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Title 3—The President

PROCLAMATION 4190

National Poison Prevention Week, 1973

By the President of the United States of America

A Proclamation

In recent years, there has been a significant reduction among our Nation's children in the number of deaths due to poisoning.

All Americans can be grateful to the many private and public groups who have worked so hard to prevent accidental poisonings through programs of education, product labeling, dosage limitations, and special packaging. We can be grateful, too, that thanks to the Poison Prevention Packaging Act of 1970, many products previously responsible for accidental poisonings among children are now being sold in special "child-proof" packaging.

But much still remains to be done. The accidental poisonings that continue to occur must still be a matter of grave concern. The natural curiosity of our children, their limitless ingenuity, their inclination to imitate adults, and their desire to taste whatever can be reached sometimes may lead them into dangers that are difficult to control by safety measures of any sort. All of us, therefore, must be constantly alert to the potential hazards of medicines and household products and must exercise every precaution in using and storing such substances.

To encourage such preventive measures, the Congress, in a joint resolution approved September 26, 1961 (75 Stat. 681), requested the President to issue annually a proclamation designating the third week in March as National Poison Prevention Week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning March 18, 1973, as National Poison Prevention Week.

I direct all appropriate agencies of the Federal Government to participate actively in programs designed to promote maximum protection of our people against accidental poisonings, particularly among children. Further, I invite all State and local governments and private organizations and individuals to share in this national effort.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of February, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

Richard Nixon

[FR Doc.73-4151 Filed 2-28-73;5:03 pm]

EXECUTIVE ORDER 11704

Further Exempting A. Everette MacIntyre From Compulsory Retirement for Age

On February 1, 1972, I issued Executive Order No. 11642, exempting A. Everette MacIntyre, a member of the Federal Trade Commission, from compulsory retirement for age, under the provisions of section 8335 of title 5, United States Code, until February 28, 1973.

In my judgment, the public interest requires that Mr. MacIntyre be further exempted from such compulsory retirement:

NOW, THEREFORE, by virtue of the authority vested in me by subsection (c) of section 8335 of title 5, United States Code, I hereby exempt A. Everette MacIntyre from compulsory retirement for age until February 28, 1974.

Richard Nixon

THE WHITE HOUSE,
February 28, 1973.

[FR Doc.73-4152 Filed 2-28-73;5:04 pm]

Rules and Regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 4—Accounts

CHAPTER III—COST ACCOUNTING STANDARDS BOARD

SUBCHAPTER A—ADMINISTRATION

PART 304—DELEGATIONS OF AUTHORITY

Waivers and Exemptions

In promulgating an amendment to its contract coverage which provides authority for the waiver of all or any part of the requirements of the Cost Accounting Standards clause (4 CFR 331.3(c)), the Board commented on the suggestions it had received that prompt action on requests for exemptions or waivers might be essential. The Board said that it was prepared to act promptly in response to requests for waivers (38 FR 4237).

Anticipating the possibility that prompt action on a request for a waiver under § 331.3(c) might be necessary before the required number of opinions of Board members could be obtained, the Board delegated its authority to act in those circumstances to the Executive Secretary of the Board, acting in consultation with the Chairman of the Board.

That delegation of authority is published today, as follows:

Section 304.3 *Waivers and exemptions* is added to the Board's regulations in Part 304, Delegations of Authority, as follows:

§ 304.3 Waivers and exemptions.

(a) The Cost Accounting Standards Board hereby delegates to the Executive Secretary of the Board, acting in consultation with the Chairman of the Board, authority to exercise the Board's authority under § 331.3(c) of the Board's Contract Coverage (4 CFR 331.3(c)) of its rules and regulations, providing the Executive Secretary concludes that a request for an exemption or waiver submitted pursuant to that § 331.3(c) must be acted on before he can obtain the required number of opinions of the members of the Cost Accounting Standards Board on that request.

(b) This authority may not be redelegated.

(c) This delegation is effective February 26, 1973, and until revoked.

(84 Stat. 796, sec. 103, 50 U.S.C. App. 2168)

ARTHUR SCHOENHAUT,
Executive Secretary.

[FR Doc.73-4005 Filed 3-1-73;8:45 am]

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that one position of Personal and Confidential Assistant to the Secretary of Defense is excepted under Schedule C.

Effective March 2, 1973, § 213.3306(a) (47) is added as set out below.

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.*

* * * * *

(47) One Personal and Confidential Assistant to the Secretary of Defense.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.73-4062 Filed 3-1-73;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Justice

Section 213.3310 is amended to show that the following two positions in the Office of Legislative Affairs are excepted under Schedule C: One Secretary to the Assistant Attorney General and one Secretary to the Deputy Assistant Attorney General.

Effective March 2, 1973, § 213.3310(v) is added as set out below.

§ 213.3310 Department of Justice.

* * * * *

(v) *Office of Legislative Affairs.*

(1) One Secretary to the Assistant Attorney General.

(2) One Secretary to the Deputy Assistant Attorney General.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.73-4061 Filed 3-1-73;8:45 am]

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3312 is amended to show that one new position of Executive Assistant to the Director, National Park Service, is excepted under Schedule C.

Effective March 2, 1973, § 213.3312(h) (4) is added as set out below.

§ 213.3312 Department of the Interior.

* * * * *

(h) *National Park Service.*

* * * * *

(4) One Executive Assistant to the Director.

* * * * *

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.73-4060 Filed 3-1-73;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Agriculture

Section 213.3313 is amended to show that one position of Private Secretary to the Assistant Secretary for Conservation, Research, and Education is excepted under Schedule C.

Effective March 2, 1973, § 213.3313(a) (10) is amended as set out below.

§ 213.3313 Department of Agriculture.

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

(10) One Private Secretary to each of the four Assistant Secretaries other than the Administrative Assistant Secretary.

* * * * *

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.73-4030 Filed 3-1-73;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that one position of Confidential Assistant to the Executive Director, President's Council on Physical Fitness and Sports, is excepted under Schedule C.

Effective March 2, 1973, § 213.3316(a) (28) is added as set out below.

§ 213.3316 Department of Health, Education, and Welfare.

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

(28) One Confidential Assistant to the Executive Director, President's Council on Physical Fitness and Sports.

* * * * *

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.73-4032 Filed 3-1-73;8:45 am]

PART 213—EXCEPTED SERVICE

General Services Administration

Section 213.3337 is amended to show that nine additional positions of Confidential Assistant to the Administrator are excepted under Schedule C.

Effective March 2, 1973, § 213.3337(a) (6) is amended as set out below.

§ 213.3337 General Services Administration.

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

* * * * *

(6) Eleven Confidential Assistants to the Administrator.

* * * * *

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRAY,
Executive Assistant to the Commissioners.

[FR Doc.73-4031 Filed 3-1-73;8:45 am]

Title 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTION, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

Subpart—U.S. Standards for Grades of Sweet Anise [1]

The U.S. Department of Agriculture hereby recodifies the U.S. Standards for Grades of Sweet Anise (7 CFR 51.3325–51.3333) without substantive change. These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers, and consumers. Official grading services are also provided under this act upon request of any financially interested party and upon payment of a fee to cover the cost of such services.

Statement of considerations leading to recodification of these standards. These grade standards were issued on December 3, 1930, and were codified on June 22, 1967. The revision and expansion of other grade standards requires vacating the section numbers for these standards (§§ 51.3325–51.3333) and recodifying the standards as §§ 51.2900–51.2908. No change is made in the text of the standards.

The standards, as recodified, are set forth below:

GRADE

Sec.
51.2900 U.S. No. 1.

UNCLASSIFIED

51.2901 Unclassified.

DEFINITIONS

51.2902 Stalks.
51.2903 Firm.
51.2904 Tender.
51.2905 Well trimmed.
51.2906 Fairly well blanched.
51.2907 Damage.
51.2908 Diameter.

AUTHORITY: Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624.

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

GRADE

§ 51.2900 U.S. No. 1.

"U.S. No. 1" consists of stalks of sweet anise which are firm, tender, well trimmed, and fairly well blanched; which are free from decay and from damage caused by growth cracks, pithy branches, wilting, freezing, seedstems, dirt, discoloration, disease, insects, or mechanical or other means. Unless otherwise specified, the minimum diameter of each bulb shall be not less than 2 inches.

(a) *Tolerances.* In order to allow for variations incident to proper grading and handling, the following tolerances, by count, are provided as specified:

(1) *For defects.* Ten percent for stalks in any lot which fail to meet the requirements of this grade, including therein not more than 1 percent for stalks affected by decay.

(2) *For size.* Ten percent for stalks in any lot which fail to meet the specified minimum diameter requirement.

UNCLASSIFIED

§ 51.2901 Unclassified.

"Unclassified" consists of stalks of sweet anise which have not been classified in accordance with the foregoing grade. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

DEFINITIONS

§ 51.2902 Stalk.

"Stalk" means an individual plant.

§ 51.2903 Firm.

"Firm" means that the bulbs are not soft or wilted.

§ 51.2904 Tender.

"Tender" means that the bulbs are crisp and succulent.

§ 51.2905 Well trimmed.

"Well trimmed" means that not more than one coarse outer branch is left on each side of the bulb to protect the tender inside portion, and the portion of the root remaining is not more than one-half inch in length. Tops may be either full length or cut back to not less than 10 inches except that not more than five of the outer branches may be cut back to less than 10 inches if necessary to facilitate proper packing, but not more than three of these may be on the same side of the bulb.

§ 51.2906 Fairly well blanched.

"Fairly well blanched" means that the bulbs are of a light greenish to white color.

§ 51.2907 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or marketing quality of the stalk. The following specific defects shall be considered as damage:

(a) Growth cracks, when more than three branches show one or more growth cracks.

(b) Pithy branches, when more than three branches show distinctly open texture with air spaces in the central portion of that part which goes to make up the base or bulbous portion of the stalk.

(c) Wilting, when the stalk is limp and flabby.

(d) Freezing, when the epidermis of the branches is badly blistered, or when the tops are brown or yellow to such an extent as to materially damage the appearance of the stalk, or when a combination of these causes material damage to the appearance and shipping quality of the stalk.

(e) Seedstems, which have reached the stage where the flower buds are plainly visible. Stalks from which the seedstems have been removed shall be considered as damaged.

(f) Dirt, when caked on the bulbous portion of the stalk, or when present to such an extent on the tops and branches as to cause material damage to the appearance of the stalk.

(g) Discoloration, when the bulbous portion shows extensive brown to dark brown areas characteristic of injury caused by rough handling, or when the tops are yellow or brown to such an extent as to cause material damage to the appearance of the stalk.

§ 51.2908 Diameter.

"Diameter" means the smallest diameter measured through the center of the bulb at right angles to the longitudinal axis of the stalk.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this recodification 30 days beyond the date of publication hereof in the FEDERAL REGISTER (5 U.S.C 553), in that recodification is merely a formal renumbering in order to accommodate expansion of other standards.

