200 ft. of boom (including jib)	9.00	.40	.40	.50	.10	
Draglines, 3-yd. capacity or over	8.75	.40	.40	.50	.10	
Pile Drivers, 80 ft. of boom or over (including jib)	8.75	.40	.40	.50	.10	
Shovels, 3-yd. capacity or over	8.75	.40	.40	.50	.10	

HEAVY & HIGHWAY CONSTRUCTION CASS COUNTY, MISSOURI	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS						
Asphalt finishing machine & Trench widening spreader; Asphalt plant Console Op.; Autograder; Automatic slipform paver; Backhoe, Blade Op. - all types; Boat Op.-tow; Boilers-2; Central mix concrete plant Op.; Clamshell Op.; Concrete mixer paver; Crane Op.; Derrick or Derrick trucks; Ditching machine; Dozer Op.; Dragline Op.; Dredge booster pump; Dredge Engineman; Dredge Op.; Drill cat with Compressor mounted on Cat; Drilling or Boring machine rotary self-propelled; Highloader; Hoisting engine -2 active drums; Lauchhammer wheel; Locomotive Op.- standard gauge; Mechanics and Welders; Mucking machine; Piledriver Op.; Pitman Crane Op.; Push Cat Op.; Quad Trac; Scoop Op. - all types; Shovel Op.; Sideboom Cats; Skimmer scoop Op.; Trenching machine Op.; Truck crane	$9.10	.40	.40		.05	
A-Frame; Asphalt hot-mix silo; Asphalt plant fireman (drum or boiler); Asphalt plant man; Asphalt plant mixer Op.; Asphalt roller Op.; Backfiller Op.; Barber-Greene loader; Boat Op.(bridges & dams); Chip spreader; Compressor Maintenance Op. -2; Concrete mixer Op.; Skip loader; Concrete plant Op.; Concrete pump Op.; Crusher Op.; Dredge oiler; Elevating grader Op.; Fork lift; Greaser-fleet; Hoisting engine - 1; Locomotive Op. narrow gauge; Multiple compactor; Pavement breaker; Power-broom self-propelled; Power shield; Rooter; Side discharge concrete spreader; Slip form finishing machine; Stumpcutter machine; Throttle man; Tractor Op. (over 50 H.P.); Welding machine Maintenance Op. -2; Winch truck	8.90	.40	.40		.05	

MO. 8-PEO 2,3 (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Boilers - 1; Chip Spreader (front man); Churn Drill Op.; Clef Plane Op.; Compressor Maintenance Op. -1; Concrete Saw Op. (self-propelled); Conveyor Op.; Curb Finishing Machine; Distributor Op.; Finishing Machine Op.; Fireman-Rig; Flex Plane Op.; Float Op.; Form Grader Op.; Generator-Maintenance Op.; Light Plant- Maintenance Op.; Maintenance Op.; Oiler Driver; Pugmill Op.; Pump Maintenance Op. (other than Dredge); Roller Op., other than high type asphalt; Screening & Washing Plant Op.; Siphons & Jets; Sub-grading Machine Operator; Spreader Box Op., self-propelled (not asphalt); Tank Car Heater Op. (Combination Boiler & Booster); Tractor Op. (50 H.P. or less); Ulmac, Ulric or similar spreader; Vibrating Machine Op., Welding Machine Maintenance Op. - 1	8.70	.40	.40		.05	
Oiler	7.95	.40	.40		.05	
Clamshells, 3 yds. or over; Crane, Rigs or Piledrivers 100' to 200' of boom (including jib); Draglines, 3 yds, or over; Hoists - each additional active drum over 2 drums; Shovels, 3 yds. or over	9.35	.40	.40		.05	
Tandem Scoop; Crane, Rigs or Piledrivers 200' of boom or over (including jib)	9.60	.40	.40		.05	

Cass County, Missouri

MO. 22 Lab 2,3

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS:						
General Labor						
Carpenter tenders; Salamander tenders; Dump man and ticket takers on stock piles; Flagmen; Loading trucks under bins, hoppers and conveyors; Track men and all other general laborers	6.975	.40	.40		.10	
First Semi-Skill						
Air tool operator; Cement handler-bulk or sack; Dump man on earth fill; Georgie buggie man; Material batch hopper man; Scale man; Spreader on asphalt machine; Material mixer man (except on manholes); Coffer dams; Riprap pavers-rock, block or brick; Signal man; Scaffolds over ten feet not self-supported from ground up; Skipman on concrete paving; All work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile & duct lines and all other pipe lines; Power tool operator; All work in connection with hydraulic or general dredging operations; Form setter helpers; Puddlers (paving only); Straw blower nozzleman; Wire mesh setters on concrete paving.	7.125	.40	.40		.10	
Second Semi-Skill						
Asphalt plant platform man; Chuck tender; Crusher feeder; Men handling creosote ties on creosote materials; Men working with and handling epoxy material or materials (where special protection is required); Head pipe layer on sewer work; Topper of standing trees; Batter board man on pipe and ditch work; Vibrator man; Feeder man on wood pulverizers; Board and willow mat weavers and cable tiers on river work; Deck hands; Pile dike and revetment work; All laborers working on underground tunnels less than 25 feet where compressed air is not used; Abutment and pier hole men working six (6) feet or more below ground; Men working in Coffer dams for bridge piers and footings in the river.	7.275	.40	.40		.10	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Third Semi-Skill						
Laser beam man; Asphalt rakers; Barco tamper; Jackson or any other similar tamp; Wagon driller; Churn drills; Air track drills; All other similar drills; Cutting torch man; Form setters; Liners and stringline men on concrete paving, curb, gutters, etc.; Hot mastic kettleman; Hot tar applicator; Hand blade operators; Manhole builder helpers and mortar men on brick or block manholes; Sandblasting & gunite nozzle men; Rubbing concrete; Air tool Operator in tunnels; Caulker and lead man; Screed man on asphalt machine; Chain on concrete saw; Cliff scalers working from scaffolds, Bosuns' Chairs or platforms on dams or power plants over ten (10) feet above ground; Grade checker on cuts and fills.	7.475	.40	.40		.10	
Fourth Semi-Skill						
Manhole builders-brick or block; Dynamite and powder men; Welder	7.725	.40	.40		.10	

Cass County, Missouri MO. 2 - TD - 2,3 (1-1)

HEAVY & HIGHWAY CONSTRUCTION TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Flat bed trucks - single axle	$7.33	.50	.50			
Flat bed trucks - tandem axle	7.48	.50	.50			
Station wagons	7.33	.50	.50			
Pickup trucks	7.33	.50	.50			
Material trucks - single axle	7.33	.50	.50			
Material trucks - tandem axle	7.48	.50	.50			
Semi and/or pole trailers	7.55	.50	.50			
Winch, fork and steel trucks	7.55	.50	.50			
Distributor drivers and operators	7.55	.50	.50			
Agitator and transit mix trucks	7.44	.50	.50			
Tank wagon - single axle	7.33	.50	.50			
Tank wagon - semi-trailer	7.55	.50	.50			
Tank wagon - tandem axle	7.48	.50	.50			
Insley wagons, dumpsters, half-tracks, speedace, euclids, and other similar equipment	7.55	.50	.50			
A-frame and derrick trucks	7.55	.50	.50			
Float or low boy	7.55	.50	.50			
Warehouseman	7.23	.50	.50			

20-Kansas-1.x

"WYANDOTTE & JOHNSON COUNTIES, KANSAS

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
ASBESTOS WORKERS	$8.40	.30	.30		.02	
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; Stonemasons	6.325	.20	.30			
CARPENTERS:						
Carpenters; Millwrights; Piledrivermen	7.55	.23	.15		.04	
CEMENT MASONS:						
Cement masons	6.025	.10	.15			
Composition	6.275	.10	.15			
ELECTRICIANS:						
Johnson County:						
That portion of Johnson Co. west of Aubry, Oxford and Shawnee Townships	8.00	.25	1%+.30		2/10%	
Remainder of County	6.29	.15	1%+.20	.70	.03	
Wyandotte County	6.29	.15	1%+.20	.70	.03	
ELEVATOR CONSTRUCTORS	7.29	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS(PROB.)	50%JR					
GLAZIERS	7.41	.35	.20	7%+c	.01	
IRONWORKERS:						
Ornamental; Reinforcing; Riggers; Structural	8.50	.40	.40	.50	.05	
LATHERS	6.75	.20				
MARBLE SETTERS	8.425	3.65%	3.25%			
MARBLE SETTERS' HELPERS	6.68					
PAINTERS:						
Painters	7.52	.20	.20			
Paperhangers	8.02	.20	.20			
All interior surfaces over 27' from the floor including structural steel; All exterior work performed on swing stages, with jacks or with belts (over 7' above ground level); Storage bins and storage tanks (over 7' above ground level); All work performed by air, steam, aggregate and/or sandblasting; All work in elevator shafts above 27'; Bridges; Structural steel (exterior); Structural steel, exterior over 75' in height; tapers using power machine (Bazooka)	8.27	.20	.20			
Spray	9.27	.20	.20			
PIPEFITTERS	8.02	.38	.75		.06	
PLASTERERS	6.90	.20				
PLUMBERS	8.45	.30	.40		.06	
ROOFERS	6.51	.18	.40		.04	
SHEET METAL WORKERS	8.225	.25	.25			

20-Kansas-1- x

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
SOFT FLOOR LAYERS	7.09	.35	.25	7%	.05	
SPRINKLER FITTERS	8.485	.25	.40		.05	
TERRAZZO WORKERS; Tile setters	8.425	3.65%	3.25%			
TERRAZZO WORKERS' HELPERS	4.55					
TERRAZZO BASE GRINDERS	4.90					
TILE SETTERS' HELPERS	6.68					

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; G-Friday after Thanksgiving Day.

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.
c. Paid Holidays: A through G.

Kansas 20 Lab - 1 - b

Johnson & Wyandotte Cos., Kans.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS:						
Common labor, Wire mesh handlers or setters; Carpenter tender; Track men; Flagman; Signalman; Salamander tenders; Window cleaners; Floor cleaners; Landscape man; Sod layers; Wrecker (for alterations or entire projects)	$5.71	.30	.15			
Plumber laborers (conduit pipe, sewer work, drain tile & duck lines, digging & back filling), Power tool operators; Pier hole diggers (over 10 ft.); Vibrator, jackhammer, & Chipping hammer operators; Chain saw operators; Concrete saw operators; Brush feeders on pulverizers; Reinforcing steel handlers; Air tamp operators; Ditch witch operators; Swinging scaffolds	5.805	.30	.15			
Stone mason tenders; Cutting torch or burner men; Georgia buggies (self-propelled); Brick tenders; Plasterers tenders; Fork lift (up to 9 ft.); Hoseman; Insulation man	5.905	.30	.15			
Mortar men (Hod carriers); scaffolding (swinging or tubing) Hod carriers	6.00	.30	.15			
Barco, jackson or similar tamp operators; Asphalt rakers; Powder men; Mastic hot kettle men; Sandblasting & gunite nozzle man; Wagon & Churn drill operators	6.10	.30	.15			

Wyandotte & Johnson Counties, Kansas

KAN - 10 - PEO - 1 - h (1-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
"A" Frame Trucks; Boilers (1); Brooms Power Operated (all types); Chip Spreader (front man); Clef Plane Op.; Compressor (1) 105 feet or over; Concrete Saws, Self-propelled; Conveyor Operator; Crab-power operated; Curb Finishing Machine; Elevator; Finishing Machine; Firemen on Rigs; Flex Plane; Floating Machine; Form Grader; Fork Lift - all types & sizes; Greaser; Hoist, Endless Chain - power operated; Hopper - Power Operated; Hydra Hammer (all types); Lad-A-Vator; Mixers (with Side Loaders); Pumps (with well points); Pump (water) Rollers (all types); Siphons, Jets & Jennys; Sub Grader; Tractors over 50 H.P.	$6.90	.25	.25		.02	
Asphalt Paver & Spreader; Asphalt Plant Mixer Operator; Asphalt Plant Operator Back Fillers; Back Hoe, all types; Barber-Greene Loader; Blade - Power, all types; Boats - Power; Boiler (2); Boring Machine (all types); Cableways; Cherry Pickers (all types); Chip Spreader; Clamshells; Combination Concrete Hoist & Mixer, such as mixer-mobile (with tower, 50¢ per hour additional) Compressors (2) 105 feet or over not more than 20 feet apart; Compressors - tandem (any sizes); Compressors - Single, Truck Mounted; Concrete Ready-Mixed Plant, Portable (job site); Concrete Mixer Paver; Crane or Rigs (all types); Crane - overhead; Crusher, rock; Derricks & Derrick Cars (Power operated); Ditching Machines; Dozers; Draglines; Dredges, any type power; Gradeall; Hoist, Endless Chain-Power Operated with Power Travel; Loaders - all types Locomotives - all types; Mechanic & Welder; Mucking Machine; Orange Peels; Pile Drivers; Pumps - material - all types; Push Cats; Scoops (all types); Self-propelled Rotary Drill; Shovel Power; Side Boom; Skimmer Scoop; Testhole Machine; Throttle Man	7.15	.25	.25		.02	
Crane-tower or climbing	7.65	.25	.25		.02	

KAN - 10 - PEO - 1 - h (2-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS: (cont'd)						
Clamshells, crane or rigs, draglines & Pile Drivers with 80 feet of boom or over (including jib)	$7.40	.25	.25		.02	
Crane or Rigs over 200 feet	7.65	.25	.25		.02	
Hoists - each additional drum over 1 drum	7.15	.25	.25		.02	
Master Mechanic	8.15	.25	.25		.02	
Master Mechanic - Assistant	7.90	.25	.25		.02	
Oiler; Tractors (except when hauling material) less than 50 H.P.	6.35	.25	.25		.02	
Oiler Driver - all types	6.60	.25	.25		.02	
Ready-Mixed Concrete Plants:						
Crane Operator	6.83	.25	.25		.02	
Conveyor; loader operator; plant man	6.63	.25	.25		.02	

Wyandotte & Johnson Counties, Kans. KAN - 1 - TD - 1 - h

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
TRUCK DRIVERS:						
Warehousemen and stock man	$4.175					
Flat beds	4.225					
Pick-ups	4.225					
Dump trucks, under 10 yards	4.225					
Dump trucks, 10 yards and over	4.30					
Straddle trucks	4.425					
Wheel tractors (when used for towing)	4.425					
Steel trucks	4.30					
Hydro lift trucks	4.425					
Hydraulically operated serial lifts	4.425					
Distributor truck drivers and operators	4.325					
Semi-truck drivers	4.30					
Heavy hauling, A-frame winch and fork lifts	4.425					
Heavy excavating (dumpter, Euclid, etc.)	4.425					
Oilers, greasers and mechanics' helpers	4.325					
Mechanics	4.525					
Transit mix, 5 yards and over	4.375					
Transit mix, under 5 yards	4.275					
Double bottom units (20 tons cap & over)	4.425					

LABORERS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
GENERAL LABORER						
Carpenter Tenders, Salamander Tenders, Dump Man & Ticket Takers on Stock Piles, Flagmen, Loading Trucks under Bins, Hoppers and Conveyors, Track men and all other General Laborers	7.00	.40	.40	.50	.10	
FIRST SEMI-SKILL						
Air Tool Operator, Cement Handler (Bulk or Sack), Chain or Concrete Saw, Deck Hands, Dump man on earth fill, Grade checkers on Cuts and Fills, Georgie Buggies Man, Material Batch Hopper man, Scale man, Material Mixer Man (except on Manholes, Coffer Dams, Abutments and Pier Hole men working below ground, Riprap Pavers Rock, Block or Brick, Signal man, Scaffolds over 10 ft. not self-supported from ground up, Skipman on concrete paving, Vibrator man, Wire mesh setters on concrete paving, all work in connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct Lines and all other pipe lines, Power Tool Operator, all work in connection with Hydaulic or General Dredging Operations, Form Setter Helpers Pudlers (paving only)	7.15	.40	.40	.50	.10	
SECOND SEMI-SKILL						
Crusher Feeder, Men Handling creosote Ties or creosote materials, Men working with and handling epoxy material or materials (where special protection is required), Head Pipe Layer on Sewer work, Topper of Standing trees, Batter Board man on Pipe & Ditch work, Feeder Man on Wood Pulverizers, Board and Willow Mat Weavers and Cable Tiers on River Work, all Laborers working on underground tunnels where compressed air is not used	7.30	.40	.40	.50	.10	
THIRD SEMI-SKILL						
Spreader or Screed man on Asphalt Machine, Asphalt Raker, Laser Beam Man, Barco Tamper, Jackson or any other similar Tamp, Wagon Driller, Churn Drills, Air Track Drills and all other similar Drills, Cutting Torch Man, Form Setters, Liners and Stringline Men on Concrete Paving, Curb, Gutters and etc., Hot Mastic Kettleman, Hot Tar Applicator, Hand Blade Operators, Manhole Builders Helpers and Mortar Men on Brick or Block Manholes, Sand Blasting and Gunnite Nozzle Men, Rubbing Concrete, Air Tool Operator in Tunnels	7.50	.40	.40	.50	.10	

100-KAN-LAB-2-3-H (2-2)

LABORERS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
FOURTH SEMI-SKILL						
Manhole Builder (Brick or Block), Dynamite and Powder Men, Welder, Leadman or Working Foreman, Tunnel Leadman or Working Foreman	7.80	.40	.40	.50	.10	

Wyandotte & Johnson Counties, Kans.