Accordingly, this recodification of the standards shall become effective March 15, 1973.

Dated: February 27, 1973.

E. L. PETERSON,
Administrator, Agricultural Marketing Service.

[FR Doc.73-4023 Filed 3-1-73;8:45 am]

PART 58—GRADING AND INSPECTION, GENERAL SPECIFICATIONS FOR APPROVED PLANTS AND STANDARDS FOR GRADES OF DAIRY PRODUCTS

U.S. Standards for Grades of Nonfat Dry Milk

A notice of proposed rule making covering the issuance of an amendment

of U.S. Standards for Grades of Nonfat Dry Milk (Spray and Roller) (7 CFR Part 58, Subparts L and M) was published in the FEDERAL REGISTER of November 29, 1972 (37 FR 25238). The proposal provided for a reduction in the direct microscopic bacterial count level of nonfat dry milk from 150 to 100 million per gram on which a U.S. grade will be assigned.

It afforded interested persons the opportunity to submit within 60 days to the Hearing Clerk written data, views, or arguments in connection with the proposal. Seven comments were received.

Statement of consideration. The direct microscopic clump count (DMCC) of bacteria in nonfat dry milk (NDM) has been used by the Department since 1958 as an index of raw milk quality, handling procedures, and sanitary practices during manufacture. In 1969 an amendment was issued to the U.S. Standards for Grades of Nonfat Dry Milk (Spray and Roller Process) lowering the maximum level for which a U.S. grade would be assigned from 200 million to 150 million. Due to continued improvements in the quality of manufacturing grade milk at the farm, and in handling procedures and sanitary practices during manufacturing, most of the NDM produced today does not exceed a DMC count of 100 million. For instance, in the period from October 1969 to September 1972, USDA officially graded approximately 53 percent of the U.S. production and found 97.4 percent of the NDM graded to be below 100 million. And for the period of January 1972 to September 1972 99.3 percent of the NDM officially graded was below 100 million.

During the time set for receiving written data, views, or arguments in connection with this proposed amendment seven comments were received. Two comments were from consumers who were in favor of this proposed amendment.

One comment received from a member of the dry milk industry stated the proposed DMCC reduction was too drastic at this time. The Department does not accept this as being valid for it feels that where the industry fulfills its responsibility of providing field service to assist producers on quality improvements, and promptly moves the milk to the processing plant there is no difficulty in producing NDM with DMC counts well below 100 million.

Another comment received from a member of the dry milk industry stated that the Department had not held hearings nor consulted the industry about this proposal. Under the Agricultural Marketing Act of 1946 there are no provisions nor requirements upon the Department to hold hearings for the establishment or amending U.S. grade standards. The Department does have the right and obligation to set the grading requirements which are used to place a U.S. grade upon a product. Since this grading is on a voluntary basis it does not deny a product the right to the marketplace. The writer also questions the validity of the statement of consideration as published in the FEDERAL REGISTER of December 9, 1972. The Department disagrees with this part of the writer's comment for it stated then that its facts were based on gradings representing 53 percent of the U.S. production. The Department also feels that its official gradings are representative of the total industry's production capability.

Two letters were received from members of the dry milk industry and one from a trade association which questioned the precision and accuracy of the technique for determining the DMCC for NDM. They also questioned the public health significance or useful purpose of such a requirement. These were the same arguments originally presented when the DMCC requirement was initiated in 1958. It is USDA's position that the DMCC has been a stimulus for improving NDM quality, and continues to serve this useful purpose in providing a quality product for the market. The literature cited by these writers is recognized by the Department as being valid. However, they overlook several points held important by the Department. Recognized studies conducted and published by the Department have shown that the precision and coefficient of variation for inter- and intra-laboratory testing are within limits considered acceptable for other microbiological techniques. This proficiency is achieved through adequately trained and experienced technicians, proper equipment, and supervision. These principles have been the basis of the USDA program in applying the DMCC technique. Its success is evidenced by the consistency of results on the finished product with the quality of raw milk from which produced. Furthermore, the USDA surveillance program of its own testing laboratories shows that consistency of results can be obtained using this technique. Also, this technique is accepted in the 13th edition of "Standard Methods for the Examination of Dairy Products" published by the American Public Health Association.

The DMCC level as proposed is based in part upon the level of bacterial count which can be expected to be present when the milk used for producing the NDM and production practices meets the requirements of the "General Specifications for Dairy Plants Approved for USDA Inspection and Grading Service." Also it is consistent with USDA's "Milk for Manufacturing Purposes and Its Production and Processing, Requirements Recommended for Adoption by State Regulatory Agencies."

Upon consideration of industry capability and the general quality level of NDM produced in the United States, the Department amends the U.S. Standards for Grades of Nonfat Dry Milk (Spray and Roller Process) to become effective April 1, 1973.

The amendments are as follows:

Subpart L—Spray Process

1. Change Subpart L, § 58.2529, *U.S. grade not assignable,* to reads as follows:

§ 58.2529 U.S. grade not assignable.

Nonfat dry milk which fails to meet the requirements for U.S. Standard Grade and/or shows a direct microscopic clump count exceeding 100 million per gram shall not be assigned a U.S. grade.

Subpart M—Roller Process

2. Change Subpart M, § 58.2554, *U.S. grade not assignable,* to read as follows:

§ 58.2554 U.S. grade not assignable.

Nonfat dry milk which fails to meet the requirements for U.S. Standard Grade and/or shows a direct microscopic clump count exceeding 100 million per gram shall not be assigned a U.S. grade.

Effective date. These amendments shall become effective April 1, 1973.

Done at Washington, D.C., this 26th day of February.

E. L. PETERSON,
Administrator,
Agricultural Marketing Service.

[FR Doc.73-3966 Filed 3-1-73;8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Reg. 575]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period March 4–10, 1973. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.875 Lemon Regulation 575.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable

to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is good on sizes 165 and larger, steady on 200's and slow on sizes 235. Average f.o.b. price was $5.44 per carton the week ended February 24, compared to $5.29 per carton the previous week. Track and rolling supplies at 90 cars were down 15 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 27, 1973.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period March 4, through March 10, 1973, is hereby fixed at 250,000 cartons.

(2) As used in this section, "handled," and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: March 1, 1973.

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

[FR Doc.73-4207 Filed 3-1-73;12:07 pm]

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 73—SCABIES IN CATTLE

Areas Quarantined

The purpose of this amendment is to quarantine Quay County in New Mexico because of the existence of cattle scabies. The restrictions pertaining to the interstate movement of cattle from quarantined in 9 CFR Part 73, as amended, will apply to the areas quarantined.

Therefore, pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, and the Act of July 2, 1962 (21 U.S.C. 111–113, 115, 117, 120, 121, 123–126, 134b, 134f), Part 73, Title 9, Code of Federal Regulations, restricting the interstate movement of cattle because of scabies, is hereby amended in the following respect:

In § 73.1a, paragraph (c) relating to the State of New Mexico is revised to read:

§ 73.1a Notice of quarantine.

* * * * *

(c) Notice is hereby given that cattle in certain portions of the State of New Mexico are affected with scabies, a contagious, infectious, and communicable disease; and, therefore, the following areas in such State are hereby quarantined because of said disease:

New Mexico.
(1) Curry County.
(2) De Baca County.
(3) Guadalupe County.
(4) Harding County.
(5) Lincoln County.
(6) Roosevelt County.
(7) Torrance County.
(8) Quay County.

(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, 121, 123–126, 134b, 134f; 37 FR 28464, 28477)

Effective date. The foregoing amendment shall become effective February 26, 1973.

The amendment imposes certain further restrictions necessary to prevent the interstate spread of cattle scabies and must be made effective immediately to accomplish its purpose in the public interest. It does not appear that public participation in this rule making 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, unnecessary, 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 28th day of February 1973.

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

[FR Doc.73-3965 Filed 3-1-73;8:45 am]

Title 10—Atomic Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 2—RULES OF PRACTICE

Appellate Consideration of Exceptions to Initial Decisions

Section 2.762 of the Atomic Energy Commission's rules of practice, 10 CFR Part 2, sets forth procedures for the filing by parties of exceptions to initial decisions, and supporting briefs, in adjudicatory proceedings, including licensing proceedings. Because of the growing number and complexity of these proceedings, the Commission has adopted certain amendments to § 2.762, as well as to Appendix A of Part 2, designed to improve these appellate procedures. The revisions provide for the separate filing of exceptions and briefs and establish additional standards respecting the form and content of these documents. It is the Commission's expectation that these changes will be utilized to improve the product which is filed with the Commission, and thereby to expedite the resolution of issues on appeal. The Commission will continue to evaluate the effectiveness of its appellate procedures in achieving these results, and will consider such further modifications as may be desirable in this regard.

Because the amendments relate to matters of procedure and practice, notice of proposed rulemaking and public procedure thereon are not required by section 553 of title 5 of the United States Code.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Part 2, are published as a document subject to codification. The amendments shall be effective on March 2, 1973, and shall be applicable to initial decisions rendered on or after that date.

Section 2.762 is amended to read as follows:

§ 2.762 Appeals to the Commission from initial decisions.

(a) Within 7 days after service of an initial decision, any party may take an appeal to the Commission by the filing of exceptions to that decision or designated portions thereof. Each exception shall be separately numbered and shall (1) state concisely, without supporting argumentation, the single error of fact or law which is being asserted in that exception; and (2) identify with particularity the portion of the decision (or earlier order or ruling) to which the exception is addressed. A brief in support of the exceptions shall be filed within 15 days thereafter (20 days in the case of the regulatory staff). The brief shall be confined to a consideration of the exceptions previously filed by the party and, with respect to each exception, shall specify, inter alia, the precise portion of the record relied upon in support of the assertion of error.

(b) Within 15 days of the filing and service of the brief of the appellant (20 days in the case of the regulatory staff), any other party may file a brief in support of, or in opposition to, the exceptions. Each factual assertion made in such supporting or opposing brief shall be supported by a reference to the precise portion of the record upon which it is based.

(c) A brief in excess of 10 pages shall contain a table of contents, with page references, and a table of cases (alphabetically arranged), statutes, regulations, and other authorities cited, with references to the pages of the brief where they are cited.

(d) All documents filed under this section shall be accompanied by a certificate reflecting service upon all other parties to the proceeding.

(e) Any exception or brief which in form or content is not in substantial compliance with the provisions of this section may be stricken, either on motion of a party or by the Commission on its own initiative.

Appendix A to Part 2 is amended by adding new paragraphs (d) and (e) to Part IX, to read as follows:

IX. Licensing Proceedings Subject to Appellate Jurisdiction of Atomic Safety and Licensing Appeal Board

* * * * *

(d) (1) Appeals to the Appeal Board from initial decisions, or designated portions thereof, are initiated by the filing of exceptions. Such exceptions must be filed within 7 days of the issuance and service of the initial decision. A brief in support of the exceptions shall be filed by the appellant within 15 days thereafter (20 days in the case of the regulatory staff). A responsive brief may be filed by any other party within 15 days (20 days in the case of the regulatory staff) of the filing and service of the appellant's brief. The prescribed time limits are subject to being lengthened or shortened in a particular case, either on motion of a party or by the Appeal Board on its own initiative (10 CFR 2.711). The time limits are also subject to the provisions of 10 CFR 2.710 relating to service by mail.

(2) Exceptions must be separately numbered, must be concisely stated, and must specify with particularity the portion or portions of the initial decision (or earlier order or ruling) as to which error is asserted. Care should be taken to avoid the assertion of essentially the same error in more than one exception. Since their purpose is simply to identify the alleged errors which the appellant wishes the Appeal Board to consider, the exceptions themselves shall not contain any supporting argumentation. Rather, such argumentation shall be reserved for the brief, which must be confined to the exceptions previously filed and must contain specific references to the portions of the record or other authority relied upon for each assertion of error. The contentions advanced in all other briefs similarly must be supported by such references. Although a limitation on the length of briefs is not now imposed, in most cases the issues raised by the exceptions should be susceptible of full treatment in a brief which does not exceed 70 pages. In this connection, inasmuch as the Appeal Board has available to it the entire record of the proceeding, extended quotations in a brief from the record are neither required nor desirable. A summary is preferable, accompanied by explicit references to the record sources. Every brief in excess of 10 pages shall contain a table of contents, with page references, and a table of cases (alphabetically arranged), statutes, regulations, and other authorities cited, with references to the pages of the brief where they are cited.

(3) There must be strict compliance with the time limits prescribed for the filing of exceptions or briefs by the rules of practice or by an order of the Appeal Board which extends or shortens those limits in the particular case. Absent a showing of extraordinary and unanticipated circumstances, motions for extensions of time must be received by the Appeal Board at least 1 day prior to the date upon which the document in question is then due for filing. In no circumstances will a document be accepted by the Appeal Board on an untimely basis unless it is accompanied by a motion for leave to file it out of time, which similarly must be founded upon extraordinary and unanticipated circumstances. Exceptions and briefs which in form or content are not in substantial compliance with the requirements imposed by the rules of practice are subject to being stricken.

(e) The holding of oral argument, whether or not specifically requested by a party, is within the Appeal Board's discretion (10 CFR 2.763). Where exceptions have been filed, the Appeal Board routinely will consider whether the case should be calendared for oral argument. This consideration normally will take place following the receipt of all briefs. Oral argument will be directed if at least one member of the Appeal Board votes in favor of it. If oral argument is to be held, an order will be issued by the Appeal Board which will set the specific date and location, as well as the time allotted to each of the parties. In some instances, the order may also restrict the scope of the oral argument to one or more specified issues. It is anticipated that oral arguments will be conducted in either Washington, D.C., or Bethesda, Md.

(Sec. 161, 68 Stat. 948, 42 U.S.C. 2201)

Dated at Germantown, Md., this 22d day of February 1973.

For the Atomic Energy Commission.

Paul C. Bender,
Secretary of the Commission.

[FR Doc.73-4020 Filed 3-1-73;8:45 am]

Title 12—Banks and Banking

CHAPTER VII—NATIONAL CREDIT UNION ADMINISTRATION

PART 746—REBATE PROCEDURES FOR FEDERALLY INSURED CREDIT UNIONS

Rebate Procedures

On page 28080 of the December 20, 1972, edition of the Federal Register (37 FR 28080), there was published a notice of proposed rule making relative to rebate procedures by the Administrator, National Credit Union Administration. The proposed regulation sets forth procedures regarding the rebate of premiums to a federally insured credit union including criteria used to determine entitlement to and the amount of a rebate, the date used in determining a rebate, the time for repayment, and the circumstances under which the Administrator may recover the amount of a rebate.

After considering all comments submitted by interested parties, the regulation, as proposed, is hereby adopted subject to the revision set forth below. This revision is technical in nature and involves no substantive change in the regulation as originally proposed.

1. In § 746.1, paragraph (c)(1), the second subdivision numbered "(i)" should be changed to "(ii)".

Effective date. This regulation is effective April 2, 1973.

Herman Nickerson, Jr.,
Administrator.

February 23, 1973.

PART 746—REBATE PROCEDURES FOR FEDERALLY INSURED CREDIT UNIONS

Sec.
746.1 Entitlement.
746.2 Effective date for determining rebate.
746.3 Payment of rebate.
746.4 Recovery of rebate.

Authority: The provisions of this Part 746 issued pursuant to section 209, 85 Stat. 1015, 12 U.S.C. 1789.

§ 746.1 Entitlement.

(a) Any federally insured credit union closed for liquidation, whether voluntarily or involuntarily or solvent or insolvent, is entitled to a rebate of premiums paid to the National Credit Union Share Insurance Fund.

(b) Rebates shall be in accordance with these regulations but no payment shall be made during any period in which:

(1) A loan to the Fund from the Federal Government is outstanding; or

(2) The Administrator determines that the payment would unduly jeopardize the financial condition of the Fund.

A credit union otherwise entitled to a rebate of premiums shall not lose its entitlement because payment thereof cannot, at any given time, be made under the limitations prescribed in subparagraph (1) or (2) of this paragraph.

(c) The amount of rebate of premiums to which a credit union is entitled under paragraph (a) of this section shall be computed as follows:

(1) From the total amount of premiums paid by the credit union, plus interest on such payments at the average

rate of interest earned by the Fund on its assets during each of the years in which payments were made through the end of the calendar month in which the Board voted to present the question of voluntary liquidation to its members or was placed in involuntary liquidation by the Administrator; subtract the sum of:

(i) The credit union's pro rata share of the Fund's administrative expenses during the period in which the credit union had an insured status through the end of the calendar month in which the Board voted to present the question of voluntary liquidation to its members or was placed in involuntary liquidation by the Administrator;

(ii) The credit union's pro rata share of the net insurance payments (other than those referred to in subdivision (iii) of this subparagraph) chargeable to the Fund for claims arising during such period; and

(iii) The net insurance payments chargeable to the Fund for claims arising in connection with the liquidation of the credit union.

(d) A credit union's pro rata share of the Fund's administrative expenses or net insurance payments for any year (or part thereof) shall be determined by dividing the total amount credited to members' and nonmembers' accounts in the credit union at the end of such year (or part thereof), by the total amount credited to all such accounts in all credit unions having an insured status at the end of such year (or part thereof).

§ 746.2 Effective date for determining rebate.

For purposes of determining the amount of the rebate, a credit union whose Board of Directors votes to present the question of liquidation to its membership, or is placed in involuntary liquidation by the Administrator on any day of the month, other than that month's end, shall be considered to have entered liquidation at the end of the month in which it took such action.

§ 746.3 Payment of rebate.

Rebates shall be paid to a liquidating credit union as soon as possible and in any event prior to final distribution of the credit union's assets to its members.

§ 746.4 Recovery of rebate.

In the event the credit union resumes operations, the entire amount of the rebate shall be repaid to the National Credit Union Administration within 10 days after resuming operations. However, a credit union shall not be required to pay a premium for the insurance of its members' accounts while it is in liquidation.

[FR Doc.73-3975 Filed 3-1-73;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 73-GL-3, Amdt. 39-1599]

PART 39—AIRWORTHINESS DIRECTIVES

Bellanca 17 Series Aircraft

There have been failures of the rudder pedal shaft assemblies where the vertical tube is welded to the horizontal tube on those assemblies equipped with brake pedals on Bellanca 17-30A,17-31A, and 17-31ATC airplanes that could result in loss of rudder control, braking, or steering control. 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 and replacement of the rudder pedal shaft assemblies on Bellanca Model 17-30A, 17-31A, and 17-31ATC 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 (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BELLANCA. Applies to Model 17-30A, Serials Nos. 30346 through 73-30496; Model 17-31A, Serials Nos. 32-37 through 73-32-97; and Model 17-31ATC, Serials Nos. 31015 through 73-31045, certificated in all categories.

Compliance required as indicated, unless already accomplished.

To prevent possible failure of the rudder control system, accomplish the following:

(A) Within the next 10 hours' time in service after the effective date of this airworthiness directive, unless already accomplished, and thereafter at intervals not to exceed 25 hours' time in service from the last inspection, inspect the rudder pedal shaft assemblies, Parts Nos. 195266, 195268, 195270, and 195272, equipped with brakes where the vertical tube is welded to the horizontal tube for evidence of cracks or other failures in accordance with Bellanca Service Letter No. 77 dated February 10, 1973, or later approved revisions, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, Great Lakes Region. All shaft assemblies found cracked must be replaced prior to further flight with a new part of the same number utilizing a horizontal tube having a .058" wall thickness.

(B) Within the next 100 hours' time in service after the effective date of this airworthiness directive, unless already accomplished, replace all rudder shaft assemblies, Parts Nos. 195266, 195268, 195270, and 195272, on which rudder/brake pedals are installed having .049" thick horizontal tube walls with a new assembly of the same part number utilizing a horizontal tube having a .058" wall thickness in accordance with Bellanca Service Letter No. 77 dated February 10, 1973, or later FAA approved revisions, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, Great Lakes Region. Rudder pedal shaft assemblies not having the brake pedal installed are not affected by this airworthiness directive.

(C) The repetitive inspections of paragraph (A) of this airworthiness directive are no longer required when compliance with paragraph (B) of this airworthiness directive is accomplished.

(D) Aircraft Serials Nos. 73-30497 through 73-30509, 73-32-98 through 73-32-100 were produced with .049" wall tubes but with a reinforcement gusset added and are exempt from this airworthiness directive unless the rudder pedals have been replaced during the service life of these aircraft.

This amendment becomes effective March 7, 1973.

(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 Des Plaines, Ill., on February 21, 1973.

HAROLD W. POGGEMEYER,
Acting Director,
Great Lakes Region.

[FR Doc.73-3956 Filed 3-1-73;8:45 am]

[Docket No. 73-EA-9, Amdt. 39-1600]

PART 39—AIRWORTHINESS DIRECTIVES

de Havilland Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to revise and renumber AD 72-25-5 applicable to de Havilland DHC-6 type airplanes.

Experience developed since the promulgation of AD 72-25-5 indicates a need to amend the airworthiness directive to establish a maximum length of a crack in the spar cap fitting; distinguish between chord- and span-type cracks and resultant restrictions; and include an inspection of the spar cap under the splice plates. There are other further minor amendments.

In view of the air safety aspects of the deficiency as set forth in AD 72-25-5 which also apply to this amendment, the public interest requires expeditious adoption of the amendment, making notice and public procedure hereon impractical and establishing good cause for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by revising AD 72-25-5 as follows:

DE HAVILLAND. Applies to DHC-6 airplanes Serials Nos. 1 through 330, certificated in all categories, not altered in accordance with de Havilland Modification No. 6/101 or approved equivalent alteration.