100 - Kansas TD 2, 3 d

Site Preparation & Grading

TRUCK DRIVERS:	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
One Team; Station Wagons; Pickup Trucks; Material Trucks, Single Axle; Tank Wagon Drivers, Single Axle	$7.39	.50	.50	.50		
Material Trucks, Tandem; Two Teams; Semi-Trailers; Winch Truck--Fork Trucks; Distributor Drivers and Operators; Agitator and Transit Mix; Tank Wagon Drivers, Tandem or Semi-Trailer; Insley Wagons; Dump Trucks excavation 5 cu. yds. and over; Dumpsters; Half-Tracks; Speedace; Euclids and other similar excavating equipment	7.59	.50	.50	.50		
A Frame-Low Boy-Boom truck drivers	7.90	.50	.50	.50		
Mechanics & Welders	8.05	.50	.50	.50		
Mechanics' Helpers, Oilers & Greasers	7.165	.50	.50	.50		

Site Preparation & Grading

100 - KAN PEO 2 - 3 - h (1-2)

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Group I						
Asphalt Paver and Spreader; Auto Grader; Back Hoe; Blade Operator, all types; Boilers - 2; Booster Pump on Dredge; Boring Machine (Truck or Crane Mounted); Bulldozer Operator; Clamshell Operator; Compressor Maintenance Operator - 2; Concrete Plant Operator - Central Mix; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dragline Operator; Dredge Engineman; Dredge Operator; Drillcat with Compressor Mounted on Cat; Drilling or Boring Machine, Rotary, self-propelled; High Loader - Fork Lift; Locomotive Operator, Standard Gauge; Mechanics and Welders; Maintenance Operator; Mucking Machine; Pile Driver Operator; Pitman Crane Operator; Pump - 2; Quad-Trac; Scoop Operator - all types; Scoops in Tandem; Self-Propelled Rotary Drill (Leroy or Equal - not Air Trac); Shovel Operator; Side Discharge Spreader; Sideboom Cats; Skimmer Scoop Operator; Throttle Man; Truck Crane; Welding Machine Maintenance Operator - 2; Hoisting Engine-2 active drums	$8.50	.40	.40	.50	.10	
Group II						
"A" Frame Truck; Asphalt Hot Mix Silo; Asphalt Plant Fireman, Drum or Boiler; Asphalt Plant Mixer Operator; Asphalt Plant Operator; Asphalt Roller Operators; Backfiller Operator; Chip Spreader; Concrete Batch Plant, dry - Power Operated; Concrete Mixer Operator, Skip Loader; Concrete Pump Operator; Crusher Operator; Elevating Grader Operator; Greaser; Hoisting Engine - 1 drum; LaTourneau Rooter; Multiple Compactor; Pavement Breaker, Self-Propelled, of the Hydra-Hammer or Similar Type; Power Shield; Stump Cutting Machine; Towboat Operator; Tractor Operator - over 50 HP	8.25	.40	.40	.50	.10	
Group III						
Boilers - 1; Chip Spreader (Front Man); Churn Drill Operator; Compressor Maintenance Operator - 1; Concrete Saws, Self-Propelled; Conveyor Operator; Distributor Operator; Finishing Machine Operator; Fireman, Rig; Float Operator; Form Grader Operator; Oiler Driver, all types; Pump; Pump Maintenance Operator, other than Dredge; Roller Operator, other than High Type Asphalt; Screening and Washing Plant Operator	8.00	.40	.40	.50	.10	

100 - KAN PEC 2 - 3 - h (2-2)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
Group III (Cont'd)						
Self-Propelled Street Broom or Sweeper; Siphons and Jets; Sub-Grading Machine Operator; Tank Car Heater Operator - Combination Boiler and Booster; Tractor - 50 HP or less, without attachments; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator - 1	8.00	.40	.40	.50	.10	
Group IV						
Mechanic's Helper; Oiler	7.50	.40	.40	.50	.10	
Clamshells, 3 yards or over	8.75	.40	.40	.50	.10	
Crane or Rigs, 80 feet of boom or over (including jib)	8.75	.40	.40	.50	.10	
Crane or Rigs 200 feet of boom or over	9.00	.40	.40	.50	.10	
Dragline, 3 yards or over	8.75	.40	.40	.50	.10	
Pile drivers, 80 feet of boom or over (including jib)	8.75	.40	.40	.50	.10	
Shovels, 3 yards or over	8.75	.40	.40	.50	.10	
Men working in tunnels or shafts (not air shafts or coffer dams) of twenty-five (25) feet or more in length or depth will be paid fifty (50) cents per hour above the regular classification.						

STATE: OHIO
DECISION NUMBER: AP-34
COUNTY: BUTLER
DATE: Date of Publication
Supersedes Decision No. AM-404 dated August 18, 1971 in 36 FR 15897
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

9 - Ohio A 1 of 3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos Workers:						
Middlwtown & vicinity	$9.02	.25	.30		.01	
Balance of County	9.26	.25	.50		.02	
Boilermakers	7.95	.30	.60	.02	.01	
Boilermakers' helpers	7.70	.30	.60		.01	
Bricklayers	9.385	.45				
Carpenters:						
N.E. corner of County	8.70	.40	.55		.025	
Remainder of County	6.95	.20	.25		.025	
Cement masons (bldg. Const.)	8.845	.30	.50		.02	
Cement masons (Hvy. & Hwy.)	6.93	.42			.02	
Electricians:						
Electricians	8.70	.30	1%+.30		1/8of1%	
Cable splicers	9.20	.30	1%+.30		1/8of1%	
Elevator Constructors	8.53	.195	.20	2%+a&b	.005	
Elevator Constructors' helpers	70%JR	.195	.20	2%+a&b	.005	
Elevator Constructors' helpers (prob.)	50%JR					
Glaziers:						
Hamilton & vicinity	8.45		.25		.005	
Middletown & vicinity	8.58				.01	
Ironworkers, structrual, ornamental & reinforcing:						
Middletown & Northeastern part of Co.	8.85	.40	.65		.02	
Oxford, Hamilton & Balance of Co.);						
Structural & Ornamental	8.995	.40	.55		.015	
Reinforcing	8.695	.40	.85		.02	
Laborers (Building Const.)						
Common laborers	6.75	.35	.15			
Asphalt rakers, tamper, smoother, hand air pump, hand air tamper, chisel, vibrator power tamper operator	6.85	.35	.15			
Gunnite operators, sandblasters, concrete pumps & hose men	7.10	.35	.15			
Mason tenders, mortar mixers & scaffold builders	7.08	.35	.15			
Lathers	8.24		.20		.01	
Lead burners	7.80	.30		d	.01	
Marble setters' helpers	8.035					
Millwrights	9.29	.30	.25		.05	
Marble setters	8.90	.45				

9 - Ohio Z 2 of 3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	O
Painters:						
Industrial						
Brush	$7.58					
Spray	8.08					
Commercial						
Brush	7.43					
Spray	7.93					
Heavy and Highway; Brush	7.58					
Sandblasting and hopper tender, bridges when the highest point of clearance is 60' or more	8.08					
Piledrivermen:						
N.E. corner of County	8.70	.40	.55		.05	
Remainder of County	6.95	.20	.25		.025	
Plasterers	9.245		.30		.01	
Plumbers & Steamfitters:						
North ½ of Co.	9.09	.20	.50		.05	
South ½ of Co.	8.87	.40	.65		.01	
Roofers:						
Composition, damp & waterproof	8.55	.45	.25			
Slate, tile & asbestos	8.77	.45	.25			
Sheet metal workers	8.64	.25	.40		.10	
Soft floor layers:						
N.E. corner of County	7.80	.40	.40		.05	
Remainder of County	6.95	.20	.25		.025	
Sprinkler fitters	9.25	.30	.50		.05	
Stone masons	9.385	.45	.50			
Terrazzo workers	8.90	.45				
Terrazze workers' helpers	7.985					
Tile setters	8.90	.45				
Tile setters' helpers	7.935					
Truck drivers: (Northern ½ of Co.)						
Tandemaxle trucks, tandem axle dump trucks, winch trucks, fork lift trucks	5.59	c6.00	e10.00			
Single axle trucks & jeeps, pick-ups	5.44	c6.00	e10.00			
Euclid trucks & mechanics	5.89	c6.00	e10.00			
Lowboys & drags	5.85	c6.00	e10.00			
Semi-comb. & comb of hauling units	5.69	c6.00	e10.00			
Welders - receive rate prescribed for craft performing ooperation 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. 6 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. Per week, Per employee, providing employee has been on payroll at least 30 days.

d. Nine paid holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holidays, and the regular scheduled work days immediately and following the holiday.

e. Per week per employee, providing employee has been on payroll 300 hours.

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
A-Frames, air compressor on steel erection, all rotary drills used on caisson work for foundations and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggy back operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter: operator hoisting building materials, helicopter winch operator hoisting builders materials, hoes (all ypes), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.63	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.56	.38	.65		.09	
Air compressor (presurizing shafts or tunnels), all asphalt rollers, fork liifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" & over discharge), submersible pumps (4" & over discharge), trenchers (24" and under)	8.41	.38	.65		.09	

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
POWER EQUIPMENT OPERATORS:						
Compressors on building construction, conveyors (building material), gunite machines, mixers (capacity more than one bag), mixers (one bag capacity side loader), post driver, post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers welder operator	7.75	.38	.65		.09	
Backfillers & tampers, batch plant, bar & joint installing machine, bull floats, burlap & curing machines, clefplanes, concrete spreading machines, crushers, drum fireman (asphalt), farm type tractor (pulling attachments), finishing machines form trenchers, high pressure pumps (over ½" discharge), hydro seeders, self propelled power spreaders, self propelled sub-grader, tire repairman, tractors pulling sheep foot roller or grader, vibratory compactors (with integral power)	7.44	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs. pressure), pumps (under 4" discharge), submersible pumps (under 4" discharge)	6.82	.38	.65		.09	

BUILDING CONSTRUCTION

REMAINDER OF COUNTY

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
TRUCK DRIVERS:						
Tractor trailer combinations and drags	$5.42	a12.50	a13.00	b & c		
Drivers	5.21	a12.50	a13.00	b & c		
Helpers	5.16	a12.50	a13.00	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 Day.

FOOTNOTES:

a. Per week per employee on payroll for 30 days.

b. Paid vacations: 1 year of employment 1 week; 2 years 2 weeks; 10 years 3 weeks; 15 years 4 weeks.

c. Six paid holidays: A thru F.

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Ohio - 10 - LAB L

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.33	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.455	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.53	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	5.68	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	5.98	.45	.20		.02	

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Ohio - 1 - PEO L 1 of 2

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
POWER EQUIPMENT OPERATORS: (CONTD)						
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

HEAVY & HIGHWAY CONSTRUCTION

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations: Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: AP-35
COUNTY: CLARK
DATE: Date of Publication
Supersedes Decision No. AM-405 dated August 18, 1971 in 36 FR 15902
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.02	.25	.30		.01	
Boilermakers	7.95	.30	.60		.01	
Boilermakers' helpers	7.70	.30	.60		.01	
Bricklayers	8.40					
Stonemasons	8.40					
Carpenters	7.90	.30	.35		.01	
Millwrights	8.25	.30	.35		.01	
Piledrivermen	8.25	.30	.35		.01	
Cement masons (building)	8.40					
Cement masons (Heavy and highway)	6.69	.42			.02	
Electricians	8.50	.35	1%		1/10of1%	
Elevator constructors	8.82	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	70%JR	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (prob)	50%JR					
Glaziers	8.58				.01	
Laborers:						
Laborers-general, carpenters' tenders, vibrator, air spade & other small tools, sewer pipe layers & bottom man, asphalt raker & tampers water boys, flagmen & signalmen	5.88	.45	.20		.02	
Plasterers' tenders, mason tenders, mortar mixer, air & machine driven tool oprs., jackhammer, barko & chain saw, wagon drill, hand spikers, power conc. & buggies, power man & blaster, gunnite machine oprs. & Nozzleman, miners for tunnel & caisson, muckers for tunnel & caisson	6.13	.45	.20		.02	
Lathers	8.15		.10		.01	
Lead Burners	7.80	.30		c	.01	
Linemen, cable splicers & equipment operators	9.56	1%			½ of 1%	
Marble setters	8.40					
Painters, brush	6.90		.25			
Structural Steel	7.45		.25			
Swing stage	7.25		.25			
Sandblasting	7.70		.25			
Spray	7.60		.25			
Plasterers	8.45					
Plumbers	8.87	.33	.45		.02	

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Ironworkers- structural, ornamental and reinforcing West 3/4 of county	8.70	.40	.65		.02	
Ironworkers-structural, ornamental and reinforcing East 1/4 of county	9.10	.40	.85		.01	
Roofers, composition & waterproofing	8.77	.45	.25			
Roofers, slate, tile & asbestos	8.55	.45	.25			
Sheet metal workers	8.64	.25	.40		.10	
Soft floor layers	7.90	.30	.35		.01	
Sprinkler fitters	9.25	.30	.40		.05	
Steamfitters	8.87	.33	.45		.02	
Terrazo workers	8.40					
Tile setters	8.40					
Welders - receive rate prescribe 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. Nine paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work immediately preceding and following the holiday.

BUILDING CONSTRUCTION

Ohio - 6 - PEO Q 1 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
A-Frames, air compressor on steel erection, all rotary drills used on caisson work for foundations and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggy back operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter: operator hoisting building materials, helicopter winch operator hoisting builders materials, hoes (all ypes), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.63	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.56	.38	.65		.09	
Air compressor (presurizing shafts or tunnels), all asphalt rollers, fork llifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" & over discharge), submersible pumps (4" & over discharge), trenchers (24" and under)	8.41	.38	.65		.09	

Ohio - 6 - PEO 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
POWER EQUIPMENT OPERATORS:						
Compressors on building construction, conveyors (building material), gunite machines, mixers (capacity more than one bag), mixers (one bag capacity side loader), post driver, post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers welder operator	7.75	.38	.65		.09	
Backfillers & tampers, batch plant, bar & joint installing machine, bull floats, burlap & curing machines, clefplanes, concrete spreading machines, crushers, drum fireman (asphalt), farm type tractor (pulling attachments), finishing machines form trenchers, high pressure pumps (over ½" discharge), hydro seeders, self propelled power spreaders, self propelled sub-grader, tire repairman, tractors pulling sheep foot roller or grader, vibratory compactors (with integral power)	7.44	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs. pressure), pumps (under 4" discharge), submersible pumps (under 4" discharge)	6.82	.38	.65		.09	

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Ohio - 10 - LAB L

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.33	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.455	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.53	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	5.68	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	5.98	.45	.20		.02	

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Ohio - 1 - PEO L 1 of 2

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
POWER EQUIPMENT OPERATORS:						
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

POWER EQUIPMENT OPERATORS: (CONTD)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations: Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: AP-36
COUNTY: CUYAHOGA
DATE: Date of Publication
Supersedes Decision No. AM-406 dated August 18, 1971 in 36 FR 15906
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$10.31					
Boilermakers	8.96	.50	.85		.01	
Bricklayers & Stone masons	8.13	.65	.65	1.00		
Carpenters	9.45	.40	.55		.01	
Millwrights	9.45	.40	.55		.01	
Piledrivermen	9.45	.40	.55		.01	
Cement masons:						
Building	9.61	.30				
Heavy & Highway	7.63	.42			.02	
Electricians	9.53	.45	.32+1%		.02	
Elevator constructors	9.435	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	70%JR	.195	.20	2%+a&b	.005	
Elevator constructors; helpers (prob)	50%JR					
Glaziers	9.11	.25	.55		.01	
Ironworkers, structural & ornamental	8.20	.50	.80	.90	.01	
Inronworkers, reinforcing	8.20	.50	.80	.90	.01	
Laborers:						
Laborers, construction	5.97	.25	.25			
Gunite operator	6.295	.25	.25			
Blasters and shooters	6.295	.25	.25			
Caisson, well cylinders, mine workers without air, cofferdams	6.295	.25	.25			
Muckers	6.17	.25	.25			
Jackhammers, acetylene burners, vibrator	6.17	.25	.25			
Sewer & utility laborers	6.12	.25	.25			
Swinging scaffolds	6.22	.25	.25			
Top man on free standing radial stack	6.47	.25	.25			
Powerdriven tools and vibrator	6.12	.25	.25			
Linemen	10.16	.15	1%			
Lathers	9.91				.01	
Leadburners	7.80	.30		c	.01	
Marble setters	8.13	.65	.65	1.00		
Marble setters' helpers	8.79					
Painters:						
Brush & paperhangers Rollers & tarpers	8.71	.37	.34			
Structural steel & Bridge	9.41	.37	.34			
Swing stage & bos'n chair	9.01	.37	.34			
Sign Painters:						
Display builder	5.94	.25	.15	d	.01	
Spray painter	5.74	.25	.15	d	.01	
Pipefitters & Sprinkler fitters	9.25	.60	.65		.03	

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	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Plasterers	$7.71					
Plumbers	9.16	.55	.70		.02	
Roofers	9.76	.25	.30		.005	
Sheet metal workers	9.71		.60			
Soft floor layers (resilient)	9.45	.40	.55		.01	
Terrazzo workers	8.06	.65	.65	1.00		
Terrazzo workers' helpers	9.10		.25			
Tile setters	9.435					
Tile setters' helpers	9.32					
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. Nine paid holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Eight paid holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, The Friday after Thanksgiving, and Christmas Day.

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
A-Frames, air compressor on steel erection, all rotary drills used on caisson for foundations and sub-structure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggyback operation boom trucks (all types), cableways, cherry pickers, combination concrete mixer & tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter operator (hoisting builders materials), helicopter winch oper., (hoisting builders materials), hoes (all types), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction site), tower derricks, trench machines (over 24" wide)	$9.33	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kholman type loaders (dirt loading), mucking machines, power graders, power scoops, power scrapers	9.18	.38	.65		.09	
Air compressor (pressurizing shafts or tunnels), all asphalt rollers, fork lifts, hoist (one drum), house elevators, man lift, power boiler (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pump (4" and over discharge), submersible pumps (4" & over discharge), trenchers (24" & under)	9.03	.38	.65		.09	

POWER EQUIPMENT OPERATORS: (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Compressors on building construction, conveyors (building material), gunite machines, mixers (cap., more than one bag), mixers (one bag cap., side loader), post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers, welder operator	8.35	.38	.65		.09	
Backfillers and tamper, batch plant, bar & joint installing machine, bull floats burlap & curing machines, clefplanters, concrete spreading machines, crushers, drum firemen (asphalt), farm type tractors (pulling attachment) finishing machines, form trenchers, high pressure pumps (over ½" discharge), hydro seeders, self propelled power spreader, self propelled sub-grader, tractor (pulling sheep foot roller or grader) tire repairman, vibratory compactors (with integral power)	8.03	.38	.65		.09	
Oiler, helper, signalmen, light plant oper., power driven heaters (oil fired), power boilers (less than 15 lbs, pressure), submersible pumps (under 4" discharge), pumps (under 4" discharge)	7.40	.38	.65		.09	

Ohio 1 - LAB. K

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, right-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$6.64	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power wheelbarrow	6.765	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	6.84	.45	.20		.02	
GROUP 4						
Blaster and powder man, mucker, wrencher (mechanical joints and utility pipeline), yarner, top lander	6.99	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner without air, concrete crew in tunnels, utility pipeline tapper, gunnite nozzle man, waterline caulker	7.29	.45	.20		.02	

Ohio - 2 - PEO K 1 of 2

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
POWER EQUIPMENT OPERATORS:						
CLASS I						
Air compressor on steel erection, asphalt plant engineers, boiler operator, compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plants (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engines, hoisting engines on shaft or tunnel work, industrial-type tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, pile-driving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines over 24" wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$7.52	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under)	7.42	.38	.65		.09	
CLASS III						
Air compresors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	7.15	.38	.65		.09	

POWER EQUIPMENT OPERATORS: (CONTD)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post driver, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macadam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor (pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.85	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helpers, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	6.43	.38	.65		.09	

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
Straight and dumps, including asphalt, warehousemen in bona fide warehouses for storage of construction material, straight fuel	$5.25	.30	.30	a+b		
Semi fuel, semi pole drivers hauling steel pipe and semi tractor drivers	5.40	.30	.30	a+b		
Ready-mix, agitator or bulk concrete drivers, dry batch truck	5.63	.30	.30	a+b		
Euclids, darts, tank asphalt spreaders, low boys, carry-all drivers, tournarockers, hi-lifts, fork lifts, extra long trailers & semi pole trailers (except when hauling steel pipe), double hook-up tractor trailers, including team track and railroad siding, semi tractor and tri-axle trailer, tandem tractor and tandem trailer and tri-axle trailer, tag along trailers, expandable trailers, loads requiring road permits	5.75	.30	.30	a+b		

OHIO-9-TD

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's vacation for one year of service; two weeks for five years of service; three weeks for ten years of service and four weeks for seventeen years of service.

b. Seven paid holidays: A through F plus National Election Day.