To prevent haards in flight associated with interrivet cracking of the top flange of the wing rear spar attachment caps P/N C6WM1032-27 and P/N C6WM1032-28 accomplish the following:

(1) Within the next 100 hours in service or 2 weeks, whichever occurs first, after the effective date of this AD, unless accomplished within the last 1,100 hours or 24 weeks, and at intervals thereafter not to exceed 1,200 hours in service or 26 weeks, whichever occurs first,

(a) Inspect the wing rear spar attachment caps P/N C6WM1032 for cracks in accordance with paragraph A of Accomplishment Instructions of de Havilland Service Bulletin No. 6/295, Revision B dated November 16, 1972, or an FAA approved equivalent inspection; and

(b) Inspect the splice plates of the vertical and horizontal legs of the rear spar fitting at WS 87 to 91 for cracks or elongated rivet holes, using visual or X-ray procedure. Replace cracked parts and parts with elongated rivet holes prior to further flight with a part that has been similarly inspected.

(2) If a spar cap spanwise crack is found inboard of the third rivet, or if a spar cap chordwise crack is found, or if the total length of spanwise cracks exceed 50 inches, the part must be replaced prior to further

flight with a part inspected in accordance with paragraph 1a. including repetitive inspections.

(3) If spanwise cracks are found outboard of the 10th rivet, accomplish the following:

(a) For cracks within the limits of paragraph (b) of compliance instructions of the service bulletin, repeat the inspection noted in (1) above at intervals not to exceed 600 hours in service or 13 weeks, whichever occurs first.

(b) For cracks within the limits of paragraph (c) of the service bulletin, repeat the inspection noted in (1) above at intervals not to exceed 100 hours in service or 2 weeks, whichever occurs first.

(c) For cracks in excess of the limits of paragraph (b) and (c) of the service bulletin, prior to next flight, alter the attachment cap in accordance with paragraph B of accomplishment instructions of the service bulletin and Figures II and III of revision B of the bulletin dated November 16, 1972, except that the dye pentrant inspection must be performed with a 10-power glass, or in accordance with an FAA approved equivalent alteration.

Thereafter, inspect altered attachment caps at intervals not to exceed 1,200 hours in service or 26 weeks, whichever occurs first.

(4) If spanwise cracks are found between the third and 10th rivet, prior to next flight, alter the attachment cap as noted in 3(c). Thereafter, inspect inboard of the 10th rivet of the altered attachment caps at intervals not to exceed 100 hours in service or 2 weeks, whichever occurs first, and replace within the next 1,200 hours in service or 26 weeks, whichever occurs first, with a part inspected in accordance with paragraph 1 including repetitive inspections.

(5) If total length of spanwise cracks in any one attachment cap exceeds 30 inches, part must be altered prior to next flight and replaced within the next 1,200 hours in service or 26 weeks, whichever occurs first, with a part inspected in accordance with paragraph 1 including repetitive inspections.

(6) If cracks are found in accordance with 3(a), 3(b), 3(c), or 4, report the results of such inspection and any repetitive inspection to the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region (reporting approved by the Bureau of the Budget under BOB No. C4-RO174).

(7) Where the AD requires replacements or repairs before further flight, the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed.

(8) The compliance times may be increased by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region, upon receipt of substantiating data.

(9) Equivalent inspections, parts, and alterations must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

This supersedes AD 72-25-5.

This amendement is effective March 8, 1973.

(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 Jamaica, N.Y., on February 21, 1973.

ROBERT H. STANTON,
Acting Director, Eastern Region.

[FR Doc.73-3955 Filed 3-1-73;8:45 am]

[Docket No. 67-SO-17, Amdt. 39-1601]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Models 382 and 382B Series Airplanes

Amendment 39-423 32 FR 7704, AD 67-18-3 requires inspection of engine mount truss assemblies for cracks and replacement as necessary on Lockheed Models 382 and 382B airplanes. After issuing Amendment 39-423, the Administration determined that the inspection interval may be increased. Therefore, the AD is being amended to provide an increase in the inspection interval from 600 hours to 800 hours.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, § 39.13 of the Federal Aviation Regulations, Amendment 39-423, 32 FR 7704, AD 67-18-3, is amended as follows:

LOCKHEED. Applies to Models 382 and 382B series airplanes, Serials Nos. 3946 and 4101 through 4196.

Compliance as indicated.

1. Revise paragraphs (a), (b), and (c) to read:

(a) For airplanes with 2,350 or more hours' total time in service on the effective date of this AD comply with paragraph (c) within the next 50 hours' time in service, and thereafter at intervals not to exceed 800 hours' time in service from the last inspection.

(b) For airplanes with less than 2,350 hours' total time in service on the effective date of the AD comply with paragraph (c) before the accumulation of 2,400 hours' total time in service, and thereafter at intervals not to exceed 800 hours' time in service from the last inspection.

(c) Cracked parts shall be replaced with new parts having the same part number, or with the applicable updated part specified in section 2g of Lockheed-Georgia Service Bulletin 82-153 dated December 1, 1966, or later FAA approved revision. Replacement truss assemblies shall be installed according to the replacement instructions given in section 2h through 2aa in the above service bulletin, or in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Southern Region.

This amendment becomes effective March 12, 1973.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1451, 1423; sec. 6(c), DOT Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on February 22, 1973.

P. M. SWATEK,
Director, Southern Region.

[FR Doc.73-3954 Filed 3-1-73;8:45 am]

[Airspace Docket No. 73-AL-3]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the effective hours of the Talkeetna, Alaska, control zone.

The Talkeetna, Alaska, control zone is presently effective from 0545 to 2145 hours, local time, daily. Hourly and special weather observations needed for the designation of the control zone are available now from 0800 to 2400 hours, local time, daily. Therefore, the control zone hours of designation are redescribed to coincide with the weather reporting service and will be effective during the specific dates and times established in advance by notice to airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

Since this amendment imposes no additional burden on any person, notice and public procedure requirements of the administrative procedure act are unnecessary and the amendment may be effective on less than 30 days' notice. 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 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 29, 1973, as hereinafter set forth.

In § 71.171 (38 FR 351), the Talkeetna, Alaska, control zone is amended to read as follows:

TALKEETNA, ALASKA

Within a 5-mile radius of Talkeetna Airport (latitude 62°19'20" N., longitude 150°-05'20" W.). This control zone is effective from 0800 to 2400 hours local time daily, or during the specific dates and times established in advance by notice to airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

(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 Anchorage, Alaska, on February 21, 1973.

QUENTIN S. TAYLOR,
Acting Director, Alaskan Region.

[FR Doc.73-3957 Filed 3-1-73;8:45 am]

[Airspace Docket No. 72-GL-71]

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

Alteration of Federal Airway Segment

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter a segment of VOR Federal airway No. 11E between Indianapolis, Ind., and Marion, Ind.

Victor airway 11E rejoins V–11 at the Fairmont intersection, which is located 1½ miles southwest of the Marion TVOR. Action has been taken by the Great Lakes Region to change the status of the Marion TVOR to an LVOR. A portion of V–11E between the Pendleton intersection and Fairmont intersection will be altered 1° to the east so as to rejoin V–11 at Marion VOR.

Since this amendment is minor in nature and no substantive change in the regulation or its effect upon the operation of aircraft is effected, further notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes be made on aeronautical charts, this amendment will become effective April 26, 1973.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 26, 1973, as hereinafter set forth.

Section 71.123 (38 FR 307) is amended as follows:

In V–11 "Fort Wayne, including an E alternate via INT Indianapolis 060° and Shelbyville, Ind., 006° radials, and INT Shelbyville 006° and Fort Wayne 218° radials;" is deleted and "Marion, Ind., including an E alternate via INT of Indianapolis 060° and Marion 189° radials; Fort Wayne, Ind." is substituted therefor.

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

Issued in Washington, D.C., on February 23, 1973.

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

[FR Doc.73–3958 Filed 3–1–73;8:45 am]

[Airspace Docket No. 73–WE–6]

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

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area and Continental Control Area

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to subdivide Restricted Area R–2501, Bullion Mountains, Calif., into three areas and to alter the description of the continental control area to delete one subarea.

Restricted Area R–2501 is presently subdivided into four subareas: R–2501N, R–2501S, R–2501C, and R–2501E. In order to provide more flexible management and increase the release of the airspace when it is not in use by the using agency, it has been determined that R–2501 should be divided into three subareas and that one presently designated subarea should be deleted from the continental control area. The lateral and vertical dimensions and the time of designation of R–2501 will remain as presently designated.

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

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., April 26, 1973, as hereinafter set forth.

1. In § 71.151 (38 FR 341), Restricted Area R–2501C, Bullion Mountains, Calif., is revoked.

2. In § 73.25 (38 FR 634), Restricted Areas R–2501N, R–2501C, R–2501S, and R–2501E, Bulletin Mountains, Calif., are revoked and the following is substituted therefor.

R–2501N, BULLION MOUNTAINS NORTH, CALIF.

BOUNDARIES

Beginning at lat. 34°43'00" N., long. 116°26'20" W.; to lat. 34°43'00" N., long. 116°17'00" W.; to lat. 34°41'15" N., long. 116°04'30" W.; to lat. 34°33'12" N., long. 116°15'30" W.; to lat. 34°34'37" N., long. 116°20'43" W.; to lat. 34°35'40" N., long. 116°22'52" W.; to lat. 34°35'40" N., long. 116°28'15" W.; to lat. 34°40'30" N., long. 116°29'40" W.; to point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. Commanding General, Marine Corps Base, Twentynine Palms, Calif.

R–2501S, BULLION MOUNTAINS SOUTH, CALIF.

BOUNDARIES

Beginning at lat. 34°35'40" N., long. 116°28'15" W.; to lat. 34°35'40" N., long. 116°22'52" W.; to lat. 34°34'37" N., long. 116°20'43" W.; to lat. 34°33'12" N., long. 116°15'30" W.; to lat. 34°27'50" N., long. 116°09'40" W.; to lat. 34°27'15" N., long. 116°04'07" W.; to lat. 34°14'00" N., long. 115°55'40" W.; to lat. 34°14'00" N., long. 116°17'00" W.; to lat. 34°30'00" N., long. 116°26'30" W.; to point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. Commanding General, Marine Corps Base, Twentynine Palms, Calif.

R–2501E, BULLION MOUNTAINS EAST, CALIF.

BOUNDARIES

Beginning at lat. 34°41'15" N., long. 116°04'30" W.; to lat. 34°41'00" N., long. 116°03'00" W.; to lat. 34°35'30" N., long. 115°58'00" W.; to lat. 34°33'00" N., long. 115°47'00" W.; to lat. 34°25'00" N., long. 115°47'00" W.; to lat. 34°25'00" N., long. 115°44'00" W.; to lat. 34°14'00" N., long. 115°44'00" W.; to lat. 34°14'00" N., long. 115°55'40" W.; to lat. 34°27'15" N., long. 116°04'07" W.; to lat. 34°27'50" N., long. 116°09'40" W.; to lat. 34°33'12" N., long. 116°15'30" W.; to point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. Commanding General Marine Corps Base, Twentynine Palms, Calif.

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

Issued in Washington, D.C., on February 23, 1973.

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

[FR Doc.73–3960 Filed 3–1–73;8:45 am]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 12572; Amdt. 95–230]

PART 95—IFR ALTITUDES

Miscellaneous Changes

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 FR 5662), Part 95 of the Federal Aviation Regulations is amended, effective March 29, 1973, as follows:

1. By amending Subpart C as follows:

Section 95.1001 *Direct routes—U.S.* is amended by adding:

From, to, and MEA

Bakersfield, Calif., VOR, via BFL 296 M rad; Pelican INT, Calif.; *3,000. *2,500—MOCA.
Pelican INT, Calif., via BFL 296 M rad/LSN 115 M rad; Los Banos, Calif., VOR, COP 40 NM LSN; 5,500.

Section 95.1001 *Direct routes—U.S.* is amended to delete:

Bakersfield, Calif., VOR, via BFL 296 M rad; Russell Ranch INT, Calif.; *3,000. *2,500—MOCA.
Russell Ranch INT, Calif., via BFL 296 M rad/LSN 115 M rad; Los Banos, Calif., VOR, COP 70 NM BFL/40 NM LSN; *5,500.
Glenwood Springs INT, Colo.; *Basalt INT, Colo.; 13,600. MAA—25,000. *14,500—MCA Basalt INT, eastbound.
*Basalt INT, Colo.; Holy Cross INT, Colo.; **15,500. MAA—25,000. *14,500—MCA Basalt INT, eastbound. **14,100—MOCA.
Holy Cross INT, Colo.; Dillon INT, Colo.; *#18,000. *16,300—MOCA. #MEA is established with a gap in navigation signal coverage.
Dillon INT, Colo.; Webster INT, Colo.; *17,000. *16,300—MOCA.
Webster INT, Colo.; Conifer INT, Colo.; *16,000. MAA—37,000. *14,500—MOCA.
Dillon INT, Colo.; *Camp INT, Colo.; **18,000. *14,700—MCA Camp INT, Westbound. **16,300—MOCA.

Dillon DME Fix, Colo.; Conifer INT, Colo.; *17,000. MAA—37,000. *16,300—MOCA.

Bahama Routes

54V is amended to read in part:

Palm Beach, Fla., VOR; *Basket INT, Fla.; **2,000. *2,500—MRA. **1,300—MOCA.

10 Lima is amended to read in part:

Portland, Fla., NDB; Grand Bahama, BH NDB; *2,000. *1,600—MOCA.

Albany, Ga., VOR; Omaha INT, Ga.; 2,500.

Cairns, Ala., VOR; Dozier INT, Ala.; *2,000. *1,700—MOCA.

Dinsmore, Fla., RBN; Carp INT, Fla. (via Control 1153); *2,500. *1,300—MOCA.

Marathon, Fla., RBN; Tadpole LF INT, Fla. (via Control 1233); *2,500. *1,300—MOCA.

Section 95.5000 *High altitude RNAV routes.*

From/to; total distance; changeover point distance from geographic location; track angle; MEA; and MAA

J843R is amended to read in part:

Westminster, Md., W/P, Rensford, W. Va., W/P; 216.7; 146.2, Westminster; 259°/079° to COP, 254°/074° to Rensford; 18,000; 45,000.

Rensford, W. Va., W/P, Shutout, Ky., W/P; 201.1; 100.6, Rensford; 254°/074° to COP, 251°/071° to Shutout; 18,000; 45,000.

Section 95.5500 *High altitude RNAV routes.*

J953R is amended to read in part:

Mount Mitchell, N.C., W/P, Trion, Ga., W/P; 156.1; 78.0, Mount Mitchell; 240°/060° to COP, 236°/056° to Trion; 18,000; 45,000.

Trion, Ga., W/P, Iron Mountain, Ala., W/P; 120.2; 60.1, Trion; 236°/056° to COP, 233°/053° to Iron Mountain; 18,000; 45,000.

Section 95.6003 *VOR Federal airway 3* is amended to read in part:

Sombrero INT, Fla.; Rancho INT, Fla.; *6,000. *1,600—MOCA.

Biscayne Bay, Fla., VOR, via E alter; INT 021M rad Biscayne Bay VOR and 166M rad Palm Beach VOR via E alter; 1,600.

Daytona Beach, Fla., VOR; *Bunnell INT, Fla.; **2,000. *3,000—MRA. **1,400—MOCA.

Section 95.6005 *VOR Federal airway 5* is amended to read in part:

Jacksonville, Fla., VOR; Pafford INT, Ga.; *2,000. *1,300—MOCA.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

Miami, Fla., VOR, via E alter; Royal Palm INT, Fla., via E alter; *2,000. *1,200—MOCA.

*Cross City, Fla., VOR, via W alter; **Lobster INT, Fla., via W alter; ***5,000. *5,000—MCA, Cross City VOR, westbound. **3,000—MRA. ***1,200—MOCA.

Section 95.6035 *VOR Federal airway 35* is amended to read in part:

Sombrero INT, Fla.; *Doubloon INT, Fla.; **6,500. *6,500—MRA. **1,200—MOCA.

Cutler INT, Fla.; Miami, Fla., VOR; *2,000. *1,400—MOCA.

Fort Myers, Fla., VOR, via W alter; St. Petersburg, Fla., VOR, via W alter; *1,800. *1,600—MOCA.

Eilers INT, Fla.; Eddy INT, Fla.; *3,000. *1,200—MOCA.

Eddy INT, Fla.; Cross City, Fla., VOR; *2,000. *1,200—MOCA.

St. Petersburg, Fla., VOR, via E alter; Bayport INT, Fla., via E alter; *2,000. *1,400—MOCA.

Section 95.6039 *VOR Federal airway 39* is amended to read in part:

Myrtle Beach, S.C., VOR; Fayetteville, N.C., VOR; *3,000. MAA—6,000. *1,600—MOCA.

Section 95.6043 *VOR Federal airway 43* is amended to read:

Appleton, Ohio, VOR; Tiverton, Ohio, VOR; 3,000.

Tiverton, Ohio, VOR; Briggs, Ohio, VOR; 3,000.

Briggs, Ohio, VOR; Youngstown, Ohio, VOR; 3,000.

Tiverton, Ohio, VOR, via W alter; Akron, Ohio, VOR, via W alter; 3,000.

Akron, Ohio, VOR, via W alter; Youngstown, Ohio, VOR, via W alter; 3,000.

Briggs, Ohio, VOR, via E alter; Youngstown, Ohio, VOR, via E alter; 3,500.

Youngstown, Ohio, VOR; Linesville INT, Pa.; 3,000.

Linesville INT, Pa.; Erie, Pa., VOR; *3,000. *2,900—MOCA.

Section 95.6051 *VOR Federal airway 51* is amended to read in part:

Biscayne Bay, Fla., VOR; Miami, Fla., VOR; *2,000. *1,600—MOCA.

Daytona Beach, Fla., VOR; *Bunnell INT, Fla.; **2,000. *3,000—MRA. **1,400—MOCA.

Jackson, Fla., VOR; Pafford INT, Ga.; *2,000. *1,300—MOCA.

Jacksonville, Fla., VOR, via E alter; Kings INT, Ga., via E alter; *1,600. *1,300—MOCA.

Section 95.6097 *VOR Federal airway 97* is amended to read in part:

Morris INT, Ind.; Shelbyville, Ind., VOR; *2,800. *2,300—MOCA.

Miami, Fla., VOR; La Belle, Fla., VOR; *2,000. *1,200—MOCA.

Section 95.6133 *VOR Federal airway 133* is amended to read in part:

*Lake City INT, Mich.; Broadman INT, Mich.; **3,500. *4,000—MRA. **2,500—MOCA.

Broadman INT, Mich.; Traverse City, Mich., VOR; *3,100. *2,300—MOCA.

Section 95.6134 *VOR Federal airway 134* is amended by adding:

Grand Junction, Colo., VOR; *Palisade INT, Colo.; 11,000. *12,700—MCA Palisade INT, eastbound.

Palisade INT, Colo.; Crystal INT, Colo.; eastbound, 14,000. Westbound, 13,000.

Crystal INT, Colo.; Glenwood Springs INT, Colo.; 14,000.

Glenwood Springs INT, Colo.; *Basalt INT, Colo.; 13,600. *14,500—MCA Basalt INT, eastbound.

Basalt INT, Colo.; *Holy Cross INT, Colo.; eastbound **15,500. Westbound **15,000. *15,500—MRA. *17,000—MCA Holy Cross INT, eastbound. **14,000—MOCA.

Holy Cross INT, Colo.; Frisco INT, Colo.; *17,000. *16,000—MOCA.

Frisco INT, Colo.; Camp INT, Colo.; *17,000. *16,300—MOCA.

Camp INT, Colo.; *Golden INT, Colo; eastbound 12,500. Westbound 17,000. *12,800—MCA, Golden INT, westbound.

Golden INT, Colo.; Denver, Colo., VOR; 7,800.

Frisco INT, Colo., via S alter; *Webster INT, Colo., via S alter; **17,000. *17,000 MCA Webster INT, northwest-bound. **16,300—MOCA.

Webster INT, Colo., via S alter; *Conifer INT, Colo., via S alter; **16,000. *15,000—MCA Conifer INT, southwest-bound. **14,400—MOCA.

Conifer INT, Colo., via S alter; *Denver, Colo., VOR, via S alter; 11,400. *8,100 MCA Denver VOR, southwest-bound.

Section 95.6157 *VOR Federal airway 157* is amended to read in part:

Miami, Fla., VOR; La Belle, Fla., VOR; *2,000. *1,200—MOCA.

Section 95.6159 *VOR Federal airway 159* is amended to read in part:

Ocala, Fla., VOR, via W alter; Cross City, Fla., VOR, via W alter; *2,000. *1,300—MOCA.

Section 95.6225 *VOR Federal airway 225* is amended to read in part:

Cape Romano INT, Fla.; Fort Myers, Fla., VOR; *2,000. *1,300—MOCA.

Dixie Ranch INT, Fla.; Vero Beach, Fla., VOR; *2,000. *1,400—MOCA.

Section 95.6241 *VOR Federal airway 241* is amended to read in part:

Darlington INT, Fla.; Dothan, Ala., VOR; *2,000. *1,700—MOCA.

Dothan, Ala., VOR, via W alter; Edd INT, Ala., via W alter; 2,400.