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: AP-37
Supersedes Decision No. AM-407 dated August 18, 1971 in 36 FR 15911
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

COUNTY: FRANKLIN & PICKAWAY
DATE: Date of Publication

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.77	.25	.10		.03	
Boilermakers	7.95	.30	.60		.01	
Boilermakers' helpers	7.70	.30	.60		.01	
Bricklayers	7.60	.30	.45		.02	
Carpenters	7.11	.20	.20		.005	
Millwrights	7.36	.20	.20		.005	
Piledrivermen	7.36	.20	.20		.005	
Cement masons:						
Building	7.65	.40	.20		.01	
Heavy & Highway	6.69	.42			.02	
Electricians - Pickaway Co.; the Townships of Deer Creek, Perry, Pickaway, Salt Creek & Wayne	8.10	.28	1%		.02	
Electricians - Franklin Co., and the remainder of Pickaway Co.	8.63	.28	1%+.60		.06	
Elevator constructors	8.82	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	70%JR	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50%JR					
Glaziers	8.09		.22		.005	
Ironworkers (Franklin)	9.35	.40	.85		.01	
Ironworkers (Pickaway)	9.50	.40	.85		.01	
Laborers:						
Laborers	6.06	.45	.20			
Mortar mixers	6.26	.45	.20			
Mason & Plasterers' tenders	6.26	.45	.20			
Asphalt & black top rakers	6.26	.45	.20			
Scaffold builders	6.26	.45	.20			
Jackhammer operator	6.26	.45	.20			
Air or electric pneumatic tool op.	6.26	.45	.20			
Power driven tool & power buggy	6.26	.45	.20			
Power wheel barrow operator	6.26	.45	.20			
Wreckers & barmen	6.26	.45	.20			
Lathers	8.15		.10		.01	
Leadburners	7.80	.30		c	.01	
Linemen	9.56		1%		½ of 1%	
Marble setter	7.55					
Marble setter' helpers	5.65					
Painters:						
Brush, paperhanger, wall washer & rollers	7.70	.15	.15			

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Painters: (cont'd)						
Structural steel & swing stage	$8.00	.15	.15			
Spray	8.20	.15	.15			
Sandblast & steam clean, bridges, hvy, & hwy	8.40	.15	.15			
Dry wall taper & finishers	8.10	.15	.15			
Plasterers	7.75	.30	.10		.01	
Plumbers & Steamfitters	9.62	.40	.65		.05	
Roofers	8.74	.325	.30		.02	
Sheet metal workers	8.13	.36	.30		.04	
Soft floor layers	7.11	.20	.20		.005	
Sprinkler fitters	9.25	.30	.50		.05	
Stonemasons	7.05	.30	.45			
Terrazzo workers	7.55					
Terrazzo workers' helpers	5.65					
Terrazzo base grinder	5.90					
Terrazzo floor grinder	5.75					
Tile setters	7.55					
Tile setters' helpers	5.65					
Truck drivers:						
Dump and straight	6.36					
Tandems, Farm tractor	6.44					
Lowboys	6.54					

Welders - receive rate prescrived 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. 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. Nine paid holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

Ohio - 6 - PEO Q 1 of 2

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
A-Frames, air compressor on steel erection, all rotary drills used on caisson work for foundations and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggy back operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter operator hoisting building materials, helicopter winch operator hoisting builders materials, hoes (all ypes), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.63	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.56	.38	.65		.09	
Air compressor (presurizing shafts or tunnels), all asphalt rollers, fork liifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" & over discharge), submersible pumps (4" & over discharge), trenchers (24" and under)	8.41	.38	.65		.09	

Ohio - 6 - PEO 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
POWER EQUIPMENT OPERATORS:						
Compressors on building construction, conveyors (building material), gunite machines, mixers (capacity more than one bag), mixers (one bag capacity side loader), post driver, post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers welder operator	7.75	.38	.65		.09	
Backfillers & tampers, batch plant, bar & joint installing machine, bull floats, burlap & curing machines, clefplanes, concrete spreading machines, crushers, drum fireman (asphalt), farm type tractor (pulling attachments), finishing machines form trenchers, high pressure pumps (over ½" discharge), hydro seeders, self propelled power spreaders, self propelled sub-grader, tire repairman, tractors pulling sheep foot roller or grader, vibratory compactors (with integral power)	7.44	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs. pressure), pumps (under 4" discharge), submersible pumps (under 4" discharge)	6.82	.38	.65		.09	

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HEAVY & HIGHWAY CONSTRUCTION

Ohio - 1 - PEO L 1 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
POWER EQUIPMENT OPERATORS:						
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

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Ohio - 1 - PEO 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
POWER EQUIPMENT OPERATORS: (CONTD)						
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

HEAVY & HIGHWAY CONSTRUCTION

Ohio - 10 - LAB Y

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth.
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.33	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.455	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.53	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	5.68	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	5.98	.45	.20		.02	

HEAVY & HIGHWAY CONSTRUCTION

Ohio 6 TD K 1 of 1

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations: Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: AP-38
COUNTY: GREENE & MONTGOMERY
DATE: Date of Publication
Supersedes Decision No. AM-408 dated August 18, 1971 in 36 FR 15015
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$9.02	.25	.30		.01	
Boilermakers	7.95	.30	.60		.01	
Boilermakers' helpers	7.70	.30	.60		.01	
Bricklayers	8.50	.40	.50			
Stonemasons	8.50	.40	.50			
Carpenters	7.87	.32	.65			
Millwrights	8.29	.47	.10			
Piledrivermen	7.87	.32	.65			
Cement masons, building	6.23	.20				
Cement masons, heavy & highway	6.93	.42			.02	
Electricians, Communication installer and lineman within 11 mi. radius from 3rd and Main Streets, Dayton	8.96	.35	1%+.60		5%	
Electricians, Communications installer and lineman beyond 11 mi. radius of 3rd and Mainstreets, Dayton	9.19	.35	1%+.60		5%	
Elevator constructors	8.53	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	70%JR	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50%JR					
Glaziers	8.58				.01	
Ironworkers: (Within 15 mi. of Dayton) Structural, ornamental, reinforcing	8.70	.40	.65		.02	
Ironworkers: (Beyond 15 mi. of Dayton) Structural, ornamental, reinforcing	8.85	.40	.65		.02	
Laborers:						
Unskilled	6.44	.20	.15			
All machine tools, jackhammer vibrator	6.59	.20	.15			
Sewer pipe layers (non-metallic)	6.64	.20	.15			
Bottom men	6.64	.20	.15			
Railroad spikers (by hand)	6.59	.20	.15			
Torchmen on wrecking	6.74	.20	.15			
Gunnite operator	6.94	.20	.15			
Swing scaffold over 15 ft.	6.59	.20	.15			
Lathers	8.24		.20		.01	
Lead burners	7.80	.30		e	.01	
Marble setters	7.76	.40				
Painters:						
Brush	8.19	.24	.20		.02	
Structural steel & swing stage	8.59	.24	.20		.02	
Spray & sandblasting	8.69	.24	.20		.02	
Paperhanging	8.44	.24	.20		.02	
Rollers	8.19	.24	.20		.02	
Plasterers	8.45					

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Plumbers & steamfitters:						
Townships of Miami, Cedarville, Ross, Jefferson, Caesar Creek & New Jasper in Greene County	8.87	.33	.45		.02	
Remainder of Greene County & all of Montgomery County	8.85	.35	.45		.05	
Roofers, composition, damp & waterproof	8.55	.45	.25			
Roofers, slate, tile and asbestos	8.77	.45	.25			
Sheet metal workers	8.64	.25	.40		.10	
Soft floor layers - resilient floor layer	7.81	.12	.10			
Sprinkler fitters	9.25	.30	.50		.05	
Terrazzo base grinder	5.38	.15				
Terrazzo workers	7.76	.40				
Tile setters	7.76	.40				
Truck drivers:						
Straight flat & dump truck, winch truck	5.20	c	d	f		
Tandem truck & tractor trailer combination	5.31	c	d	f		
Welders - receive rate presceived 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. $6.00 per week to health & welfare fund.

d. Employer contributes $8.00 per week to pension fund.

e. Nine paid holidays, A through F, plus Washington's Birthday, Good Friday and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

f. 1 year of employment, 1 week's vacation. Seven years of employ,ent, 2 weeks vacation, providing the employee has been on payroll for u months during the previous 12-month period.

BUILDING CONSTRUCTION

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
A-Frames, air compressor on steel erection, all rotary drills used on caisson work for foundations and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggy back operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter operator hoisting building materials, helicopter winch operator hoisting builders materials, hoes (all ypes), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.63	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.56	.38	.65		.09	
Air compressor (presurizing shafts or tunnels), all asphalt rollers, fork llifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" & over discharge), submersible pumps (4" & over discharge), trenchers (24" and under)	8.41	.38	.65		.09	

Ohio - 6 - PEO 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
POWER EQUIPMENT OPERATORS:						
Compressors on building construction, conveyors (building material), gunite machines, mixers (capacity more than one bag), mixers (one bag capacity side loader), post driver, post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers welder operator	7.75	.38	.65		.09	
Backfillers & tampers, batch plant, bar & joint installing machine, bull floats, burlap & curing machines, clefplanes, concrete spreading machines, crushers, drum fireman (asphalt), farm type tractor (pulling attachments), finishing machines form trenchers, high pressure pumps (over ½" discharge), hydro seeders, self propelled power spreaders, self propelled sub-grader, tire repairman, tractors pulling sheep foot roller or grader, vibratory compactors (with integral power)	7.44	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs. pressure), pumps (under 4" discharge), submersible pumps (under 4" discharge)	6.82	.38	.65		.09	

Ohio - 6 - LAB J*

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.53	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.655	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.73	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	5.88	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	6.18	.45	.20		.02	

HEAVY & HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

POWER EQUIPMENT OPERATORS: (CONTD)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

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HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations:						
Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

STATE: OHIO
COUNTY: HAMILTON
DECISION NUMBER: AP-39
DATE: Date of Publication
Supersedes Decision No. AM-8614 dated May 26, 1972 in 37 FR 10697
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.26	.25	.50		.02	
Boilermakers	7.95	.30	.60		.01	
Boilermakers' helpers	7.70	.30	.60		.01	
Bricklayers	9.395	.45				
Carpenters	8.70	.40	.55		.025	
Millwrights	9.29	.30	.25		.05	
Piledrivenmen	8.70	.40	.55		.025	
Cement masons:						
Cement masons	8.845	.30	.50		.02	
Cement masons (heavy & highway)	6.93	.42			.02	
Electricians	8.75	.50	1%+.30		½ of 1%	
Elevator constuctors	8.53	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	70% JR	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50% JR					
Glaziers	8.45		.25		.005	
Ironworkers, structural & oranmental	8.995	.40	.55		.015	
Ironworkers, reinforcing	8.695	.40	.85		.02	
Laborers: (Demolition)						
Wrecking laborers	7.32	.35	.20			
Jackhammer ioerators	7.47	.35	.20			
Wallmen	7.47	.35	.20			
Burners	7.47	.35	.20			
Lathers	9.495				.015	
Lead burners	7.80	.30		c	.01	
Marble setters	9.085					
Marble setters' helpers	8.035					
Painters, brush:						
Commercial	8.03	.35	.15			
Industrial	8.18	.35	.15			
Painters, spray:						
Commercial	8.28	.35	.15			
Industrial	8.43	.35	.15			
Painters (heavy & highway):						
Brush	8.18	.35	.15			
Spray	8.43	.35	.15			
Bridges (highest point of clearance 60' or more)	9.18	.35	.15			
Linemen	8.75	.50	1% +.30		.5%	
Pipefitters	8.81	.60	.775		.04	
Plasterers	9.245		.30		.01	
Plumb & gas fitters	9.055	.38	.65		.05	
Roofers	9.395		.30			
Sheet metal workers	8.525	.40	.70		.02	

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Resilient floor layers	7.80	.40	.40		.05	
Sprinkler fitters	9.25	.30	.50		.05	
Terrazzo workers:						
Terrazzo workers	9.085	.45				
Terrazzo workers' helpers & grinders	7.985					
Terrazzo base grinder	8.405					
Tile setters	9.085	.45				
Tile setters' helpers	7.935					
Tile setters' helpers (prob.)	75% JR					

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. Nine paid holidays: A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

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BUILDING CONSTRUCTION

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Common laborers, cement masons helpers, hand operated mechanical mule, mechanical sweeper, signal man	$7.60	.35	.20			
Bottom man, pipe layers	7.70	.35	.20			
Burning torch operator, jack hammer, mechanical and air tamper operator, mechanical concrete buggies, power operated michanical mule, concrete pump hose man, vibrator man	7.75	.35	.20			
Plasterers's tender, mason tender, stone mason tender, bottom jackhammer man	7.80	.35	.20			
Plaster mixer pump operator	7.95	.35	.20			
Tunnel laborer	8.10	.35	.20			
Gunnite nozzle operator	8.35	.35	.20			

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BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
A-Frames, air compressor on steel erection, all rotary drills used on caisson work for foundations and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggy back operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter operator hoisting building materials, helicopter winch operator hoisting builders materials, hoes (all ypes), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.63	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.56	.38	.65		.09	
Air compressor (presurizing shafts or tunnels), all asphalt rollers, fork llifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" & over discharge), submersible pumps (4" & over discharge), trenchers (24" and under)	8.41	.38	.65		.09	

Ohio - 6 - PEO 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
POWER EQUIPMENT OPERATORS:						
Compressors on building construction, conveyors (building material), gunite machines, mixers (capacity more than one bag), mixers (one bag capacity side loader), post driver, post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers welder operator	7.75	.38	.65		.09	
Backfillers & tampers, batch plant, bar & joint installing machine, bull floats, burlap & curing machines, clefplanes, concrete spreading machines, crushers, drum fireman (asphalt), farm type tractor (pulling attachments), finishing machines form trenchers, high pressure pumps (over ½" discharge), hydro seeders, self propelled power spreaders, self propelled sub-grader, tire repairman, tractors pulling sheep foot roller or grader, vibratory compactors (with integral power)	7.44	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs. pressure), pumps (under 4" discharge), submersible pumps (under 4" discharge)	6.82	.38	.65		.09	

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BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
TRUCK DRIVERS:						
Tractor trailer combinations and drags	$5.42	a12.50	a13.00	b & c		
Drivers	5.21	a12.50	a13.00	b & c		
Helpers	5.16	a12.50	a13.00	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 Day.

FOOTNOTES:

a. Per week per employee on payroll for 30 days.

b. Paid vacations: 1 year of employment 1 week; 2 years 2 weeks; 10 years 3 weeks; 15 years 4 weeks.

c. Six paid holidays: A thru F.

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Ohio - 6 - LAB J

HEAVY & HIGHWAY CONSTRUCTION

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.53	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.655	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.73	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	5.88	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	6.18	.45	.20		.02	

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HEAVY & HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

POWER EQUIPMENT OPERATORS: (CONTD)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations:						
Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

STATE: OHIO
DECISION NUMBER: AP-40
COUNTY: LICKING
DATE: Date of Publication
Supersedes Decision No. AM-410 dated August 18, 1971 in 36 FR 15925
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$9.77	.25	.10		.03	
Boilermakers	7.95	.30	.60		.01	
Boilermakers' helpers	7.70	.30	.60		.01	
Bricklayers	8.10	.45	.25		.02	
Stonemasons	8.10	.45	.25		.02	
Carpenters	7.65	.20	.20			
Millwrights	8.21	.20	.20			
Piledrivenmen	8.21	.20	.20			
Cement masons (buidling)	7.65	.40	.20		.01	
Cement masons (Heavy & Highway)	6.69	.42			.02	
Electricians	8.50	.28	1%		.03	
Elevator constructors	8.82	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	70% JR	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50% JR					
Glaziers	8.09		.22		.005	
Ironwokrers, structural & oranmental	8.70	.40	.65		.01	
Ironworkers, reinforcing	8.70	.40	.65		.01	
Laborers	5.65	.30	.15	.15		
Air tool operator (jackhammer, vibrator)	5.85	.30	.15	.15		
Mason tender, Hod carriers, scaffold builders	5.85	.30	.15	.15		
Mortar mixers, and Mortar Mixer Operator	5.85	.30	.15	.15		
Pipelayers	5.85	.30	.15	.15		
Plasterers' tenders	5.85	.30	.15	.15		
Powerdriven tool and power buggy	5.85	.30	.15	.15		
Lathers	8.15		.10		.01	
Lead burners	7.80	.30		c	.01	
Linemen	8.55	.25	1%		¼ of1%	
Painters:						
Brush	5.25					
Stack & towers	5.90					
Window jacks & swing stage	5.90					
Window jacks & swing over 40'	6.40					
Bridge	5.90					
Plasterers	7.75	.30	.10		.01	
Plumbers	8.18				.02	
Roofers	8.74	.32½	.30		.02	
Sheet metal workers	8.13	.36	.30		.04	

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	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Soft floor layers-resilient floor layer	7.65	.20	.20			
Steam fitters	8.18				.02	
Tile setters	8.10	.40	.25		.02	
Truck drivers:						
Dumps, water wagons, stake body, flats, flat bottom, pick-ups and warehousemen	2.95					
Semi-ready mix tandems, semi-water wagons, fuel trucks	3.20					
Euclids, carts, tank asphalt spreaders tournarockers, hi-lifts, extra long trailers, double hook-up tractor trailers	3.40					
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. and 2% for employee who has worked in business less than 5 years.

c. Nine paid holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work day immediately preceding and following the holiday.