Section 95.6243 *VOR Federal airway 243* is amended to read in part:

Jacksonville, Fla., VOR; Pafford INT, Ga.; *2,000. *1,300—MOCA.

Section 95.6267 *VOR Federal airway 267* is amended to read in part:

Jacksonville, Fla., VOR; Kings INT, Ga.; *1,600. *1,300—MOCA.

Dixie INT, Ga.; *Baxley INT, Ga.; **6,000. *3,000—MRA. *6,000—MCA Baxley INT, southbound. **1,700—MOCA.

Section 95.6295 *VOR Federal airway 295* is amended to read in part:

Biscayne Bay, Fla., VOR; INT 021M rad Biscayne Bay VOR and 166M rad Palm Beach VOR; 1,600.

Vero Beach, Fla., VOR; Bailey INT, Fla.; *2,000. *1,400—MOCA.

Section 95.6437 *VOR Federal airway 437* is amended to delete:

Charleston, S.C., VOR, via E alter; Florence, S.C., VOR, via E alter; *2,400. *1,500—MOCA.

Section 95.6437 *VOR Federal airway 437* is amended to read in part:

Daytona Beach, Fla., VOR; *Croaker INT, Fla.; **1,500. *3,500—MRA. **1,400—MOCA.

Section 95.6441 *VOR Federal airway 441* is amended to read in part:

St. Petersburg, Fla., VOR; Bayport INT, Fla.; *2,000. *1,400—MOCA.

Section 95.6452 *VOR Federal airway 452* is amended to read in part:

Cottage Grove INT, Oreg.; Modoc INT, Oreg.; *10,500. *9,700—MOCA.

Modoc INT, Oreg.; Klamath Falls, Oreg., VOR; southeastbound 9,000. Northwestbound 10,000.

2. By amending Subpart D as follows:

Section 95.8003 *VOR Federal Airway Changeover Points.*

From; to; and changeover point distance from

V–134 is amended by adding:

Grand Junction, Colo., VOR; Denver, Colo., VOR; 110, Grand Junction.

(Secs. 307 and 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on February 22, 1973.

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

[FR Doc.73-3763 Filed 3-1-73;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. PR-135; Amdt. 302-17]

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

Service of Complaints Against Tariffs

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of February 1973.

Subpart E of Part 302 of the Board's procedural regulations (14 CFR 302.500, et seq.) sets forth the rules applicable to proceedings with respect to rates, fares, and charges. These proceedings may be instituted "by the filing of a petition or complaint by any person, or by the issuance of an order by the Board." (Rule 501.) However, Subpart E includes no particular provisions governing service of such petitions or complaints, or of answers thereto, and, in the absence of such particular provisions in Subpart E, the general provisions of Subpart A apply. (Rules 1(b) and 500.) The general provisions in Subpart A governing service of filed documents provide that "any * * * document filed by any party or other person with the Board or an administrative law judge shall be served upon all parties to the proceeding in which it is filed; * * *" (Rule 8(a)(2).) Thus, although complaints with respect to rates, fares, and charges are not among the types of documents expressly enumerated in that rule, it is clear that such complaints which are tendered for filing are subject to said service provision of Rule 8(a)(2) and will not be served by the Board under Rule 8(a)(1). Nonetheless, we think it advisable to amend the rules in order to eliminate any ambiguity on this narrow procedural question.

Accordingly, we are amending both the general provisions of Subpart A and the special provisions of Subpart E of the rules of practice so as to indicate clearly that persons filing petitions or complaints against tariffs are responsible for serving the petition or complaint upon the carrier against whose tariff it is filed.[1]

Since these amendments are editorial in nature and relate wholly to a matter of Board procedure, the Board finds that notice and public procedure hereon are unnecessary and the amendments may become effective immediately.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 302 of its procedural regulations (14 CFR Part 302), effective February 26, 1973, as follows:

1. Amend the table of contents by modifying § 302.502 to read as follows:

Sec.
302.502 Contents and service of petition or complaint.

2. Amend § 302.8(a)(2) to read as follows:

§ 302.8 Service of documents.

(a) Who makes service— * * *

(2) *The parties.* Complaints, answers, petitions, briefs, exceptions, notices, protests, or memoranda, or any other documents filed by any party or other person with the Board or an administrative law judge shall be served by such party or other person upon all parties to the proceeding in which it is filed: *Provided,* That motions to expedite filed in any proceeding conducted pursuant to sections 401 and 402 of the Act, shall, in addition, be served on all persons who have petitioned for intervention in, or consolidation of applications with, such proceeding. Proof of service shall accompany all documents when they are tendered for filing.

* * * * *

3. Amend § 302.502 by modifying its title, numbering the existing section as paragraph (a) and adding a new paragraph (b), the section as amended to read as follows:

§ 302.502 Contents and service of petition or complaint.

* * * * *

(b) A petition or complaint shall be served by the petitioner or complainant upon the carrier against whose tariff provision the petition or complaint is filed.

4. Amend § 302.505(e) to read as follows:

§ 302.505 Complaints requesting suspension of tariffs—answers to such complaints.

* * * * *

(e) In an emergency satisfactorily shown by complainant, and within the time limits herein provided, a telegraphic complaint may be sent to the Board and to the carrier against whose tariff provision the complaint is made. Such a telegraphic complaint shall state the grounds relied upon, and must immediately be confirmed by complaint filed and served in accordance with this part.

* * * * *

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 49 U.S.C. 1324)

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.73-4026 Filed 3-1-73;8:45 am]

[1] We are also making a related editorial modification to § 302.505(e).

Title 19—Customs Duties

CHAPTER I—BUREAU OF CUSTOMS, DEPARTMENT OF THE TREASURY

[T.D. 73-62]

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

PART 19—CUSTOMS WAREHOUSES, CONTAINER STATIONS, AND CONTROL OF MERCHANDISE THEREIN

Entry Into and Withdrawal From Warehouses of Certain Distilled Spirits

Notice of proposed rule making to amend §§ 8.30 and 19.15 of the Customs regulations to provide for the entry into and the withdrawal from Customs bonded warehouses of distilled spirits in accordance with section 3 of Public Law 91-659 (26 U.S.C. 5066), enacted on January 8, 1971, was published in the FEDERAL REGISTER (37 FR 23188), on October 31, 1972. No comments were received in response to this notice.

Section 5066 of the Internal Revenue Code (26 U.S.C. 5066), provides in subsection (a) for the entry into Customs bonded warehouse of distilled spirits bottled in bond for export under section 5233 of the Internal Revenue Code (26 U.S.C. 5233), and of distilled spirits stamped or restamped, and marked, especially for export under the provisions of section 5062(b) of the Internal Revenue Code (26 U.S.C. 5062(b)). Subsection (b) of section 5066 provides that distilled spirits entered into Customs bonded warehouses under subsection (a) of the same section, and domestic distilled spirits transferred to such warehouses from Customs bonded manufacturing warehouses, Class 6, may be withdrawn for consumption in the United States by and for the official or family use of such foreign governments, organizations, and individuals who are entitled to withdraw imported distilled spirits from such warehouses free of tax. Subsection (c) permits distilled spirits entered into Customs bonded warehouses in accordance with subsection (a), to be withdrawn for domestic consumption. If so withdrawn, they shall be subject to duty and treated as American goods exported and returned under Item 804.20, Tariff Schedules of the United States (19 U.S.C. 1202). However, domestic distilled spirits which have been transferred from a Customs bonded manufacturing warehouse to a Customs bonded warehouse cannot be withdrawn for domestic consumption.

Accordingly, the proposed amendments to §§ 8.30 and 19.15 of the Customs regulations are adopted as set forth below.

Effective date. These amendments shall become effective on April 2, 1973.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

Approved: February 20, 1973.

EDWARD L. MORGAN,
Assistant Secretary of the Treasury.

Section 8.30 is amended by adding new paragraphs (g) and (h) to read as follows:

§ 8.30 Form and contents; articles entitled to entry.

* * * * *

(g) Except as otherwise provided herein, distilled spirits entered into Customs bonded warehouse in accordance with section 5066(a), Internal Revenue Code, as amended (26 U.S.C. 5066(a)), shall be treated in the same manner as any other merchandise entered for warehouse. Distilled spirits so entered may be withdrawn from warehouse for domestic consumption under section 5066(c) of the Internal Revenue Code, as amended, in which event they will be subject to duty as American goods exported and returned under item 804.20, Tariff Schedules of the United States (19 U.S.C. 1202). The recital clause of the warehouse entry bond, Customs Form 7555, shall be modified to show

that the distilled spirits were entered in accordance with section 5066(a), Internal Revenue Code, as amended. The following new condition shall be added to the bond, or to the general term bond, Customs Form 7595, prior to its approval: "And if said articles shall be withdrawn in accordance with the provisions of section 5066 (b) or (c) of the Internal Revenue Code, as amended, or in default thereof, if the obligors shall pay to the district director as liquidated damages an amount equal to the aggregate sum of double the duties assessable on such part of the shipment as shall not have been so withdrawn, plus the amount of any internal revenue tax assessable thereon."

(h) Domestic distilled spirits which have been transferred from a Customs bonded manufacturing warehouse, Class 6, to a Customs bonded storage warehouse, may not be withdrawn under section 5066(c) of the Internal Revenue Code, as amended (26 U.S.C. 5066(c)), for domestic consumption. For procedure concerning the transfer of such distilled spirits from Customs bonded manufacturing warehouse, Class 6, to Customs bonded storage warehouse, see § 19.15(g)(2) of this chapter.

(R.S. 251, as amended, secs. 557, 624, 46 Stat. 744, as amended, 759; 19 U.S.C. 66, 1557, 1624)

§ 19.15 Withdrawal for exportation of articles manufactured in bond; waste or byproducts of consumption.

* * * * *

(g)(1) Articles may be withdrawn for transportation and delivery to a bonded storage warehouse at an exterior port under the provisions of section 311, Tariff Act of 1930, as amended (19 U.S.C. 1311), for the sole purpose of immediate export or may be withdrawn pursuant to section 309(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1309(a)). Such withdrawal shall be effected on Customs Form 7512, as provided for in § 18.16 of this chapter. A rewarehouse entry shall be made at the exterior port in accordance with § 8.33 of this chapter, supported by a bond on Customs Form 7555 in an amount equal to the aggregate sum of double the estimated amount of ordinary Customs duties on the merchandise (including any taxes imposed thereon which are required by law to be treated as duty imposed by the Tariff Act of 1930), plus the estimated amount of any other tax or taxes on the merchandise collectible by the district director of Customs. The recital clause of such bond shall be modified to show that the merchandise is the product of a bonded manufacturing warehouse, Class 6, and that it has been rewarehoused at the exterior port for the sole purpose of immediate export or withdrawal pursuant to section 309(a) of the Tariff Act of 1930, as amended. The following new condition shall be added to the warehouse entry bond on Customs Form 7555, or to the general term bond, Customs Form 7595, prior to its approval: "And if said articles shall be exported or withdrawn in accordance with the provisions of section 311 or 309(a), Tariff Act of 1930, as amended, in the manner prescribed by the regulations; or, in default thereof, if the obligors shall pay to the district director as liquidated damages an amount equal to the aggregate sum of double the duties assessable on such part of the shipment as shall not have been so exported or withdrawn, plus the amount of any internal revenue tax assessable thereon."