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
A-Frames, air compressor on steel erection, all rotary drills used on caisson work for foundations and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggy back operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter operator hoisting building materials, helicopter winch operator hoisting builders materials, hoes (all ypes), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.63	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.56	.38	.65		.09	
Air compressor (presurizing shafts or tunnels), all asphalt rollers, fork liifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" & over discharge), submersible pumps (4" & over discharge), trenchers (24" and under)	8.41	.38	.65		.09	

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
POWER EQUIPMENT OPERATORS:						
Compressors on building construction, conveyors (building material), gunite machines, mixers (capacity more than one bag), mixers (one bag capacity side loader), post driver, post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers welder operator	7.75	.38	.65		.09	
Backfillers & tampers, batch plant, bar & joint installing machine, bull floats, burlap & curing machines, clefplanes, concrete spreading machines, crushers, drum fireman (asphalt), farm type tractor (pulling attachments), finishing machines form trenchers, high pressure pumps (over ½" discharge), hydro seeders, self propelled power spreaders, self propelled sub-grader, tire repairman, tractors pulling sheep foot roller or grader, vibratory compactors (with integral power)	7.44	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs. pressure), pumps (under 4" discharge), submersible pumps (under 4" discharge)	6.82	.38	.65		.09	

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HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.33	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.455	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.53	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	5.68	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	5.98	.45	.20		.02	

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Ohio - 1 - PEO - L - 1 of 2

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
POWER EQUIPMENT OPERATORS:						
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

POWER EQUIPMENT OPERATORS: (CONTD)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations: Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: AP-41
Supersedes Decision No. AM-411 dated August 11, 1971 in 36 FR 15929
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

COUNTY: LUCAS
DATE: Date of Publication

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$8.89	.20	.15		.02	
Boilermakers	10.65	.30	.50		.01	
Bricklayers & Stone masons	9.125	.50	.35		.01	
Carpenters	8.78	.25	.25		.025	
Millwrights	8.78	.25	.25		.025	
Piledrivenmen	8.78	.25	.25		.025	
Cement masons:						
Building	9.54	.40			.02	
Heavy & Highway	7.22	.42			.02	
Electricians	9.84	.30	1%+.55		.1%	
Elevator constructors	9.31	.195	.20	2%+b&c	.005	
Elevator constructors' helpers	70% JR	.195	.20	2%+b&c	.005	
Elevator constructors helpers (prob.)	50% JR					
Glaziers	7.775	.15	.35		.01	
Ironworkers, structural & ornamental	9.15	.50	7%		1-2/3¢	
Ironworkers, reinforcing	9.15	.50	7%		1-2/3¢	
Lathers	8.55	.25	.10		.01	
Lead burners	7.80	.30		c	.01	
Linemen	8.05	.15	1%		.25%	
Cable splicers	8.30	.15	1%		.25%	
Groundmen & truck drivers w/winch	75% JR	.15	1%		.25%	
Hole digger operator	85% JR	.15	1%		.25%	
Marble setters	9.125	.50	.35		.01	
Marble setters' helpers	6.80	.35	.25	.50		
Painters:						
Brush, paperhangers, drywall tapers	7.59	.35	.15			
Bridge railings (brush), power-houses, refinery tanks	8.84	.35	.15			
Spray, sandblasting & pressure cleaning	8.14	.35	.15			
Plasterers	9.10	.50			.01	
Plumbers & Steamfitters	9.285	.45	.70	j	.025	
Roofers	8.39	.25	.20		.01	
Sheet metal workers	8.975	.35	.40		.02	
Soft floor layers	7.08	.35	.35		.005	
Sprinkler fitters	9.25	.30	.50		.05	
Terrazzo workers	8.08	.35	.25			
Terrazzo workers' helpers	6.80	.35	.25	.50		
Tile setters	8.08	.35	.25			

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Tile setters' helpers	$6.80	.35	.25	.50		
Truck drivers:						
Single axle tandem axle or semi	7.13	K5675	13.00	g & h		
Heavy duty, 5 axle or over, winch trucks, carry - alla or low boys	7.36	K5675	13.00	g & h		
Welders - receive rate prescribes for craft performing operation to which welding is incidental						

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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:

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. Nine paid holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

e. Per week per employee.

g. 5 paid holidays: (providing the employee worked the last scheduled work days preceeding the holiday and the first scheduled work day after the holiday), Memorial Day, Independence Day, Labor Day, Thanksgiving Day & Christmas Day.

h. Employees in service at least one year, 1 week's paid vacation.

j. One paid holiday: Labor Day.

Ohio - 29 - LAB R 1 of 1

BUILDING CONSTRUCTION LABORERS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHE
Unskilled laborers	$7.61	.25	.10		.01	
Mason tenders	7.74	.25	.10		.01	
Gunnite pot men, mortar mixers	7.81	.25	.10		.01	
Concrete pump nozzle man, all power driven tools and power buggies, burners & torchmen	7.765	.25	.10		.01	
Pipe layers, bellman & bottom man for fire brick work only	7.865	.25	.10		.01	
Nozzle operators for gunnite work	8.32	.25	.10		.01	
Caisson, cofferdam, tunnel, cylinder, shaft sewer, water, conduit, gas-oil and pipe lines except main lines :						
Pipe layers, bottom men (over 6'); shoring and cribbing	7.865	.25	.10		.01	
Mason tenders, winch operators	7.74	.25	.10		.01	
Mortar mixers	7.81	.25	.10		.01	
Caisson (over 25')	8.07	.25	.10		.01	
Miners (without pressure)	8.32	.25	.10		.01	
Muckers (without pressure)	8.05	.25	.10		.01	
Car pushers	7.95	.25	.10		.01	
Unskilled laborers	7.61	.25	.10		.01	

Ohio - 4 - PEO B 1 of 2

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTH
A-Frame, air compressor on steel erection, all rotary drills used on caisson work for foundations and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggy back operation), boom truck (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter oper., hoisting builders materials, helicopter winch operator hoisting builders materials, hoes (all types), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum) mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.98	.38	.65		.09	
Asphalt paver, bulldozer, DMI type equipment, endloader, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.83	.38	.65		.09	
Air compressor (pressurizing shafts or tunnels), all asphalt rollers, fork lifts, hoists (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump oper., installing or operating well points or other type of dewatering system, pumps (4" & over discharge), submersible pumps (4" & over discharge), trenches (24" and under)	8.68	.38	.65		.09	

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Ohio - 4 - PEO 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS: (CONT'D)						
Compressor on building construction, conveyors building material, gunite machines, mixers (cap., more than one bag), mixers (one bag cap., side loader) post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers, welder operator post driver	8.00	.38	.65		.09	
Backfillers & tamper, batch plant, bar & jointing installing machine, bull floats, burlap & curing machines, clefplanes, concrete spreading machines, crushers, drum firemen (asphalt) farm type tractors (pulling attachments), finishing machine, form trenchers, high pressure pumps, (over ½" discharge, hydro seeders, self propelled power spreader, self propelled sub-grader, tire repairman, tractors (pulling sheep foot roller or grader), vibratory compactors (with integral power)	7.69	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs., pressure), pumps (under 4" discharge), submersible pumps (under 4" discharge)	7.06	.38	.65		.09	

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Ohio - 3 - LAB J

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.78	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.905	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.98	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	6.13	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	6.43	.45	.20		.02	

HEAVY & HIGHWAY CONSTRUCTION

Ohio - 1 - PEO L 1 of 2

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

Ohio - 1 - PEO 2 of 2

POWER EQUIPMENT OPERATORS: (CONTD)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand; drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

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HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations: Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

STATE: OHIO
DECISION NUMBER: AP-42
Supersedes Decision No. AM-412 dated August 18, 1971 in 36 FR 15934
COUNTY: MAHONING
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.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.27	.30	.25			.02
Boilermakers	8.96	.50	.85		.01	
Bricklayers & Stonemasons (Township of Smith)	8.50	.30	.25			
Bricklayers & Stonemasons (Remainder od County)	7.90	.20	.15		.02	
Carpenters	7.21	.30	.50		.02	
Millwrights	7.91	.30	.50		.02	
Pildrivermen	7.91	.30	.50		.02	
Cement masons (building)	7.765	.30				
Cement masons (heavy & highway)	7.22	.42			.02	
Electricians:						
Milton - Township	9.38	.35	5%		1/10of1%	
Smith - Township	8.90	.25	1%		2/10of1%	
Remainder of County	9.07	.35	5%		3/10of1%	
Elevator constructors	8.45	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	70% JR	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50% JR					
Glaziers	8.57	.35	.20		.01	
Ironworkers, structural, ornamental & reinforcing	9.37	.35	.10		.03	
Laborers:						
Building & constructions laborers	6.43	.30	.10			
Jackhammer op. (all machine driven tools, electric, gas or air & gas buggies)	6.55	.30	.10			
Mortar mixers (hand or machine)	6.55	.30	.10			
Trenching & shaft excavations (7' or more)	6.53	.30	.10			
Jackhammer op. in trench & shaft excavation (7' or more)	6.65	.30	.10			
Powder & dynamite	6.73	.30	.10			
Sewer pipelayers	6.73	.30	.10			
Asphalt paving	6.43	.30	.10			
Scrap iron burning	6.53	.30	.10			
Gunnite nozzlemen	7.04	.30	.10			
Gunnite scaffoldman (over 25')	6.63	.30	.10			
Gunnite, gunman	7.04	.30	.10			
Gunnite, mixerman	6.53	.30	.10			
Plasterers hod carriers & tenders	6.73	.20	.15			
Lanscape laborers	2.95	.07	.10		.005	
Lathers	4.725	.15	.10			
Lead burners	7.80	.30		c	.01	
Marble setters	7,815					
Marble setters' helpers	7.015					
Linemen & Cable splicer	9.34		1%			

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Painters:						
Commercial:						
Brush	8.215	.35	.30			
Panerbanging waterproof, & wall washing	8.215	.35	.30			
Dry wall taping	8.365	.35	.30			
Spray	8.515	.35	.30			
Industiral:						
Brush & Bridges	8.42	.35	.30			
Spray & sandblasting	8.92	.35	.30			
Plumbers	8.11	.30	.40	1.00	.02	
Plasterers	7.45	.30				
Roofers	7.52	.35	.50		.01	
Roofers' helpers	65%JR	.35	.40		.01	
Sheet metal workers	8.90	.20	.25		.01	
Soft floor layers	7.03	.30	.50		.02	
Sprinkler fitters	9.25	.30	.50		.05	
Steamfitters	8.11	.30	.40	1.00	.02	
Terrazzo workers	7.815					
Terrazzo workers' helpers	7.015					
Tile setters	7.815					
Tile setters' helpers	7.015					
Truck drivers:						
Dump, flat bottoms	4.735	.15				
Stake body and batch	4.735	.15				
Semi-dumps	4.955	.15				
Tandems and mixers	4.955	.15				
Euclid wagons & DW 10 caterpillar or equivalent & carry-alls	5.205	.15				

Welders - receive rate prescrived 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. Nine paid holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	Apo. Tr.	Other
Class I						
Asphalt planer heater, Austin western & similar type, Back hoe, Batch plant-central mix, Batch plant-portable concrete, Berm builder -automatic, Backfiller with drag attachment, Boat-derrick, Boat-tug, Boring mach. when attached to tractor, Bullclam, Bulldozer, C.M.I. road builder and similar types, Cable placer & layer, Carrier-straddle, Carryall or scraper or scoop, Chicago boom, Compactor with blade attached, Concrete spreader finisher combination, Crane, Crane-stationary or climbing, Crane-electric overhead, Crane-side boom, Crane-truck, Crane-tower, Derrick-boom, Derrick-car, Diggers-wheel (not trencher or road widener), Double nine, Drag line, Dredge, Drill-Kenny or similar type, Electromatic, Fork lift, Frankie pile, Gradall, Grader-power, Gurry, Gurry-self propelled, High lift, Hoist-monorail, Hoist-stationary & mobile tractor, Hoist-2 or 3 drum, Jackall, Jumbo mach., Kocal or Kuhlman, Land-seagoing vehicle, Loader-Elevating, Loader-front end, Locomotive, Mechanic as welder, Metro clip harvester w/boom, Mucking machine, Paver-asphalt finishing machine, Paver-road concrete, Paver-slip form, Place crete mach, Post driver, Power driven hydraulic pumps and jacks, Pump crete machine, Regulator-ballast, Rigs-drilling, Shovel, Spikemaster, Stonecrusher, Tie puller & loader, Tie tamper, Tractor-double boom, Tractor w/attachments, Trucks-boom, Truck-tire-assigned to job, Trench machine, Tunnel machine (Mark 21 Java or similar), Whiley	$8.07	.35	.50		.10	
Class II						
Asphalt plant, Bending machine, Boring machine, Chip harvester w/o boom, Cleaning Mach.-pipeline type, Coating Mach.-pipeline type, Concrete belt placer, Concrete finisher, Concrete planer or asphalt, Concrete spreader, Elevator, Fork lift-home Bldg. only, Fork lift walk behind, Form line machine, Grease truck operator, Grout pump, Gunnite machine, Huck bolting Mach., Hydraulic scaffold, Paving breaker, Pipe dream, Pot fireman, Power broom, Refrigeration plant, Sasgen derrick, Seeding Mach., Self-propelled mobile vibrator compactor or roller, Hoist-single drum with or without tower, Soil stabilizer (pump type), Spray cure Mach.-self propelled, Straw blower Mach., Sub-grader, Tube fininsher or broom C.M.I. or similar type, Tugger Hoist	7.68	.35	.50		.10	

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	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Class III						
Batch plant-job related, Boiler operator, Compressor (125 CFM or over), Curb builder (self propelled), Generator-steam, Jack-hydraulic-power driven, Mixer-concrete, Mulching Mach., Pin puller, Pulverizer, Pump, Road finishing mach. (pull type), Roller, Saw-concrete-self propelled-Hwy. work, Signal man, Spray cure Mach.-motor powered, Spreader (side deliver shoulder attachment), Tractor, Trencher-form, Water blaster	7.47	.35	.50		.10	
Class IV						
Brake man, Compressor under 125 CFM, Conveyor, Conveyor 12 feet or under other than servicing brick layers, Deck hand, Drill wagon, Fireman, Generator sets, Heaters-portable power (2 to 5), Helper-mechanic, Jacks Hydraulic (railroad), Ladavator, Roller (walk behind 1 ton or over), Steam jenny, Syphons, Vibrator-gasoline, Welding machines (2) (fuel burning)	7.11	.35	.50		.10	
Oiler	7.00	.35	.50		.10	
Rigs-pile driving or cassion type	8.34	.35	.50		.10	

Ohio - 3 - LAB J

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth.
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.78	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.905	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.98	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	6.13	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	6.43	.45	.20		.02	

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HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations:						
Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, low-boys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

STATE: OHIO
DECISION NUMBER: AP-43
COUNTY: MUSKINGUM
DATE: Date of Publication
Supersedes Decision No. AM-413 dated August 18, 1971 in 36 FR 15938
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.77	.25	.10		.03	
Boilermakers	7.95	.30	.60		.01	
Boilermakers' helpers	7.70	.30	.60		.01	
Bricklayers	8.20	.45				
Stonemasons	8.20	.45				
Carpenters	7.65	.20	.20			
Millwrights	8.21	.20	.20			
Piledrivermen	8.21	.20	.20			
Cement masons (building)	7.65	.40	.20		.01	
Cement masons (heavy & highwat)	6.69	.42			.02	
Electricians:						
Jobs 1,500 hrs. or less	7.40	.13	1%		.02	
Jobs over 1,500 hrs.	7.70	.13	1%		.02	
Elevator consturctors	8.82	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	70%JR	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (Prob.)	50%JR					
Ironworkers, structural & ornamental	8.80	.40	.65		.01	
Ironworkers, reinforcing	8.80	.40	.65		.01	
Lathers	8.15		.10		.01	
Leadburners	7.80	.30		c	.01	
Line Contruction:						
Linemen	7.55	.13	1%			
Truck driver	5.15	.13	1%			
Groundman	4.90	.13	1%			
Equipment operator	7.55	.13	1%			
Marble setters	8.20	.45				
Painters:						
Brush	4.00					
Spray	4.25					
Brush-heavy & highway	4.75					
Platerers	7.75	.30	.10		.01	
Plumbers & Steamfitters	8.70	.25			.02	
Roofers	7.89	.38	.20			
Sheet metal workers	8.13	.36	.30		.04	
Soft floor layers	7.65	.20	.20			
Sprinkler fitters	9.25	.30	.50		.05	
Terrazzo workers	8.20	.45				
Tile setters	8.20	.45				
Truck Drivers:						
Dumps, water wagons, flats, pickups & stake bodies	2.95					
Semi- ready-mix & tandems	3.20					
Euclids, darts, tournarockers, tank asphalt spreaders, extra long trailers	3.40					

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

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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. Six paid hilidays: 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 Bacation Pay Credit for employee who has worked in business less than 5 years.

c. Nine paid hilidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

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Ohio - 22 - LAB M

BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS:						
Brick droppers, lock tenders, miners (tunnel & caisson), powdermen or blasters	$6.38	.35	.15		.02	
Air & machine driven tool operator, asphalt plant affrementer operator, asphalt plant mixer men, asphalt rakers, tampers, forkers, shoveler, brick slingers, car pushers & tunnel laborers, caulkers, yarners & wrenchmen, cement handlers, concrete puddlers (behind mixers), curb cutters & setters, cutting with burning torches, dumpmen (batch trucks), hand spilers op., jeckhammer op., muckers (tunnels & caissons), mason tenders, mortar mixers, pipelayers, proportioning plant op., pump men (under 4"), road form setters, sewer bottom men, stone mason tenders, sheeting & shoring men, vibrator op., plasterers' tenders.	6.23	.35	.15		.02	
Planters (landscape), tree trimmers, plumbers' helpers, carpenters' tenders, building & construction laborers	6.13	.35	.15		.02	

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Ohio - 6 - PEO Q 1 of 2

BUILDING CONSTRUCTION

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
A-Frames, air compressor on steel erection, all rotary drills used on caisson work for foundations and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggy back operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types), draglines, elevating grader or euclid loader, floating equipment, gradalls, helicopter operator hoisting building materials, helicopter winch operator hoisting builders materials, hoes (all ypes), hoisting engines (two or more drums), lift slab or panel jack operators, locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.63	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.56	.38	.65		.09	
Air compressor (presurizing shafts or tunnels), all asphalt rollers, fork liifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" & over discharge), submersible pumps (4" & over discharge), trenchers (24" and under)	8.41	.38	.65		.09	

Ohio - 6 - PEO 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
Compressors on building construction, conveyors (building material), gunite machines, mixers (capacity more than one bag), mixers (one bag capacity side loader), post driver, post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers welder operator	7.75	.38	.65		.09	
Backfillers & tampers, batch plant, bar & joint installing machine, bull floats, burlap & curing machines, clefplanes, concrete spreading machines, crushers, drum fireman (asphalt), farm type tractor (pulling attachments), finishing machines form trenchers, high pressure pumps (over ½" discharge), hydro seeders, self propelled power spreaders, self propelled sub-grader, tire repairman, tractors pulling sheep foot roller or grader, vibratory compactors (with integral power)	7.44	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs. pressure), pumps (under 4" discharge), submersible pumps (under 4" discharge)	6.82	.38	.65		.09	

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HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.33	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.455	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.53	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	5.68	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	5.98	.45	.20		.02	

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HEAVY & HIGHWAY CONSTRUCTION

Ohio - 1 - PEO L 1 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
POWER EQUIPMENT OPERATORS:						
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
POWER EQUIPMENT OPERATORS: (CONTD)						
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

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HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations:						
Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, low-boys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: AP-44
COUNTY: PORTAGE
DATE: Date of Publication
Supersedes Decision No. AM-414 dated August 18, 1971 in 36 FR 15943
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
Asbestos workers	$9.075	.30	.80		.08	
Boilermakers	8.96	.50	.85		.01	
Bricklayers	9.39	.45	.20		.01	
Carpenters	8.79	.30	.30			
Millwrights	9.00	.35	.55		.01	
Piledrivermen	9.00	.35	.55		.01	
Cement masons (building)	8.00	.30	.35		.015	
Cement masons (heavy & highway)	7.22	.42			.02	
Electricians - Townships of Charleston Edinburg, Freedom, Hiram, Nelson, Palmyra, Paris & Windham	9.38	.35	5%		1/10of1%	
Electricians & Linemen (Remainder of County)	9.10	.27	1%+.50		1/10of1%	
Elevator constructors	8.135	.17	.185	1%+a&b	.005	
Elevator constructors' helpers	70%JR	.17	.185	1%+a&b	.005	
Elevator constructors' helpers (prob.)	50%JR					
Glaziers	7.81	.62	.38		.01	
Ironworkers:						
Ravena Ordance Depot						
Structural, Reinforcing & Ornamental	9.37	.35	.10		.10	
Remainder of County						
Structural, Reinforcing & Ornamental	8.20	.50	.80	.90	.01	
Lathers	8.05	.30	.15		.01	
Lead burners	7.80	.30		c	.01	
Line Construction:						
Linemen - Townships of Charleston, Edinburg, Freedom, Hiram, Nelson, Palmyra, Paris & Windham	9.85		1%			
Marble setters	7.60	.42				
Marble setters' helpers	7.10	.42				
Painters:						
West 1/3 of County:						
Brush	7.64	.30	.20			
Structural steel	7.89	.30	.20			
Spray	8.14	.30	.20			
North of East West Turnpike:						
Brush	8.71	.37	.34			
Structural steel	9.41	.37	.34			
Ravena & Windham Townships:						
Brush	7.865	.35	.30			
Structural steel	8.08	.35	.30			
Spray	8.165	.35	.30			

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
Plasterers	$7.91	.30	.34		.01	
Plumbers & steamfitters	9.25	.54	.50		.04	
Roofers	8.34	.40	.30		.02	
Roofers' helpers:						
1st year	60%JR	.40	.30		.02	
2nd year	70%JR	.40	.30		.02	
3rd year	80%JR	.40	.30		.02	
Sheet metal workers	8.60	.45	.45		.02	
Soft floor layers	8.50	.20	.29			
Sprinkler fitters	8.50	.25	.40		.05	
Stonemasons	9.39	.45	.20		.01	
Terrazzo workers	7.60	.42				
Terrazzo workers' helpers	7.10	.42				
Tile setters	7.60	.42				
Tile setters' helpers	7.10	.42				
Welders - receive rate presceibed 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. Nine paid holidays, A through F, plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular schedule work days immediately preceding and following the holiday.

OHIO - 21 - LAB K

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
LABORERS						
BUILDING CONSTRUCTION						
Gunite nozzel man, tunnel miner, water line caulker, dynamite man, structural precast welder & layout	$6.74	.30				
Barco type tamper, pipe layer, rock driller, mucker - tunnel, burner, form setter, power saw, jack hammer, bottom man & hod carrier	6.44	.30				
Air driven boring machine, tamper operator, asphalt raker, paving bed maker, concrete puddler on highway, building and heavy work, concrete batch dumper on highway work, material mixer, wire mesh handler, hook-up man on demolition work, scaffold erector, structural precast erector, power tools - air, gas or electric	6.39	.30				
Construction laborer, welder's helper, carpenter's helper, landscape laborer and masen tender	6.24	.30				
Plasterers' laborers:						
Laborer	6.24	.30				
Hod carrier, scafford erector & mixer	6.44	.30				
Pump machine operator	6.54	.30				

OHIO-8-TD F

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
TRUCK DRIVERS:						
Trucks under 1-1/2 tons	$4.705	.14				
Dump trucks (over 1-1/2 tons), water wagons, stake body trucks, fuel trucks	4.805	.14				
Semi-, ready-mix trucks, tanden drive trucks, semi-water wagons	4.855	.14				
Semi-pole double hook-up tractor trailers	5.15	.14				

Ohio - 13 Peo Q 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
A-frames, air compressor on steel erection, all rotary drills used on caisson work for foundation and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggyback operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types) draglines, elevating grader or euclid loader, floating equipment, gradall, helicopter oper. (Hoisting builders materials), Helicopter winch oper. (hoisting builders materials), hoes, (all types), hoisting engines (two or more drums), lift slab or panel jack oper., locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.98	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.83	.38	.65		.09	
Air compressor, pressurizing shafts or tunnels, all asphalt rollers, fork lifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" and over discharge), submersible pumps (4" and over discharge) trenches (24" and under)	8.68	.38	.65		.09	

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POWER EQUIPMENT OPERATORS: Cont'd	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Compressors on building construction, conveyors building material, gunite machines, mixers (cap., more than one bag), mixers, (one bag cap., side loader), post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers, welder operator	8.00	.38	.65		.09	
Backfillers and tamper, batch plant, bar & joint installing machines, bull floats, burlap and curing machines, clefplanes, concrete spreading machine, crushers, drum fireman (asphalt), farm type tractors, pulling attachments, finishing machines, form trenchers, high pressure pumps (over ½" discharge) hydro sedders, self propelled power spreader, self propelled sub-grader, tire repairman, tractor (pulling sheep foot roller or grader), vibratory compactors (with integral power)	7.69	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs., pressure), pumps (under 4" discharge submersible pumps (umder 4" discharge)	7.06	.38	.65		.09	

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HEAVY & HIGHWAY CONSTRUCTION

Ohio - 2-LAB J

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.96	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	6.085	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	6.16	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	6.31	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	6.61	.45	.20		.02	

HEAVY & HIGHWAY CONSTRUCTION

Ohio - 1 - PEO L 1 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
POWER EQUIPMENT OPERATORS:						
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
POWER EQUIPMENT OPERATORS: (CONTD)						
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5,48	.38	.65		.09	

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HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations: Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: AP-45
COUNTY: STARK
DATE: Date of Publication
Supersedes Decision No. AM-415 dated August 18, 1971 in 36 FR 15948
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.075	.30	.80		.08	
Boilermakers	8.96	.50	.85		.01	
Bricklayers & Stonemasons	8.60	.30	.25			
Carpenters	7.525	.30	.20			
Millwrights	7.91	.30	.20		.02	
Piledrivermen	7.91	.30	.20		.02	
Cement Masons:						
Building	8.00	.30	.35		.015	
Heavy & Highway	7.22	.42			.02	
Electricians	8.90	.25	1%		.2%	
Elevator constructors	8.135	.17	.185	1%+a&b	.005	
Elevator constructors' helpers	70%JR	.17	.185	1%+a&b	.005	
Elevator constructors' helpers (prob)	50%JR					
Glaziers	6.12	.19				
Ironworkers, structural & ornamental	8.65	.40	.40		.02	
Ironworkers, reinforcing	8.65	.40	.40		.02	
Laborers: (East of Woodlawn Ave.)						
Laborers	5.75	.35	.15			
Air tool op. (jackhammer, vibrator)	5.90	.35	.15			
Mason tenders	5.75	.35	.15			
Mortar mixers	5.90	.35	.15			
Pipelayers, sewer	6.00	.35	.15			
Plasterers' tenders & Hod carriers	5.95	.35	.15			
Barco tampers	6.00	.35	.15			
Gunnite nozzlemen	6.20	.35	.15			
All power-driven tools	5.90	.35	.15			
Sewer diggers 6 ft. deep & under	5.75	.35	.15			
Sewer diggers 6 ft. deep & over	5.90	.35	.15			
Laborers: (West of Woodlawn Ave.)						
Hod carriers & plasterers' Tenders	6.38	.35	.15		.02	
Mortar mixer (hand or machine), mason tender, scaffold builder, all power driven tools, jackhammer, air drills, sewer digger over 6' deep	6.33	.35	.15		.02	
Laborer unskilled, sewer-gas conduit, sewers, water sewer digger (6'deep)	6.18	.35	.15		.02	
Gunnite nozzlemen	6.63	.35	.15		.02	
Sewer pipe layer, barco tamper	6.43	.35	.15		.02	
Lathers	7.50					
Lead burners	7.80	.30		c	.01	
Line Construction:						
Linemen	8.90	.25	1%		½of 1%	
Line equipment operators	8.90	.25	1%		½of 1%	

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck drivers	$6.25	.25	1%		½of1%	
Groundmen over 1 yr.	5.80	.25	1%		½of 1%	
Groundmen under 1 yr.	5.35	.25	1%		½of1%	
Marble Setters	7.58	.40	.25			
Painters:						
Brush	6.12	.30	.20		.02	
Paperhangers	6.22	.30	.20		.02	
Spray	6.42	.30	.20		.02	
Industrial:						
Brush & roller	6.42	.30	.20		.02	
Spray	6.72	.30	.20		.02	
Sandblasting & bridge	6.92	.30	.20		.02	
Structural steel	7.14	.30	.20		.02	
Plasterers	7.91	.30	.34		.01	
Plumbers & Steamfitters:						
Canton & vininity	8.57	.25	.20	f	.02	
Massillion & vicinity	8.37	.40	.25			
Roofers	8.34	.40	.30		.02	
Roofers' helpers:						
1st year	60%JR	.40	.30		.02	
2nd year	70%JR	.40	.30		.02	
3rd year	80%JR	.40	.30		.02	
Sheet metal workers	8.60	.45	.45		.02	
Soft floor layers	6.58	.30	.20	g		
Sprinkler fitters	9.25	.30	.50		.05	
Terrazzo workers	7.53	.40	.25			
Terrazzo workers' helpers	6.73	.40	.25			
Terrazzo workers' grinders	7.03	.40	.25			
Tile Setters	7.43	.40	.25			
Tile setters helpers	6.63	.40	.25			
Truck drivers:						
Straight and semi	4.75	e6.00				
Double trucks	4.85	36.00				
Equipment movers	4.85	e6.00				
Helpers	4.65	e6.00				

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 the business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in the business less than 5 years.

c. Nine paid 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. Per year

e. Per week, per employee.

f. One paid holiday: Labor Day, providing the employee has worked 5 consecutive days before and after the holiday.

g. One year of service, 1 weeks paid vacation; 2 or more years of service, 2 weeks paid vacation.

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
A-frames, air compressor on steel erection, all rotary drills used on caisson work for foundation and sub-structure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggyback operation), boom trucks (all types), Cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types) draglines, elevating grader or euclid loader, floating equipment, gradall, helicopter oper. (Hoisting builders materials), Helicopter winch oper. (hoisting builders materials), hoes, (all types), hoisting engines (two or more drums), lift slab or panel jack oper., locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.98	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.83	.38	.65		.09	
Air compressor, pressurizing shafts or tunnels, all asphalt rollers, fork lifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" and over discharge), submersible pumps (4" and over discharge) trenches (24" and under)	8.68	.38	.65		.09	

POWER EQUIPMENT OPERATORS: Cont'd	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
Compressors on building construction, conveyors building material, gunite machines, mixers (cap., more than one bag), mixers, (one bag cap., side loader), post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers, welder operator	8.00	.38	.65		.09	
Backfillers and tamper, batch plant, bar & joint installing machines, bull floats, burlap and curing machines, clefplanes, concrete spreading machine, crushers, drum fireman (asphalt), farm type tractors, pulling attachments, finishing machines, form trenchers, high pressure pumps (over ½" discharge) hydro sedders, self propelled power spreader, self propelled sub-grader, tire repairman, tractor (pulling sheep foot roller or grader), vibratory compactors (with integral power)	7.69	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs., pressure), pumps (under 4" discharge submersible pumps (umder 4" discharge)	7.06	.38	.65		.09	

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Ot
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.78	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.905	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.98	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	6.13	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	6.43	.45	.20		.02	

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HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
POWER EQUIPMENT OPERATORS:						
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS: (CONTD)						
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

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HEAVY AND HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations: Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

SUPERSEDEAS DECISION

STATE: OHIO
COUNTY: SUMMIT
DECISION NUMBER: AP-46
DATE: Date of Publication
Supersedes Decision No. AM-416 dated August 11, 1971 in 36 FR15953
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$9.075	.30	.80		.08	
Boilermakers	8.96	.50	.85		.01	
Bricklayers & Stonemasons	9.38	.45	.20		.02	
Bricklayers, sewer	9.63	.45	.20		.02	
Carpenters	8.79	.30	.30			
Millwrights	9.45	.40	.55		.01	
Piledrivermen	9.45	.40	.55		.01	
Cement masons (Building)	8.00	.30	.35		.01	
Cement masons (Heavy & Highway)	7.22	.42			.02	
Electricians & Linemen	9.10	.27	1%+.50		.1%	
Cabel splicers	9.60	.27	1%+.50		.1%	
Elevator constructors	8.135	.17	.185	1%+a&b	.005	
Elevator constructors' helper	70% JR	.17	.185	1%+a&b	.005	
Glaziers	7.81	.62	.38			
Ironworkers, structural & ornamental	8.20	.50	.80	.90	.01	
Ironworkers, reinforcing	8.20	.50	.80	.90	.01	
Lathers (Southern portion of Co.)	8.05	.30	.15		.01	
Lathers (Northern portion of Co.)	9.91				.01	
Lead burners	7.80	.30		c	.01	
Marble setters	7.60	.42				
Marble setters' helper	7.10	.42				
Painters: South of and including the East West Turnpike:						
Brush, rollers & paperhangers	7.64	.30	.20			
Structural steel	7.89	.30	.20			
Spray steel	8.14	.30	.20			
Painters: North of the East West Turnpike:						
Brush, rollers & paperhangers	8.71	.37	.34			
Structural steel & bridges	9.41	.37	.34			
Plasterers	7.91	.30	.34		.01	
Plumbers & Steamfitters - South of Rte 303	9.25	.54	.50		.04	
Plumbers - North of Rte 303	9.16	.55	.70		.02	
Roofers	8.34	.40	.30		.02	
Roofers' helpers						
1st year	60% JR	.40	.30		.02	
2nd year	70% JR	.40	.30		.02	
3rd year	80% JR	.40	.30		.02	
Sheet metal workers	8.60	.45	.45		.02	
Soft floor layers	8.50	.20	.29			
Sprinkler fitters	9.25	.30	.50		.05	

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	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Terrazzo workers	$7.60	.42				
Terrazzo workers' helpers	7.10	.42				
Tile setters	7.60	.42				
Tile setters' helpers	7.10	.42				
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. Nine paid holidays, A through F, plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

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	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
LABORERS						
BUILDING CONSTRUCTION						
Gunite nozzel man, tunnel miner, water line caulker, dynamite man, structural precast welder & layout	$6.74	.30				
Barco type tamper, pipe layer, rock driller, mucker - tunnel, burner, form setter, power saw, jack hammer, bottom man & hod carrier	6.44	.30				
Air driven boring machine, tamper operator, asphalt raker, paving bed maker, concrete puddler on highway, building and heavy work, concrete batch dumper on highway work, material mixer, wire mesh handler, hook-up man on demolition work, scaffold erector, structural precast erector, power tools - air, gas or electric	6.39	.30				
Construction laborer, welder's helper, carpenter's helper, landscape laborer and mason tender	6.24	.30				
Plasterers' laborers:						
Laborer	6.24	.30				
Hod carrier, scafford erector & mixer	6.44	.30				
Pump machine operator	6.54	.30				

OHIO-8-TD F

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
TRUCK DRIVERS:						
Trucks under 1-1/2 tons	$4.705	.14				
Dump trucks (over 1-1/2 tons), water wagons, stake body trucks, fuel trucks	4.805	.14				
Semi-, ready-mix trucks, tandem drive trucks, semi-water wagons	4.855	.14				
Semi-pole double hook-up tractor trailers	5.15	.14				

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
POWER EQUIPMENT OPERATORS:						
A-frames, air compressor on steel erection, all rotary drills used on caisson work for foundation and substructure work, boiler operator or compressor operator when compressor or boiler is mounted on crane (piggyback operation), boom trucks (all types), cableways, cherry pickers, combination concrete mixer and tower, concrete pumps, cranes (all types), derricks (all types) draglines, elevating grader or euclid loader, floating equipment, gradall, helicopter oper. (Hoisting builders materials), Helicopter winch oper. (hoisting builders materials), hoes, (all types), hoisting engines (two or more drums), lift slab or panel jack oper., locomotives (all types), maintenance engineer (mechanic or welder), mixer paving (multiple drum), mobile concrete pumps with boom, panelboard (all types on site), pile driver, power shovels, side booms, slip form pavers, straddle carriers (building construction on site), tower derricks, trench machines (over 24" wide)	$8.98	.38	.65		.09	
Asphalt paver, bulldozer, CMI type equipment, endloaders, kohlman type loaders (dirt loading), mucking machines, power grader, power scoops, power scrapers, push cats	8.83	.38	.65		.09	
Air compressor, pressurizing shafts or tunnels, all asphalt rollers, fork lifts, hoist (one drum), house elevators, man lift, power boilers (over 15 lbs., pressure), pump operator installing or operating well points or other type of dewatering system, pumps (4" and over discharge), submersible pumps (4" and over discharge) trenches (24" and under)	8.68	.38	.65		.09	