(2) Domestic distilled spirits transferred from a Customs bonded manufacturing warehouse, Class 6, to a Customs bonded storage warehouse, Class 2 or 3, in accordance with section 5521 of the Internal Revenue Code, as amended (26 U.S.C. 5521), and section 311, Tariff Act of 1930, as amended (19 U.S.C. 1311), shall be rewarehoused in accordance with the procedure for withdrawal and rewarehousing set forth in subparagraph (1) of this section. The recital clause of the warehouse entry bond, Customs Form 7555, shall be amended to show the circumstances of such entry. The following condition shall be added to the warehouse entry bond, Customs Form 7555, or to the general term bond, Customs Form 7595, prior to its approval: "And if said articles shall be withdrawn in accordance with section 5066(b), Internal Revenue Code, as amended (26 U.S.C. 5066(b)); or, in default thereof, if the obligors shall pay to the district director as liquidated damages an amount equal to the aggregate sum of double the duties assessable on such part of the shipment as shall not have been withdrawn plus the amount of any internal revenue tax assessable thereon." For regulations concerning the limitation on the withdrawal of such merchandise from a Customs bonded storage warehouse for consumption, see § 8.30(h) of this chapter.

* * * * *

(R.S. 251, as amended, secs. 311, 624, 46 Stat. 691, as amended, 759; 19 U.S.C. 66, 1311, 1624)

[FR Doc.73-3968 Filed 3-1-73;8:45 am]

Title 20—Employees' Benefits

CHAPTER II—RAILROAD RETIREMENT BOARD

PART 210—EXECUTION AND FILING OF AN APPLICATION FOR AN ANNUITY

Application To Be Filed

This document provides a revision of the Board's regulations, adding another situation in which it is considered that action of the Board or of its employees has deterred an individual from filing an application on the prescribed form.

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (50 Stat. 314, as amended; 45 U.S.C. 228j), § 210.2(b)(1) of Part 210 (20 CFR 210.2(b)(1)) of the regulations under such act is amended by Board Order 73-8, dated February 12, 1973, to read as follows:

§ 210.2 Application to be filed.

* * * * *

(b) * * *

(1) * * *

(i) Failure to advise the individual properly as to the necessity for filing an application on such prescribed form; or

(ii) Failure to advise the individual that his written statement containing all the pertinent information called for by an application, though on a form prescribed by the Board, is insufficient to serve as an application; or

(iii) Failure to furnish the individual with the appropriate application form; or

(iv) Furnishing of correct information that under an existing ruling (which was subsequently reversed during the individual's lifetime) entitlement was precluded: *And further provided*, That:

* * * * *

Dated: February 23, 1973.

By authority of the Board.

R. F. BUTLER,
Secretary of the Board.

[FR Doc.73-3950 Filed 3-1-73;8:45 am]

Title 29—Labor

SUBTITLE A—OFFICE OF THE SECRETARY OF LABOR

PART 2—GENERAL REGULATIONS

Audiovisual Coverage of Administrative Hearings

On pages 26430 and 26431 of the FEDERAL REGISTER of December 12, 1972, there was published a notice in which it was proposed to issue rules stating the Department's policy concerning audiovisual coverage of administrative hearings under various laws administered by this Department. The proposal also designated the present Part 2 as Subpart A, and added a new Subpart B stating the audiovisual coverage policy of this Department.

After consideration of all such relevant matter as was presented by interested persons, the amendment as so proposed is hereby adopted, subject to the following changes:

1. Section 2.13 is revised to read as set forth below.

2. A new § 2.16 is added, reading as set forth below.

These revisions are effective on March 2, 1973, inasmuch as they relieve restrictions on the audiovisual coverage of administrative hearings.

Signed at Washington, D.C., this 26th day of February 1973.

PETER J. BRENNAN,
Secretary of Labor.

Part 2 is revised as follows:

1. The present Part 2 is designated "Subpart A—General."

2. The new Subpart B of Part 2 of Title 29, Code of Federal Regulations, reads as follows:

Subpart B—Audiovisual Coverage of Administrative Hearings

Sec.
2.10 Scope and purpose.
2.11 General principles.
2.12 Audiovisual coverage permitted.
2.13 Audiovisual coverage prohibited.

Sec.
2.14 Proceedings in which the Department balances conflicting values.
2.15 Protection of witnesses.
2.16 Conduct of hearings.

AUTHORITY: 5 U.S.C. 301 and 5 U.S.C. 552—556.

Subpart B—Audiovisual Coverage of Administrative Hearings

§ 2.10 Scope and purpose.

This subpart defines the scope of audiovisual coverage of departmental administrative hearings. It describes the types of proceedings where such coverage is encouraged, defines areas where such coverage is prohibited (as in certain enforcement proceedings or where witnesses object) and areas where a decision concerning coverage is made after weighing the values involved in permitting coverage against the reasons for not permitting it.

§ 2.11 General principles.

The following general principles will be observed in granting or denying requests for permission to cover hearings audiovisually:

(a) Notice and comment and on-the-record rule making proceedings may involve administrative hearings. If such administrative hearings are held, we encourage their audiovisual coverage.

(b) Audiovisual coverage shall be excluded in adjudicatory proceedings involving the rights or status of individuals (including those of small corporations likely to be indistinguishable in the public mind from one or a few individuals) in which an individual's past culpable conduct or other aspect of personal life is a primary subject of adjudication, and where the person in question objects to coverage.

(c) Certain proceedings involve balancing of conflicting values in order to determine whether audiovisual coverage should be allowed. Where audiovisual coverage is restricted, the reasons for the restriction shall be stated in the record.

§ 2.12 Audiovisual coverage permitted.

The following are the types of hearings where the Department encourages audiovisual coverage:

(a) All hearings involving notice and comment and on-the-record rule making proceedings. The Administrative Procedure Act provides for notice of proposed rule making with provision for participation by interested parties through submission of written data, views, or arguments, with or without opportunity for oral presentation (5 U.S.C. 553). (In many cases the Department follows the above procedure in matters exempted from these requirements of 5 U.S.C. 553.) On-the-record rule making proceedings under 5 U.S.C. 556 and 557 are also hearings where audiovisual coverage of hearings is encouraged. Examples of hearings encompassed by this paragraph are:

(1) Hearings to establish or amend safety or health standards under the Occupational Safety and Health Act of 1970, 29 U.S.C. 651.

(2) Hearings to determine the adequacy of State laws under the Occupational Safety and Health Act of 1970.

(b) Hearings to collect or review wage data upon which to base minimum wage rates determined under various laws, such as the Davis-Bacon Act (40 U.S.C. 276a) and related statutes and the Service Contract Act of 1965 (41 U.S.C. 353, as amended by Public Law 92-473 approved October 9, 1972).

(c) Hearings under section 4(c) of the Service Contract Act of 1965 (41 U.S.C. 353, subsection (c) added by Public Law 92-473 approved October 9, 1972) to determine if negotiated rates are substantially at variance with those which prevail in the locality for services of a character similar.

(d) Hearings before the Wage Appeals Board (Parts 1, 3, 5, and 7 of this chapter).

(e) Hearings held at the request of a Federal agency to resolve disputes under the Davis-Bacon and related Acts, involving prevailing wage rates or proper classification which involve significant sums of money, large groups of employees or novel or unusual situations.

(f) Hearings of special industry committees held pursuant to the Fair Labor Standards Act, as amended (29 U.S.C. 201 et seq.) for the purpose of recommending minimum wage rates to be paid in Puerto Rico, the Virgin Islands, and American Samoa.

(g) Hearings pursuant to section 13 (a) of the Welfare and Pension Plans Disclosure Act (29 U.S.C. 308d) to determine whether a bond in excess of $500,000 may be prescribed.

(h) Hearings where the Department is requesting information needed for its administrative use in determining what our position should be (e.g., our hearings on the 4-day, 40-hour workweek).

§ 2.13 Audiovisual coverage prohibited.

The Department shall not permit audiovisual coverage of the following types of hearings if any party objects:

(a) Hearings to determine whether applications for individual variances should be issued under the Occupational Safety and Health Act of 1970.

(b) Hearings (both formal and informal) involving alleged violations of various laws such as the Davis-Bacon Act (40 U.S.C. 276a et seq.) and related Acts, the Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.), the Service Contract Act (41 U.S.C. 351 et seq.), the Walsh Healey Act (41 U.S.C. 35 et seq.), under section 41 of the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 941 et seq.), the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.), and any informal hearings or conferences under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) which are not within the jurisdiction of the Occupational Safety and Health Commission.

(c) Adversary hearings under the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) and related Acts, which determine an employee's right to compensation.

(d) Hearings which determine an employee's right to compensation under the Federal Employees' Compensation Act (5 U.S.C. 8101 et seq.).

§ 2.14 Proceedings in which the Department balances conflicting values.

In proceedings not covered by §§ 2.12 and 2.13, the Department should determine whether the public's right to know outbalances the individual's right to privacy. When audiovisual coverage is restricted or excluded, the record shall state fully the reasons for such restriction or exclusion. For example, there would be included in this category hearings before the Board of Contract Appeals involving appeals from contracting officer decisions involving claims for extra costs for extra work, extra costs for delay in completion caused by the Government or for changes in the work, conformity hearings arising under State unemployment insurance laws, etc.

§ 2.15 Protection of witnesses.

A witness has the right, prior to or during his testimony, to exclude audiovisual coverage of his testimony in any hearing being covered audiovisually.

§ 2.16 Conduct of hearings.

The presiding officer at each hearing which is audiovisually covered is authorized to take any steps he deems necessary to preserve the dignity of the hearing or prevent its disruption by persons setting up or using equipment needed for its audiovisual coverage.

[FR Doc.73-3929 Filed 3-1-73;8:45 am]

Title 32—National Defense

CHAPTER VII—DEPARTMENT OF THE AIR FORCE

SUBCHAPTER C—PUBLIC RELATIONS

PART 823—INDIVIDUALS AND ORGANIZATIONS

Authorized Commissary Store Privileges

Part 823, Subchapter C of Chapter VII of Title 32 of the Code of Federal Regulations is revised to read as follows:

Sec.
823.1 Purpose.
823.2 Definitions.
823.3 List of patrons.
823.4 Identification of patrons.

AUTHORITY: 10 U.S.C. 8012.

§ 823.1 Purpose.

This part lists the individuals, organizations and activities entitled to commissary store privileges, except in foreign countries where prohibited by treaty or other international agreements, and sets forth instructions regarding the identification of authorized patrons.