POWER EQUIPMENT OPERATORS: Cont'd	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
Compressors on building construction, conveyors building material, gunite machines, mixers (cap., more than one bag), mixers, (one bag cap., side loader), post driver, post hole digger, pavement breaker (hydraulic or cable), road widening trencher, rollers, welder operator	8.00	.38	.65		.09	
Backfillers and tamper, batch plant, bar & joint installing machines, bull floats, burlap and curing machines, clefplanes, concrete spreading machine, crushers, drum fireman (asphalt), farm type tractors, pulling attachments, finishing machines, form trenchers, high pressure pumps (over ½" discharge) hydro sedders, self propelled power spreader, self propelled sub-grader, tire repairman, tractor (pulling sheep foot roller or grader), vibratory compactors (with integral power)	7.69	.38	.65		.09	
Oiler, helper, signalman, light plant operator, power driven heaters (oil fired), power boilers (less than 15 lbs., pressure), pumps (under 4" discharge submersible pumps (under 4" discharge)	7.06	.38	.65		.09	

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.96	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	6.085	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	6.16	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	6.31	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	6.61	.45	.20		.02	

HEAVY & HIGHWAY CONSTRUCTION

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POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS I						
Air compressor on steel erection, boiler operator on compressor or generator when mounted on a rig, cableways, combination concrete mixer and tower, concrete plans (over 4 yd. capacity), concrete pumps, cranes (all types, including A frames, boom trucks, cherry pickers), derricks, draglines, dredge (dipper, clam or suction), elevating grader or euclid loader, floating equipment (all types), helicopter crew (operator-hoist or winch), hoes (all types), hoisting engi engines, hoisting engines on shaft or tunnel work, industrial-type tractor, jet engine dryer (D8 or D9) diesel tractor, locomotives (standard gauge), maintenance operator Class A, mixer, paving (single or double drum), mucking machines, multiple scraper, piledriving machines (all types), power shovels, Quad 9 (double pusher), refrigerating machine (freezer operation), rotary drill on caisson work, slip-form paver, survey crew party chief, tower derricks, tree shredder, trench machines (over 24 " wide), truck mounted concrete pumps, tug boat, tunnel machine, wheel excavator	$6.81	.38	.65		.09	
CLASS II						
Asphalt paver, automatic subgrade machine, self-propelled (CMI type), bulldozers, endloader, kolman loader (production type - dirt), lead grease man, maintenance operator Class B, power grader, power scoops and scrapers, push cat, trench machines (24" wide and under	6.74	.38	.65		.09	
CLASS III						
Air compressors on tunnel work (low pressure), asphalt plant engineer, locomotive (narrow gauge), mixers, concrete (more than one bag capacity), mixers, one bag capacity (side loader), power boilers over 15 lb. pressure, pump operator installing and operating well points, pumps (4" and over discharge), rollers - asphalt, utility operator (small equipment), welding machines and generators	6.43	.38	.65		.09	

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POWER EQUIPMENT OPERATORS: (CONTD)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS IV						
Back fillers, bar, joint and mesh installing machines, batch plant, bull floats, burlap and curing machines, compressors (portable, sewer, heavy and highway), concrete plant (capacity 4 yd. and under), concrete saw (multiple), conveyors (highway), crushers, deckhand, drill highway (with integral power), farm-type tractors with attachments (highway), finishing machines, fireman, floating equipment (all types), fork lift (highway), form trenchers, hydro seeders, plant mixers, post mixers, post hole digger (power auger), power brush burner, power form handling equipment, road widening trencher, rollers (brick, grade, macamdam), self-propelled power spreaders, self-propelled power subgraders, steam fireman, survey instrument man, tractor(pulling sheepfoot roller or grader), vibratory compactors (with integral power)	$6.16	.38	.65		.09	
CLASS V						
Drum fireman (asphalt plant), helper, inboard-outboard motor boat-launch, oil heaters (asphalt plant), oilers, power driven heaters, pumps (under 4" discharge), signalmen, survey rodmen or chainmen, tire repairmen	5.48	.38	.65		.09	

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HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations:						
Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, lowboys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

SUPERSEDEAS DECISION

STATE: OHIO
DECISION NUMBER: AP-47
COUNTY: TRUMBULL
DATE: Date of Publication
Supersedes Decision No. AM-417 dated August 18, 1971 in 36 FR 15958
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos worker	$9.27	.30	.25		.02	
Boilermakers	8.96	.50	.70	.85	.01	
Bricklayers	7.85	.20	.20			
Bricklayers sewer & saw men	8.15	.20	.20			
Stonemasons	7.85	.20	.20			
Carpenters	7.21	.30	.50		.02	
Millwrights	7.91	.30	.50		.02	
Piledrivermen	7.91	.30	.50		.02	
Cement masons (Liberty & Hubbard Twsp.)	7.765	.30			.02	
Cement masons (Heavy & Highway)	7.22	.42				
Cement masons (Remainer of County)	7.65	.15				
Electricians (Townships of Liberty & Hubbard:	8.56	.20	1%+4%		3/10of%	
Electricians (Remainder of County)	9.38	.35	5%		.1%	
Elevator Constructors	8.45	.195	.20	2%+a&b	.005	
Elevator Constructors' helpers	70%JR	.195	.20	2%+a&b	.005	
Elevator Constructors' helpers	50%JR					
Glaziers	8.57	.35	.20			
Ironworkers, structural, ornamental & reinforcing	9.37	.35	.10		.10	
Laborers:						
Laborers & carpenters' tenders	6.69	.45	.20			
Burning scrap iron	6.76	.45	.20			
Mortar mixers, mason tenders, jackhammer op. (all machine driven tools, electric, gas, or air and operation of all pumps under 4"), spikers, work 7 or more feet in depth, concrete work (pouring, puddling, raking, & conveying)	6.815	.45	.20			
Hod carriers	6.88	.45	.20			
Pipe layers, muckers (tunnels & caissons), powder and dynamite	7.015	.45	.20			
Gunniting and sandblasting	7.24	.45	.20			
Landscape laborers	2.85	.07	.10	.005		
Lathers	6.175	.15	.10		.01	
Lead burners	7.80	.30		c	.01	
Linemen, cable splicers & poledigging equipment operator	9.85		1%			
Painters (Commercial):						
Brush	8.215	.35	.30			
Spray	8.515	.35	.30			
Painters (Industrial):						
Brush	8.42					
Spray	8.42	.35	.30			

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Plumbers & Stramfitters (Remainder of Co	9.00	.57	.55		.01	
Roofers	7.52	.35	.50		.01	
Roofers' helpers	65%JR	.35	.50		.01	
Sheet metal workers	8.90	.20	.25		.01	
Soft floor layers	7.03	.30	.50		.02	
Sprinkler fitters	9.25	.30	.50		.05	
Truck drivers:						
Dump,flat bottoms, stake body and batch	4.735	.15				
Semi-tandem mixers, semi-water wagon, semi-dumps, fuel trucks	4.955	.15				
Euclids wagon drivers and DW 10 caterpillars or equivalent, carryalls	5.205	.15				
Plumbers & steamfitters (twps of Liberty & Hubbard)	8.11	.30	.40	1.00	.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 hilidays: 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. Nine paid hilidays, 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 regualr scheculed work days immediately preceding and following the hiliday.

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POWER EQUIPMENT OPERATORS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Class I						
Asphalt planer heater, Austin western & similar type, Back hoe, Batch plant-central mix, Batch plant-portable concrete, Berm builder -automatic, Backfiller with drag attachment, Boat-derrick, Boat-tug, Boring mach. when attached to tractor, Bullclam, Bulldozer, C.M.I. road builder and similar types, Cable placer & layer, Carrier-straddle, Carryall or scraper or scoop, Chicago boom, Compactor with blade attached, Concrete spreader finisher combination, Crane, Crane-stationary or climbing, Crane-electric overhead, Crane-side boom, Crane-truck, Crane-tower, Derrick-boom, Derrick-car, Diggers-wheel (not trencher or road widener), Double nine, Drag line, Dredge, Drill-Kenny or similar type, Electromatic, Fork lift, Frankie pile, Gradall, Grader-power, Gurry, Gurry-self propelled, High lift, Hoist-monorail, Hoist-stationary & mobile tractor, Hoist-2 or 3 drum, Jackall, Jumbo mach., Kocal or Kuhlman, Land-seagoing vehicle, Loader-Elevating, Loader-front end, Locomotive, Mechanic as welder, Metro clip harvester w/boom, Mucking machine, Paver-asphalt finishing machine, Paver-road concrete, Paver-slip form, Place crete mach, Post driver, Power driven hydraulic pumps and jacks, Pump crete machine, Regulator-ballast, Rigs-drilling, Shovel, Spikemaster, Stonecrusher, Tie puller & loader, Tie tamper, Tractor-double boom, Tractor w/attachments, Trucks-boom, Truck-tire-assigned to job, Trench machine, Tunnel machine (Mark 21 Java or similar), Whiley	$8.07	.35	.50		.10	
Class II						
Asphalt plant, Bending machine, Boring machine, Chip harvester w/o boom, Cleaning Mach.-pipeline type, Coating Mach.-pipeline type, Concrete belt placer, Concrete finisher, Concrete planer or asphalt, Concrete spreader, Elevator, Fork lift-home Bldg. only, Fork lift walk behind, Form line machine, Grease truck operator, Grout pump, Gunnite machine, Huck bolting Mach., Hydraulic scaffold, Paving breaker, Pipe dream, Pot fireman, Power broom, Refrigeration plant, Sasgen derrick, Seeding Mach., Self-propelled mobile vibrator compactor or roller, Hoist-single drum with or without tower, Soil stabilizer (pump type), Spray cure Mach.-self propelled, Straw blower Mach., Sub-grader, Tube fininsher or broom C.M.I. or similar type, Tugger Hoist	7.68	.35	.50		.10	

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	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Class III						
Batch plant-job related, Boiler operator, Compressor (125 CFM or over), Curb builder (self propelled), Generator-steam, Jack-hydraulic-power driven, Mixer-concrete, Mulching Mach., Pin puller, Pulverizer, Pump, Road finishing mach. (pull type), Roller, Saw-concrete-self propelled-Hwy. work, Signal man, Spray cure Mach.-motor powered, Spreader (side deliver shoulder attachment), Tractor, Trencher-form, Water blaster	7.47	.35	.50		.10	
Class IV						
Brake man, Compressor under 125 CFM, Conveyor, Conveyor 12 feet or under other than servicing brick layers, Deck hand, Drill wagon, Fireman, Generator sets, Heaters-portable power (2 to 5), Helper-mechanic, Jacks Hydraulic (railroad), Ladavator, Roller (walk behind 1 ton or over), Steam jenny, Syphons, Vibrator-gasoline, Welding machines (2) (fuel burning)	7.11	.35	.50		.10	
Oiler	7.00	.35	.50		.10	
Rigs-pile driving or cassion type	8.34	.35	.50		.10	

Ohio - 3 - LAB J

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS:						
GROUP 1						
Laborers (construction), plant laborers or yardmen, righ-of-way laborer, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface treatment or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector	$5.78	.45	.20		.02	
GROUP 2						
Asphalt raker, concrete puddler, kettle man (pipeline), all machine driven tools (gas, electric, air), mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow	5.905	.45	.20		.02	
GROUP 3						
Form setter, bottom man, welder helper (pipeline), concrete saw man, cutting with burning torch, pipe layer, hand spiker (railroad), car pusher (without air), underground man (working in sewer and waterline, cleaning, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill	5.98	.45	.20		.02	
GROUP 4						
Blaster and powder man, muckers, wrencher (mechanical joints and utility pipeline), yarner, top lander	6.13	.45	.20		.02	
GROUP 5						
Curb setter and cutter, miner (without air), concrete crew in tunnels utility pipeline tapper, gunnite nozzle man, waterline caulker	6.43	.45	.20		.02	

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HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
TRUCK DRIVERS						
4-wheel service trucks, 4-wheel dump trucks	$5.41	a $6.00				
Batch trucks, oil distributors, asphalt distributors	5.41	a $6.00				
Tandem trucks	5.46	a $6.00				
Tractor-trailer combinations: Semitractor trucks, pole trailers, readymix trucks, fuel trucks	5.51	a $6.00				
Asphalt-oil spray-bar man, when operated from cab	5.71	a $6.00				
Euclid wagons, Euclid end-dumps, low-boys, heavy duty equipment over 12 cu. yds., capacity (irrespective of load carried) when used exclusively for transportation, truck mechanics	5.88	a $6.00				
All trucks five axle and over	5.61	a $6.00				

FOOTNOTES:

a. Per week per employee.

SUPERSEDEAS DECISION

STATE: Oklahoma COUNTY: Oklahoma
DECISION NO.: AP-360 DATE: Date of Publication
Supersedes Decision No. AP-308, dated August 11, 1972, in 37 FR 16354.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

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	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
ASBESTOS WORKERS	$7.45	.25	.30		.02	
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS - STONEMASONS	7.37	.40	.45		.05	
CARPENTERS:						
Carpenters	6.40	.20			.02	
Millwrights	6.65	.20			.02	
Piledrivermen & Power Saw Operator	6.65	.20			.02	
CEMENT MASONS	6.65					
ELECTRICIANS:						
Electricians:						
Zone(1)- 0 - 10 miles radius of Oklahoma City Main Post Office	7.20	.30	1%+.10		1%	
Zone (2)- 10 - 30 miles radius of Oklahoma City Main Post Office	7.45	.30	1%+.10		1%	
Cable Splicers:						
Zone (1) - 0 - 10 miles radius of Oklahoma City Main Post Office	7.45	.30	1%+.10		1%	
Zone (2) - 10 - 30 miles radius of Oklahoma City Main Post Office	7.70	.30	1%+.10		1%	
ELEVATOR CONSTRUCTORS	6.67	.17	.185	2%+a+b		
ELEVATOR CONSTRUCTORS' Helpers	70%	.17	.185	2%+a+b		
ELEVATOR CONSTRUCTORS' Helpers (Probationary)	50%					
GLAZIERS	6.12					
IRONWORKERS:						
Structural; Ornamental; Reinforcing	7.44	.30	.25		.04	
LABORERS:						
Air tool operator (jackhammer, vibrator); mason tenders; mortar mixers; pipelayers (concrete & clay); plasterers' tenders	4.18					
Unskilled	4.03					
LATHERS	7.475				.01	
MARBLE MASONS	5.60					
PAINTERS:						
Brush, tapping & bedding	5.25	.15	.20	.15	.01	
Spray painting & sandblasting under 30 feet	5.75	.15	.20	.15	.01	
Spray painting and sandblasting over 30 feet	6.25	.15	.20	.15	.01	
Paperhangers	6.25	.15	.20	.15	.01	
Hazardous work	5.75	.15	.20	.15	.01	
PLASTERERS	7.475				.01	
PLUMBERS - STEAMFITTERS	7.45	.45	.40		.10	
ROOFERS	5.85	.20	.25	.15	.04	
SHEET METAL WORKERS	6.35	.25	.15		.01	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
SOFT FLOOR LAYERS:						
Resilient floor layers	6.05	.30				
Carpet layers	6.05	.30				
SPRINKLER FITTERS	8.35	.30	.50		.05	
TERRAZZO WORKERS	5.05					
TERRAZZO WORKERS' HELPERS	3.90					
TERRAZZO FLOOR MACHINE MAN	4.05					
TERRAZZO BASE MACHINE MAN	4.25					
TILE SETTERS	5.25					
TILE AND MARBLE HELPERS:						
Intermediate helpers	3.60					
Experienced helpers	3.75					
TRUCK DRIVERS:						
Truck drivers for heavy equipment, such as lowboys, heavy winch & floats	4.90					
Heavy earth moving equipment such as euclids, Mississippi wagons, 10 yds. and tail dumps	5.10					
Truck drivers and swampers, such as dump trucks, flat beds, stake bodies and 3/4 and ½ ton pick-up trucks	4.80					

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.

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
All Crane Type equipment with 100' of boom or over (including jib), all Tower Cranes and all Cranes type equipment of 3 cu. yd. or more	$7.25	.35	.25		.07	
Heavy Duty Mechanic; Welder; Crane-Hook & Overhead Monorail; Whirley; Derrick; Piledriver Engineer; Dragline; Shovel; Clamshell; Backhoe; Sideboom; Gradall; Hydro Crane; Hoists while operationg 2 or more drums; Cherry picker	7.00	.35	.25		.07	
Motor Patrol (Blade); Dozer (Engine H.P. 65 or more); Scraper type equipment; Tournapull; DW 10, 15, 16, 20, 21, & similar rubber-tired equipment; Euclid, TS-24 and similar; Loader Operator or Hi-Lift (Engine H.P. 65 or over); Asphalt Lay Machine; Tail Boom; Conveyor-Multiple, Panel Board Control; Power Driver Hole Digger; Trenching Machine; Fordson Tractor or like equipment with hoe or loader equipment or ditcher	6.75	.35	.25		.07	
Locomotive Engineer; Boring Machine; Tug Boat; Mixer, 18 cu. ft. and over; Sand Barge; Dredging Machine; Tugger; Hoist-when operating one drum; Welding Machine, 3 to 6; Air Compressor, 3 to 6, 500 cu. ft. and under; Air Compressor, over 500 cu. ft. (1); Pumps, Battery, 3 to 6; Forklift and similar equipment; Generator Plant Engineers, Diesel Elec; Winch Truck with A-Frame; Pumps, Battery, 3 to 6; Batch Plant Operator (Portable); Roller, all types; Elevator, building type or personnel hoist; Concrete Buster or Tamper; Heaters under jurisdiction of Op. Engrs.; Fireman; Boiler Operator; Crushing Plants; Oiler Distributor; Pulvimixer; Farm Tractor - with or without attachments; Conveyor Operator - dual, continuous or Belt-Bulk Handling; Screed Operator; Concrete Pump; Form Grader; Screening Plant; Well Point Pump Operator; Signal Man on Large whirleys when & if required	6.50	.35	.25		.07	
Operator for rotary drilling machines when operated from console or machine	6.50	.35	.25		.07	
Concrete mixer, with hopper less than 13 cu. ft.; Air Compressor, 500 cu. ft. & under (1 or 2); Welding Machine (1 or 2); Pump (1 or 2); Fuelman; Conveyor Operator - Single - Continuous Belt Bulk Handling	6.00	.35	.25		.07	

POWER EQUIPMENT OPERATOR (Cont'd):	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Greaser; Tilt Top Trailer Operator	$6.10	.35	.25		.07	
Asphalt Lay Machine Back End Man; Helpers	5.80	.35	.25		.07	
Track crane oiler or Truck crane driver	5.70	.35	.25		.07	

Engineers for machine not listed under the above classifications shall receive the scale comparable to these classifications.

Engineers of all classifications when working in caverns or tunnels shall receive 25¢ per hour above all the above listed rates.

OKLAHOMA LINE CONSTRUCTION

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen	$6.50		1%		1/2%	
Cable splicers	6.94		1%		1/2%	
Hole digger operator	5.91		1%		1/2%	
Heavy equipment operator (or pole cats equivalent)	5.91		1%		1/2%	
Line truck driver (winch op.)	5.35		1%		1/2%	
Jackhammer man	4.88		1%		1/2%	
Powderman	5.91		1%		1/2%	
Truck driver (flat bed, ton and half and under)	4.60		1%		1/2%	
Groundmen	4.35		1%		1/2%	

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall, Tarrant and Wise

DECISION NO.: AP-361

DATE: Date of Publication

Supersedes Decision No. AP-306, dated August 11, 1972, in 37 FR 16365.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

(1 - 8)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$7.14	.30	.51		.025	
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS-STONEMASONS:						
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	7.385	.25	.40		.03	
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.00	.20	.40		.015	
Grayson County	6.80					
CARPENTERS:						
Carpenters:						
Grayson County	6.40				.005	
Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.02	.25	.30		.02	
Power saw operators:						
Grayson County	6.65				.005	
Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.145	.25	.30		.02	
Millwrights:						
Grayson County	6.80				.005	
Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.90				.02	
Piledrivermen:						
Grayson County	6.90				.005	
CEMENT MASONS:						
Grayson County	6.16					
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	6.705	.25	.45			
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	6.895	.25	.25		.01	
ELECTRICIANS:						
Electricians:						
Grayson County	7.145		1%		.02	
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.50	4%	1%		7/10%	

(2 - 8)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ELECTRICIANS (CONT'D):						
Electricians (Cont'd):						
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:						
Zone A - Dallas County	$6.985	4%	1%		.70 of 1%	
Zone B - All work outside Dallas up to a 40 mile radius from Dallas City Hall	7.235	4%	1%		.70 of 1%	
Zone C - All work outside Zones A & B	7.485	4%	1%		.70 of 1%	
Cable splicers:						
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.75	4%	1%		7/10%	
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:						
Zone A - Dallas County	7.6835	4%	1%		.70 of 1%	
Zone B - All work outside Dallas up to a 40 mile radius from Dallas City Hall	7.9585	4%	1%		.70 of 1%	
Zone C - All work outside Zones A & B	8.2335	4%	1%		.70 of 1%	
ELEVATOR CONSTRUCTORS	6.20	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS:						
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	6.00	.15	.15			
IRONWORKERS	6.635	.40	.40		.03	
LABORERS:						
Grayson County:						
Unskilled laborers	4.78	.225	.20			
Air tool operator (jackhammer, vibrator), mason tenders & mortar mixers, pipelayers	5.03	.225	.20			
Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties:						
General laborer, excavation, concrete work, carpenter tender, reinforcing-shoring, digging, loading, unloading, slip form jack operator, wrecking buildings, scaffold builder, asphalt ironer, asphalt raker, waterproofing tender, tool room tender, dumper, spotter, concrete pumpcrete pipe (handling & laying)	4.78	.225	.20		.02	

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS (CONT'D):						
Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties (Cont'd):						
Power tool operator, vibrator, cutting torch man, concrete grademen, power buggy operator, wagon drill operator, well driller, well driller tender, drilling rig tender, cement finisher tender, metal pan & steel form men	$4.93	.225	.20		.02	
Concrete pipe (handling & laying), tile & marble, terrazzo helper, mason handler, scaffold builder, mason tenders, hod carrier, mortar mixer, lather tender, plaster tender, pier hole and ditch men	5.03	.225	.20		.02	
Sand blaster, blaster, powderman, gunite nozzleman and terrazzo grinder worker	5.18	.225	.20		.02	
LATHERS:						
Grayson, Collin, Dallas, Denton, Ellis, Hunt, Kaufman & Rockwall Counties	7.19	.20		.50	.04	
Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.72	.20			.01	
MARBLE SETTERS:						
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	6.50					
PAINTERS:						
Grayson, Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:						
Brush	6.735	.30	.20		.04	
All wall covering work; paper, fabric, sheeting, flexwood, etc.	6.86	.30	.20		.04	
Ames tools operator	6.86	.30	.20		.04	
Structural steel, stage work, bosun chair, spray gun, sandblasting and window jacks, fire escapes	7.11	.30	.20		.04	
Denton County:						
Brush, hand roller	6.00					
All wall covering work	6.125					
Structural steel; stage & bosun chair work, window jack, spraying, sandblasting & power tool work	6.25					

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS (CONT'D):						
Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties:						
Brush	$7.055		.20		.02	
Spray work, pressure rollers, sandblasting, structural steel, bosun chair, any window painted on window sill or window jack, stage work, painting of fire escapes, or steel storage tanks, paperhanging or vinyl work, taping and bedding	7.305		.20		.02	
Steeple jack work (classified as: radio and TV towers, smoke stacks, and water towers and similar facilities and chimneys located closer to the edge of the building than the height of the pole) and work performed with materials such as creosote, coal tar products or similar materials containing ingredients similary injurious to the skin	8.305		.20		.02	
PLASTERERS:						
Grayson County	6.05					
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	7.045	.35		.50	.03	
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.915				.01	
PLUMBERS-STEAMFITTERS	7.45	.28	.73		.06	
ROOFERS:						
Grayson, Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:						
Slate & tile	6.725					
Composition and built-up roofing, damp proofing & bituminous waterproofing	6.575					
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties:						
Slate, tile, asbestos, roofing & siding	6.695				.03	
Composition, built-up, damp & waterproofing, kettlemen	6.545				.03	
SHEET METAL WORKERS:						
Grayson, Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	7.245	.35	.25		.01	
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	7.375	.25	.20		.025	
SOFT FLOOR LAYERS	6.69	.25	.20		.03	
SPRINKLER FITTERS	8.35	.30	.50		.05	

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
TILE SETTERS:						
Collin, Dallas, Hunt, Kaufman & Rockwall Counties	$6.20					
TILE SETTERS' HELPERS:						
Collin, Dallas, Hunt, Kaufman & Rockwall Counties	4.28					
TRUCK DRIVERS:						
Grayson County	1.75					
Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	4.25					
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties	4.00					
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.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS: Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:						
Oilers	$5.625	.30	.40			
Air compressors; Blade grader, towed; Flex plane; Form grader; Concrete mixer, less than 14 cu. ft.; Water pumps-2½' or over & 2 or more pumps; Pulsometer; Welding machines, gasoline or diesel driven (2 to 6 machines); Wagon drill operator; Conveyor; Hoist, single drum; Scraper, 3 cu. yd. or less; Generator, gasoline or diesel driven (over 1500 watts); Bob cat with loader; All other equipment of similar nature coming under the light equipment class, when power operated	6.41½	.30	.40			
Heavy duty mechanic (foreman); Asphalt mixer operator on job; Blade grader, self-propelled; Bull clam; Backfiller; Bulldozer & all cat type tractors; Backhoe; Concrete mixers, over 14 cu. ft.; Crusher operator on job; Concrete batch plant operator; Clam shell; Cranes (all types); truck mounted on crawler requires oiler including groves (hydraulic) or similar type over 12½ ton capacity; Escalated rate on crane and derricks booms; .01¢ per hour, per ft., over 90' including jib; draglines; derricks, power operated (all types); DW-10 Caterpillar, S-8 Euclid and similar tractors; Elevating grader, self-propelled; Foundation drilling machine (all); Forklifts, used in handling machinery on construction; Grade all; Hoist, motor driven, 2 drums or more; Locomotive crane; Mixmobile; Paving mixers (all types); Pile drivers; Pumpcrete machines; Pneumatic rollers, self-propelled; Shovels, power operated; Scrapers, over 3 cu. yd.; Scoopmobile; Trenching machines, all types; Winch trucks, when pole and winch is used; Water well drilling machines, used on construction; Well point pumps; Welding machines (7 to 13 machines); All other equipment of similar nature coming under heavy equipment class, when power operated	6.81½	.30	.40			

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS (CONT'D):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties:						
Oilers (all types)	$5.425	.30	.50		.10	
Air compressor (1); Pump (1); Pulsometer; Conveyor; Throttle valves; Wagon drill; Elevators building; Form graders; Hoist, single drum; Mixers, less than 14 cu. ft.; Screening plants; Welding machine gas & diesel (2 or more); Crushing plants; Fork lifts (short, under 25 feet); Concrete pumps (all types); Bobcat type equipment	6.21	.30	.50		.10	
Ford tractor or like with any attachments (except backhoe); Drilling machines (all types); Scoopmobile; Hoist, two drums or more; Forklifts (over 25 feet); Winch trucks; Six wheel truck, when used continuously for 5 days; Mixermobile; Locomotives; Mixer, 14 cu. ft. or over; Blade graders, self-propelled; Cableways; Cranes-power operated to 100 feet; Fordson type backhoe; Derricks, power operated (all types); Gradall; Hy-Ho; Hop-To; Paving mixers (all types); Pile drivers; Mobile concrete mixers, over 14 cu. ft.; Bulldozers, loaders, tractovators; Scrapers and pulls; Welders; Trenching machines; Roller, ten tons or over; Air compressors, three; Air compressors & 1 pump; Pump, three or more; Air compressor & air tugger; Boilers, two or more fired by one man; Heavy duty mechanic	6.61	.30	.50		.10	

BUILDING CONSTRUCTION

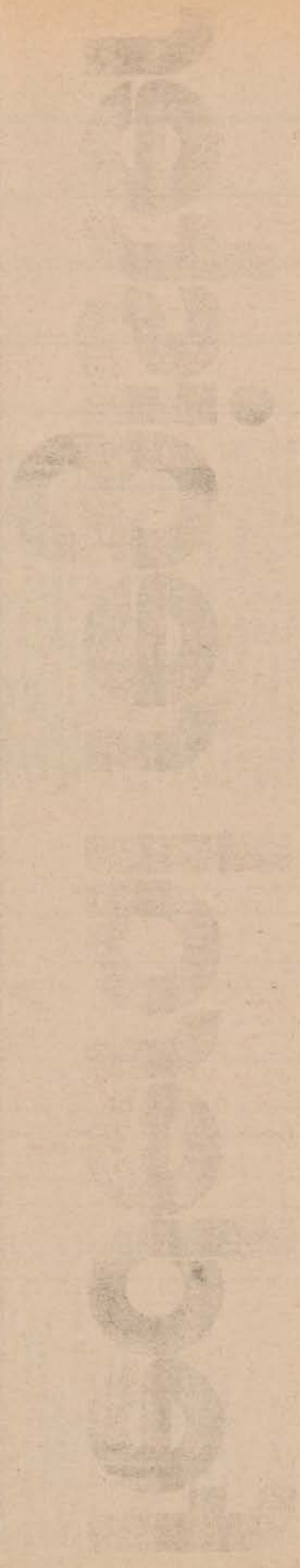
POWER EQUIPMENT OPERATORS (CONT'D):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Grayson County:						
Oilers (all types)	$5.425	.30	.50		.10	
Air compressors (1); Pump (1); Pulsometer; Conveyor; Throttle valves; Wagon drill; Elevators building; Form graders; Hoist, single drum; Mixers, less than 14 cubic feet; Screening plants; Welding machines gas & diesel (2 or more); Crushing plants; Fork lifts (short, under 25 feet); Concrete pumps (all types); Bobcat type equipment	6.21	.30	.50		.10	
Ford tractor or like with any attachments (except backhoe); Drilling machines (all types); Scoopmobile; Hoist, two drum or more; Forklifts (over 25 feet); Winch truck; Six wheel truck, when used continuously for 5 days; Mixermobile; Locomotives; Mixers, 14 cubic feet or over; Blade graders, self-propelled; Cableways; Cranes - power operated to 100 feet; Fordson type backhoe; Derricks, power operated (all types); Gradall; Hy-Ho; Hop-To; Paving mixers (all types); Pile drivers; Mobile concrete mixers over 14 cubic feet; Bulldozers, loaders, tractovators; Scrapers and pulls; Welders; Trenching machines; Roller, ten tons or over; Air compressors, three, Air compressors & 1 pump; Pump, three or more; Air Compressor & air tugger; Boilers, two or more fired by one man; Heavy duty mechanic	6.61	.30	.50		.10	

INCIDENTAL PAVING (TARRANT COUNTY) INCIDENTAL PAVING & UTILITIES (COLLIN, DALLAS, DENTON, ELLIS, GRAYSON, HOOD, HUNT, JOHNSON, KAUFMAN, PALO PINTO, PARKER, ROCKWALL & WISE COUNTIES)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
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					
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					

INCIDENTAL PAVING (TARRANT COUNTY) INCIDENTAL PAVING & UTILITIES (COLLIN, DALLAS, DENTON, ELLIS, GRAYSON, HOOD, HUNT, JOHNSON, KAUFMAN, PALO PINTO, PARKER, ROCKWALL & WISE COUNTIES)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
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					
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					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION:						
Linemen	$7.26		1%		1/2%	
Cable splicers	7.51		1%		1/2%	
Equipment operators	7.26		1%		1/2%	
Groundman	4.91		1%		1/2%	

[FR Doc.72-19552 Filed 11-16-72;8:45 am]



federal register

FRIDAY, NOVEMBER 17, 1972
WASHINGTON, D.C.

Volume 37 ■ Number 223

PART III

SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

■

CONFIDENTIALITY OF DRUG ABUSE PATIENT RECORDS

Title 21—FOOD AND DRUGS

Chapter III—Special Action Office for Drug Abuse Prevention

PART 401—CONFIDENTIALITY OF DRUG ABUSE PATIENT RECORDS

The Special Action Office for Drug Abuse Prevention has received numerous requests for interpretations of section 408 of the Drug Abuse Office and Treatment Act of 1972 (21 U.S.C. 1175). That section deals with the confidentiality of patient records maintained by treatment organizations. On the basis of the authority conferred by that Act, as well as other provisions of law, the Special Action Office, in consultation with the Department of Justice and the Department of Health, Education, and Welfare, has prepared the accompanying interpretative regulation to deal comprehensively with both substantive and procedural issues arising under section 408.

The rationale underlying the policy of section 408 is simple and compelling. Drug abuse in our society, at least with heroin, inevitably involves unlawful possession of drugs as a minimum criminal complication, and the very high cost of the heroin required to maintain a full-blown habit leads in many instances to a pattern of crimes against property. Socially, there is no more crushing a stigma than to be known as a junkie. If society is to make significant progress in the struggle against drug abuse, it is imperative that all unnecessary impediments to voluntary treatment be removed. There is clear agreement among drug abuse treatment program operators that their ability to assure patients and prospective patients of anonymity is essential to the success of their programs. The identification of a person as a patient of a general practitioner or hospital clinic is not ordinarily of great significance, but the identification of a person as an enrollee in a narcotic treatment program can, in and of itself, have profoundly adverse consequences.

It was in recognition of these considerations, among others, that Congress enacted section 408 of Public Law 92–255 (21 U.S.C. 1175). It must be emphasized that the operation of this section in no way creates a sanctuary for criminals. The enrollment of an addict in a treatment program takes away nothing, immunizes nothing, that would be available to law enforcement authorities if the program did not exist or the addict did not enroll in it. The only effect of his enrollment is to diminish the likelihood of his continued criminal conduct, and if the price of this is to isolate the records generated by the enrollment itself, this is a small price indeed in the light of the social benefits.

A threshold question is the scope of the section in terms of the programs and activities covered. By its terms, section 408 applies to patient records "maintained in connection with the performance of any drug abuse prevention function authorized or assisted under any provision of this Act. * * *" Under section 221 of the Act (21 U.S.C. 1131), the Director is required to provide overall planning and policy for all Federal drug abuse prevention functions, and under section 222 (21 U.S.C. 1132), he is given plenary budgetary authority with respect to all such functions for the express purpose of implementing his authority under section 221. Thus, all drug abuse prevention functions carried on with Federal authorization or support are subject to the Director's authority under section 221, and therefore fall within the scope of section 408. This result appears consistent with the thrust of the Act read as a whole: It is clear from the conference report (H. Rept. No. 92–920, p. 33) that the conferees attached great importance to section 408, and it is entirely reasonable to construe the scope of this section as coextensive with that of section 221. Section 401.01 of the regulation so provides.

While the legislative history of section 408 makes clear the intent of Congress that patient records should not be used to the patients' disadvantage, from the Act read as a whole the intention is equally clear to encourage the social and occupational rehabilitation of drug abusers. Under the regulation, the terms "benefit" and "governmental personnel" are construed in this light.

Although the statute makes no mention of disclosure to a patient's attorney, either with or without his consent, it is clear that an absolute prohibition on disclosure to counsel would raise grave constitutional questions, as well as be at variance with the remedial purposes of the Act. The constitutionally protected right to counsel, to be meaningful, must necessarily include the concept of informed counsel, and this can only be given on the basis of facts. Section 401.25 interprets the statute in the light of these principles.

Employment is an indispensable element of successful rehabilitation. Gainful employment in the case of a known former addict may be impossible to secure unless the prospective employer has some evidence that the individual either is currently enrolled in a treatment program or has successfully completed one. On the other hand, employers generally neither desire nor are capable of interpreting the raw data in the treatment program records. In recognition of this need, provisions have been included to permit treatment program operators to work with employers who have indicated their willingness to cooperate with drug rehabilitation programs.

Similar reasoning applies in the case of communications with members of a patient's family. In those cases where such information will help the family to aid in the treatment or rehabilitation process, and the patient desires that it be given to them, evaluations or status reports may be furnished to members of a patient's family under that section.

To aid the Director of the Special Action Office for Drug Abuse Prevention in determining whether this regulation should be amended, revoked, or reissued after interested persons have been given an opportunity to participate, interested persons are invited to submit written data, views, and arguments. Any such material should be submitted to the General Counsel, Special Action Office for Drug Abuse Prevention, 726 Jackson Place NW., Washington, DC 20506, to be received not later than January 15, 1973. Such material will be made available for inspection and copying upon request.

The Special Action Office is informed that litigation is now pending whose outcome could seriously affect treatment programs throughout the country. In addition, uncertainties as to the interpretation and application of section 408 are creating difficulties and hardships for many such programs and their patients. On the one hand, treatment program counsellors are uncertain of the extent to which they can assure patients and prospective patients of the confidentiality of treatment records; on the other hand, efforts to promote occupational rehabilitation by working with actual or prospective employers, with the consent of the patients, are being frustrated in some instances by interpretations which have been placed on section 408.

In view of the foregoing circumstances, it is hereby found that good cause exists to make this regulation effective immediately, and that notice and public procedure thereon prior to its effectiveness are impracticable, unnecessary, and contrary to the public interest, and it is hereby ordered that Title 21 of the Code of Federal Regulations be amended by adding at the end thereof a new chapter, as hereinafter set forth, effective upon publication in the FEDERAL REGISTER (11–17–72).

By order of the Director of the Special Action Office for Drug Abuse Prevention, November 15, 1972.

GRASTY CREWS II,
General Counsel.

PART 400—[RESERVED]

GENERAL PROVISIONS

Sec.
401.01 Definitions.
401.02 Applicability.
401.03 General rules regarding confidentiality.
401.04 Incompetent or deceased patients.
401.05 Security precautions.
401.06 Extent of disclosure.

DISCLOSURES WITHOUT COURT AUTHORIZATION AND WITH CONSENT OF PATIENT

401.21 Form of consent.
401.22 Disclosure to medical personnel.
401.23 Disclosure to governmental personnel for purpose of obtaining benefits.
401.24 Disclosure in connection with parole, probation, or suspension of prosecution.
401.25 Disclosure to legal counsel.
401.26 Evaluations in connection with rehabilitation.

DISCLOSURES WITHOUT COURT AUTHORIZATION AND WITHOUT CONSENT OF PATIENT

Sec.
401.41 Disclosure without consent in general.
401.42 Medical emergency.
401.43 Records maintained in connection with chemotherapeutic treatment.
401.44 Research, audits, and program evaluation.

CRIMINAL PENALTIES

401.51 Penalty for unauthorized disclosure.

INTERPRETATION OF SECTION 408(b)(2)(C) IN RELATION TO OTHER LAWS

401.61 Relationship of section 408(b)(2)(C) to other provisions of section 408 and to other legislation generally.
401.62 Scope of orders; relationship to confidentiality provisions of Public Law 91-513.

INTERPRETATIVE GUIDELINES FOR APPLICATIONS AND ORDERS UNDER SECTION 408(b)(2)(C)

401.71 Applications for orders should be restricted to records of specified patients.
401.72 Information which should be furnished in support of application.
401.73 Suggested safeguards against unnecessary disclosures.

AUTHORITY: The provisions of this Part 401 are authorized under sections 213, 221, 222, and 408 of the Drug Abuse Office and Treatment Act of 1972 (Public Law 92-255; 21 U.S.C. 1122, 1131, 1132, and 1175), and other relevant provisions of law.

GENERAL PROVISIONS

§ 401.01 Definitions.

For the purposes of this part, the following words shall have the meanings indicated:

(a) The term "Act" means the Drug Abuse Office and Treatment Act of 1972 (Public Law 92-255) including such amendments thereto as may be in effect at the time the provision referring to it is applied.

(b) The term "Director" means the Director of the Special Action Office for Drug Abuse Prevention.

(c) The term "drug abuse prevention function" means any program or activity relating to drug abuse education, training, treatment, rehabilitation, or research, and includes any such function even when performed by an organization whose primary mission is in the field of drug traffic prevention functions (as defined in 21 U.S.C. 1103(c)), or is unrelated to drugs.

(d) The term "drug abuse prevention function authorized or assisted under any provision of the Act or any act amended by the Act" means any drug abuse prevention function—

(1) Which is conducted in whole or in part by any department, agency, or instrumentality of the United States, or

(2) For the lawful conduct of which in whole or part any license, permit, or other authorization is required to be granted by any department or agency of the United States.

(e) The term "patient" means any person who is or has been interviewed, examined, diagnosed, treated, or rehabilitated in connection with any drug abuse prevention function.

(f) The term "governmental personnel" means those persons who are employed by the U.S. Government, by any State government, or by any agency or political subdivision of either, and includes Veterans Administration personnel as described in § 401.23(b).

(g) The term "medical personnel" includes physicians, nurses, psychologists, counselors, and supporting clerical and technical personnel.

§ 401.02 Applicability.

(a) Except as provided in paragraph (b) of this section, this part applies to records or any part thereof made on or after March 21, 1972, of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any drug abuse prevention function authorized or assisted under the Act or any act amended by the Act.

(b) The provisions of section 408 of the Act (21 U.S.C. 1175) and the remaining provisions of this part do not apply to any interchange of records entirely within the Armed Forces, within those components of the Veterans Administration furnishing health care to veterans, or between such components and the Armed Forces, but otherwise such section and this part apply to any communication to or from any person outside the Armed Forces or such components of the Veterans Administration.

§ 401.03 General rules regarding confidentiality.

Records of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any drug abuse prevention function shall be confidential, may be disclosed only as authorized by this part, and may not otherwise be divulged in any civil, criminal, administrative, or legislative proceeding conducted by any Federal, State, or local authority, whether such proceeding is commenced before or after the effective date of this part.

§ 401.04 Incompetent or deceased patients.

In any case in which disclosure is authorized with the consent of the patient, such consent may be given by a guardian, conservator, or other court-appointed designee in the case of an incompetent patient, and by an executor, administrator, or other personal representative in the case of a deceased patient.

§ 401.05 Security precautions.

(a) Appropriate precautions should be taken for the security of records to which this part applies. The succeeding paragraphs of this section set forth examples of such precautions, but these should be added to or may be modified in the light of individual circumstances.

(b) The file of each patient maintained in connection with the performance of any drug abuse prevention function should be marked "Confidential Patient Information," as should any record identifying an individual as a drug abuse patient, including photographs, fingerprints, reports of skin abrasions indicating drug use, or other documentation of patient identification.

(c) Each file drawer, cabinet, or other container in which such files are kept should be conspicuously labeled with a cautionary statement such as the following:

CONFIDENTIAL PATIENT INFORMATION

Any unauthorized disclosure is a Federal offense.

§ 401.06 Extent of disclosure.

Any disclosure made under this part, whether with or without the patient's consent, shall be limited to information necessary in the light of the need or purpose for the disclosure.

DISCLOSURES WITHOUT COURT AUTHORIZATION AND WITH CONSENT OF PATIENT

§ 401.21 Form of consent.

(a) Where disclosure is authorized with the consent of the patient, such consent must, except as otherwise provided, be in writing and signed by the patient. Such consent must state—

(1) The name of the person or organization to whom disclosure is to be made,

(2) The specific type of information to be disclosed, and

(3) The purpose or need for such disclosure.

§ 401.22 Disclosure to medical personnel.

With the patient's consent, disclosure to medical personnel is authorized for the purposes of diagnosis or treatment. The consent must be in writing and in the form prescribed in § 401.21. All medical personnel to whom disclosure is made shall be subject to all of the rules on confidentiality as set forth in this part.

§ 401.23 Disclosure to governmental personnel for purpose of obtaining benefits.

(a) With the written consent of a patient, disclosure is authorized to governmental personnel for the purpose of obtaining benefits to which the patient is entitled. For the purposes of this section, benefits to which a patient is entitled include, but are not limited to, any welfare, medicare, or other public financial assistance authorized by Federal, State, or local law, the suspension of prosecution, the granting of probation or parole, public pension or retirement benefits, and any other benefit conferred by lawful authority.

(b) Disclosure may be made to Veterans Administration personnel for the purpose of determining a patient's eligibility for hospitalization, pension, or other veterans' benefits. For the purpose of this section, Veterans Administration personnel includes any personnel (whether or not employed or compensated by the Veterans Administration) authorized by the Veterans Administration to assist patients in the preparation and submission of their claims.

(c) Where treatment for drug abuse has been made a condition to the granting or continuation of a welfare or other public benefit, disclosure is authorized to governmental personnel responsible for the administration or determination of such benefits.

§ 401.24 Disclosure in connection with parole, probation, or suspension of prosecution.

(a) In the case of a drug abuser charged with a criminal offense or who is subject to parole or other probationary action and who has agreed to participate in a drug abuse prevention treatment program as a condition of release from confinement or as a condition to the dropping, deferral, or suspension of charges or judgment, disclosure of such person's treatment records in connection with such program is authorized if the patient consents in writing to participate in such program and consents to disclosure in accordance with § 401.21.

(b) Disclosure pursuant to this section shall be limited to the patient's attorney and to governmental personnel having responsibility with respect to the prosecution of the patient or for supervising his probation or parole.

§ 401.25 Disclosure to legal counsel.

(a) In any situation in which disclosure is permitted with the patient's consent for one or more of the authorized purposes as stated in this part and the patient has secured the advice of legal counsel, disclosure may be made to the patient's attorney upon the written application of the patient endorsed by the attorney.

(b) In any situation in which a patient seeks the advice of legal counsel on the question of waiving confidentiality, disclosure is authorized to the extent necessary to render such advice, if written application for such disclosure is made by the patient and endorsed by the attorney.

§ 401.26 Evaluations in connection with rehabilitation.

(a) Whenever a patient or former patient has been employed or been accepted for employment conditioned upon his progress or status in a treatment program, an evaluation of such progress or status by a qualified physician or counsellor may be furnished to the employer subject to all of the following conditions and requirements:

(1) The request for such an evaluation must be in writing and signed by the patient.

(2) The request must identify the employer (or official therein) cooperating in the patient's rehabilitation program.

(3) The treatment organization must vertify the authenticity of the request by telephone or other means of communication and ascertain the extent that the information is needed to vertify the patient's treatment status.

(4) The information shall be limited to that reasonably necessary in view of the type of employment involved.

(5) No information may be furnished by a treatment organization unless the organization is satisfied on the basis of past experience or other credible information (which may in appropriate cases consist of a written statement by the employer) that such information will be used for the purpose of assisting in the rehabilitation of the patient and not for the purpose of identifying the individual as a patient in order to deny him employment or advancement because of his history of drug abuse.

(b) Information in the nature of a general evaluation of a patient's present or past status in a treatment program may be furnished to members of the patient's family if, in the judgment of a qualified physician or counsellor, such information would be helpful in treatment or rehabilitation of the patient and the patient makes a written request for such information to be furnished.

DISCLOSURES WITHOUT COURT AUTHORIZATION AND WITHOUT CONSENT OF PATIENT

§ 401.41 Disclosure without consent in general.

(a) Disclosure of a patient's records may be made without the consent of the patient and without authority of a court order as follows:

(1) To medical personnel to meet a medical emergency; and

(2) To qualified personnel for purposes of research, audits, or program evaluation.

§ 401.42 Medical emergency.

Disclosure to medical personnel, either private or governmental, is authorized without the consent of a patient only when necessary to meet a bona fide medical emergency and only to the extent necessary to meet such emergency. For the purposes of this section a bona fide emergency may be considered to exist whenever competent medical authority has determined that the life or health of the patient involved may be impaired and medical treatment without the record could be detrimental to the patient's health. Where, for example, a person is incarcerated and claims to be a patient in a methadone treatment program, this claim may be verified by inquiry to the treatment center administering the program or to a registry such as is referred to in § 401.43 in order to avoid overdose on the one hand, or the danger of untreated withdrawal on the other.

§ 401.43 Records maintained in connection with chemotherapeutic treatment.

The communication of information relating to patient identity and dosage between or among programs approved by the Commissioner of Food and Drugs pursuant to § 130.44 of this title, or between such programs and a registry serving them, shall not be considered as a disclosure in violation of section 408(a) of the Act (21 U.S.C. 1175(a)), but any such information received by any such registry shall be fully subject to section 408 of the Act and to the provisions of this part.

§ 401.44 Research, audits, and program evaluation.

(a) Disclosure without consent is authorized to qualified personnel for the purpose of conducting scientific research, management, or financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient in any report of such research, audit, or evaluation, or otherwise disclose patient identities in any manner. Information so obtained may be used in enforcing lawful requirements imposed with respect to the operation of treatment programs employing controlled substances, but section 408(c) of the Act (21 U.S.C. 1175(c)) specifically prohibits the use of patient records to initiate or substantiate any criminal charges against a patient or to conduct any investigation of a patient, except as authorized under a court order granted under section 408 (b)(2)(C) (21 U.S.C. 1175(b)(2)(C)).

CRIMINAL PENALTIES

§ 401.51 Penalty for unauthorized disclosure.

Subsection (e) of section 408 of the Act (21 U.S.C. 1175) provides that except as authorized under subsection (b) of that section, any person who discloses the contents of any record referred to in subsection (a) of that section shall be fined not more than $500 in the case of a first offense, and not more than $5,000 in the case of each subsequent offense.

INTERPRETATION OF SECTION 408(b)(2)(C) IN RELATION TO OTHER LAWS

§ 401.61 Relationship of section 408 (b)(2)(C) to other provisions of section 408 and to other legislation generally.

Section 408(b)(2)(C) of the Act (21 U.S.C. 1175(b)(2)(C)) empowers the courts, in appropriate circumstances, to authorize disclosures which would otherwise be prohibited by section 408(a). Both the positioning of this authority in the bill as initially passed by the Senate and the explicit crossreference in section 408(a) of the final Act make clear the congressional intent that section 408 (b)(2)(C) operate as a mechanism for the relief of the 408(a) strictures and not as an affirmative grant of jurisdiction to authorize disclosures prohibited by other provisions of law, whether Federal or State. By the same token, it should be noted that the authority which section 408(b)(2)(C) of the Act (21 U.S.C. 1175 (b)(2)(C)) confers on courts to issue orders authorizing the disclosure of records applies only to records referred to in section 408(a) (21 U.S.C. 1175(a))—that is, the records maintained by operating treatment or research programs, and not to secondary records generated by the disclosure of the 408(a) records to researchers, auditors, or evaluators pursuant to section 408(b)(2)(B).

§ 401.62 Scope of orders: relationship to confidentiality provisions of Public Law 91-513.

(a) It is abundantly clear that section 408(b)(2)(C) was not intended to confer

jurisdiction on any court to compel disclosure of any information, but solely to authorize such disclosure. An order or provision of an order based on some other authority, or a subpena, or other appropriate legal process, is required to compel disclosure. To illustrate, if a person who maintains records subject to section 408 (a) of the Act is merely requested, or is even served with a subpena, to disclose information contained therein which is a type whose disclosure is not authorized under section 408 of the Act or any of the foregoing provisions of this part, he must refuse such a request unless, and until, an order is issued under section 408(b)(2)(C). Such an order could authorize, but could not, of its own force, require disclosure. If there were no subpena or other compulsory process, the custodian of the records would have the discretion as to whether to disclose the information sought unless and until disclosure were ordered by means of appropriate legal process, the authority for which would have to be found in some source other than section 408 of the Act. This result is compelled by the language of section 408(b)(2) itself. The words used, "the content of such record may be disclosed * * * if authorized by an appropriate order" are too explicit and too well established as words of art to be interpreted as meaning "the content of such record shall be disclosed if required by an appropriate order."

(b)(1) This interpretation of the permissible scope of a 408(b)(2)(C) order is not only appropriate in the light of the purposes, language, and legislative history of the Act in which it appears, but also is necessary in order to harmonize that section with other legislation dealing with a narrower aspect of the same subject matter. By sections 3(a) and 502 (c) of the Comprehensive Drug Abuse Control and Treatment Act of 1970 (42 U.S.C. 242a(a); 21 U.S.C. 872(c)), Congress conferred on the Secretary of Health, Education, and Welfare and on the Attorney General, respectively, power to authorize persons engaged in durg research to withhold names and other identifying characteristics of persons who are the subject of such research, and expressly provided that when such authority has been obtained, its holder may not be compelled to disclose identifying information "in any Federal, State, or local civil, criminal, administrative, legislative, or other proceedings * * *"

(2) If section 408 of the 1972 Act were to be interpreted as an independent grant of authority to compel testimony, it would obviously be in direct conflict with the provisions of the 1970 Act discussed above. This becomes significant, for example, in the case of methadone, which for the purpose of treating opiate addiction on a longer-range basis is classified as an experimental drug which may not be administered except in connection with research. Nothing in either the language or the legislative history of the Act indicates any intent on the part of Congress to amend the provisions of the 1970 Act or to reduce the protection which can be afforded under them. Since the language of section 408 permits, if it does not require, a construction which harmonizes with the 1970 Act, it clearly should not be construed to authorize a court order in derogation of any exercise of the authority of the Secretary of Health, Education, and Welfare under section 242a(a) of title 42, United States Code, or the Attorney General under section 872(c) of title 21, United States Code.

INTERPRETATIVE GUIDELINES FOR APPLICATIONS AND ORDERS UNDER SECTION 408(b)(2)(C)

§ 401.71 Applications for orders should be restricted to records of specified patients.

Section 408(b)(2)(C) empowers courts of competent jurisdiction to authorize disclosure only on a showing of good cause. That section expressly provides that in assessing whether good cause exists, the court must weight the public interest and the need for disclosure against the injury (a) to the patient, (b) to the physician-patient relationship, and (c) to the treatment services. Because these factors can only be weighted with respect to the particular patient involved, any application for such an order should relate only to the records (or a part thereof) of a specific patient and should include an identification of the patient and an indication whether the application is being made with or without his consent. This conclusion is buttressed by the form of section 408, which appears to have been deliberately cast in terms of the individual patient, e.g. section 408(b)(1), "If the patient * * * gives his written consent * * *." and 408(b)(2), "If the patient * * * does not give his written consent * * *", suggesting an intention that the disclosure order be limited to the records of a particular patient who either did or did not consent to the disclosure.

§ 401.72 Information which should be furnished in support of application.

In those cases in which an application is not made by or with the consent of the patient, or is not joined in or consented to by the person or organization responsible for the records to which it relates, the Act implicitly requires that such application be supported by adequate information to enable the court to make the following findings:

(a) The nature of the public interest that would be served by granting the application;

(b) Any actual or potential injury, either economic or social, that could result to the patient or to the relationship of the patient to his physician;

(c) The effect that an order of disclosure would have on the administration of the drug-abuse prevention program; and

(d) A clear showing that the interests of the public are substantial in relation to possible injury to the patient or to the patient-physician relationship.

§ 401.73 Suggested safeguards against unnecessary disclosures.

Section 408(b)(2)(C) implicitly negatives any court order requiring unlimited disclosure when limited disclosure would serve the purpose. It states that "in determining the extent to which any disclosure of all or any part of any record is necessary," the court is required to impose appropriate safeguards against unauthorized disclosure. To facilitate compliance with this requirement, it would be within the intent and spirit of this provision of section 408 that any such court order:

(a) Limit disclosure to those parts of the patient's record deemed essential to fulfill the objective for which the order was granted;

(b) Limit disclosure to those persons whose need for the information is the basis for the order;

(c) Require, where appropriate, that all information disclosed be held in camera; and

(d) Include any other appropriate measures to keep disclosure to a minimum, consistent with the protection of the patient the physician-patient relationship and the administration of the drug-abuse prevention program.

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