§ 823.2 Definitions.

As used throughout this part, the following terms shall have the meanings set forth in paragraphs (a) through (o) of this section.

(a) *Military department.* The Department of the Army, the Department of the Navy, the Department of the Air Force, and the Marine Corps.

(b) *Armed Services.* The terms "Armed Services" and "Services" means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

(c) *Uniformed Services.* The term "Uniformed Services", unless otherwise qualified, means the Army, Navy, Air Force, Marine Corps, Coast Guard, Commissioned Officers of the National Oceanic and Atmospheric Administration and Public Health Service.

(d) *United States.* The fifty (50) States and the District of Columbia.

(e) *Continental United States.* The term "Continental United States (CONUS)" means the forty-eight (48) States and the District of Columbia.

(f) *Commissary store.* Army Commissary Store, Navy Commissary Store, Air Force Commissary Store, and Marine Corps Commissary Store.

(g) *Uniformed personnel.* Members of the Army, Navy, Air Force, Marine Corps, Coast Guard; Cadets and Midshipmen of the U.S. Army, Navy, Air Force, and Coast Guard Academies, commissioned officers of the National Oceanic and Atmospheric Administration; commissioned officers of the Public Health Service, and members of the Reserve components as defined in paragraph (h) of this section, on extended active duty or undertaking active duty for training in excess of 72 hours.

(h) *Reserve components.* The Army National Guard and Air National Guard of the United States; the Army Reserve, the Naval Reserve, the Air Force Reserve, the Marine Corps Reserve, the Coast Guard Reserve, and Reserve Officers of the Public Health Service.

(i) *Dependents.* (1) A lawful wife.

(2) A lawful husband who resides in the same household as the sponsor.

(3) Children who are under 21 years of age and unmarried and who are either legitimate, adopted children, stepchildren, or wards and who are in fact dependent for over half of their support from the sponsor and who reside full time in the same household as the sponsor.

(4) Children who are 21 years of age or over and unmarried and who are in fact dependent for over half their support from the sponsor and who reside full time in the same household as the sponsor and who are either legitimate or are adopted children, stepchildren or wards and who are (i) incapable of self-support because of a mental or physical handicap or (ii) have not passed their 23d birthday and are enrolled in a full time course of study at an approved institute of higher learning.

(5) Parents, including father, mother, father-in-law, mother-in-law, stepparent and parent by adoption who are in fact dependent for over half of their support from the sponsor and who reside full time in the same household as the sponsor.

(j) *Surviving spouse.* Widow or widower who have not remarried (or if remarried have reverted through divorce or the demise of the spouse to an unmarried status), of the following:

(1) Member of the Regular Army, Navy, Air Force, Marine Corps, and Coast Guard.

(2) Retired personnel of the Army, Navy, Air Force, Marine Corps, and Coast Guard as defined in paragraph (k) of this section.

(3) Nonregular personnel of the Army, Navy, Air Force, and Marine Corps entitled to disability benefits pursuant to 10 U.S.C. 3687, 6148, and 8687.

(4) Members of the Army of the United States, Air Force of the United States, inductees of the U.S. Navy, and inductees of the U.S. Marine Corps who died in line of duty while on active duty.

(5) Members of the Reserve components who died in line of duty while on active duty, including active duty for training and inactive duty training, such as drills.

(6) Personnel of all Reserve components retired with pay pursuant to 10 U.S.C. Chapters 67, 367, 571, and 867.

(7) Members of the Fleet Reserve and Fleet Marine Corps Reserve.

(8) Personnel of the emergency officers' retired lists of the Army, Navy, Air Force, and Marine Corps who have been retired pursuant to section II, Act of September 2, 1958, Public Law 85–857.

(9) Active duty and retired officers and crews of vessels, light keepers, and depot keepers of the former lighthouse service.

(10) One hundred percent service-connected disabled veterans.

(11) Active duty and retired commissioned officers of the Public Health Service.

(12) Retired commissioned officers, ship officers, and members of the crews of vessels of the Coast and Geodetic Survey (33 U.S.C. 868a).

(13) Retired commissioned officers of the Environmental Science Services Administration.

(14) Active duty and retired commissioned officers of the National Oceanic and Atmospheric Administration.

(k) *Retired personnel.* (1) All personnel carried on the official retired lists of the uniformed services as defined in paragraph (c) of this section, who are retired with pay or granted retirement pay for physical disability.

(2) All members of the Reserve components as defined in paragraph (h) of this section, retired with pay or granted retirement pay for physical disability pursuant to 10 U.S.C. Chapter 61 and 10 U.S.C. 3687, 6148, and 8687.

(3) Personnel of the Reserve components retired with pay or granted retirement pay pursuant to 10 U.S.C. 1331, 3911, 6323, and 8911.

(4) Personnel of the emergency officers' retired list of the Army, Navy, Air Force, and Marine Corps who were retired pursuant to section II, Act of September 2, 1958, Public Law 85–857.

(5) Retired officers and crews of vessels, light keepers, and depot keepers of the former lighthouse service (33 U.S.C. 754a).

(6) Retired commissioned officers, ship officers, and members of the crews of vessels of the Coast and Geodetic Survey.

(7) Retired commissioned officers of the Environmental Science Services Administration.

(l) *Civilian employees of the Coast Guard.* Former officers or employees of the lighthouse service, who as such on June 30, 1939 were serving as officers or crew on lighthouse service vessels, light keepers, or depot keepers in the lighthouse service, and are now civilian employees of the Coast Guard serving as lighthouse keepers or on board lightships or other Coast Guard vessels (33 U.S.C. 754a).

(m) *Agents.* In the case of individual patrons, an "agent" is defined as a member of a household maintained by or for an authorized commissary store patron who has designated such individuals to act in his/her behalf. In addition, an agent must qualify as a dependent, as defined in paragraph (i) of this section. In extreme hardship cases and when no adult dependent member is capable of shopping, due to sponsor being stationed away from his/her household or due to a physical disability or when the spouse is unable to shop due to sickness, temporary designation as agent of persons not meeting the dependent criteria may be made at the discretion of the Commanding Officer at the command level designated by the respective Military Department for periods not to exceed 1 year. Authorization may be extended in instances where hardship continues to exist. In the case of organization or activities, an agent is defined as a representative designated by the person responsible therefor.

(n) *Extended active duty.* Full time duty in the active military service of the United States, entered into with the original expectation of serving for an indefinite or stated period of time, other than active duty for training.

(o) *Active duty for training.* Full-time duty in the active military service of the United States for training purposes. The full-time training or other full-time duty performed by members of the Army National Guard and the Air National Guard of the United States while in their status as members of the Army National Guard or Air National Guard of the several States, territories, or the District of Columbia, pursuant to law, for which they are entitled to receive pay from the United States, shall be considered active duty for training in the service of the United States as members of the Reserve components of the Armed Forces. Commissary privileges are authorized such members when on active duty for training, providing such period of active duty for training is in excess of seventy-two (72) hours.

§ 823.3 List of patrons.

Commissary store privileges are authorized for the classes of individuals, organizations, and activities set forth below.

(a) *Uniformed personnel.* All uniformed personnel, as defined in § 823.2(g).

(b) *Retired personnel.* All retired personnel, as defined in § 823.2(k).

(c) *Fleet Reserve personnel.* Enlisted personnel transferred to the Fleet Reserve of the Navy and the Fleet Marine Corps Reserve, after sixteen (16) or more years of active service. (These personnel are equivalent to Army and Air Force retired enlisted personnel.)

(d) *Surviving spouse.* Surviving spouse as defined in § 823.2(j).

(e) *Armed Services personnel of foreign nations.* Officers and enlisted personnel of the Armed Services of foreign nations as follows:

(1) When on duty with U.S. Armed Services under competent orders issued by the U.S. Army, Navy, Air Force, or Marine Corps.

(2) Officers and crews of naval vessels of friendly nations visiting U.S. ports where commissary stores are located (quantities shall be limited to the immediate needs of the purchaser).

(3) In overseas areas when determined by the major overseas commander or commandant that the granting of such privileges is in the best interests of the United States and such persons are connected with, or their activities related to the performance of functions of the U.S. military establishment.

(4) Excluded are officers and enlisted personnel of foreign nations, retired or on leave in the United States or when attending U.S. schools, but not under orders issued by the U.S. Army, Navy, Air Force, or Marine Corps.

(f) *Official organizations and activities of the Armed Forces.* Official organizations and other resale activities of the U.S. Armed Services, except concessionaires, which are operated for uniformed personnel on active duty.

(g) *Government departments or agencies outside the Department of Defense.* Government departments or agencies outside the Department of Defense when supplies can be furnished without unduly impairing the service to commissary store patrons and when the local commanding officer determines that the desired supplies cannot be conveniently obtained from civilian agencies.

(h) *Hospitalized veterans.* Honorably discharged veterans of the Uniformed Services of the United States, including Coast Guard when hospitalized where commissary store facilities are available. (Does not include honorably discharged veterans receiving out-patient treatment.) (10 U.S.C. 4621e, 7603, and 9621e.)

(i) *Totally disabled veterans.* Honorably discharged veterans of the Uniformed Services of the United States with a one hundred percent (100 percent) service-connected physical disability. Each disabled veteran authorized these privileges shall be permitted to designate one agent for the purpose of making purchases in his/her behalf.

(j) *Civilian officers and employees of the U.S. Government stationed outside of the United States.* Under the direction of the overseas commander or the commandant, privileges may be extended to civilian officers and employees of the U.S. Government and to such other persons as may be specifically authorized by the Secretary of the Military Department concerned.

(k) *Civilian officers and employees of the Armed Services within the United States.* Privileges may be extended to civilian officers, including contract surgeons and employees of the Armed Services and to other persons when specifically authorized by the Secretary of the Department concerned and when it is impracticable for the said civilian officers and employees and other persons to procure such commissary store supplies from civilian agencies without impairing the efficient operations of the installation. Privileges will not be extended to civilian officers and employees of the Armed Services and other persons who do not reside within the military installation. The term "military installation" is defined as the installation at which the civilian officers, employees or other persons reside. Privileges will not include the purchase of tobacco products in these States, including the District of Columbia, which impose a tax on such products.

(l) *American National Red Cross personnel stationed outside the United States.* Privileges may be extended to all uniformed and nonuniformed, full time, paid professional and headquarters staff personnel and uniformed, full time, paid secretarial and clerical workers of the Red Cross, who are assigned to duty with the Armed Services by the Red Cross. Extension of such privileges will be determined by the major overseas commander or commandant upon the capability and without detriment to his ability to fulfill his military mission.

(m) *American National Red Cross personnel stationed within the United States.* Privileges may be extended to all uniformed and nonuniformed, full time, paid professional and headquarters staff personnel of the Red Cross who are assigned to duty with the armed services by the Red Cross and who reside within the military installation as defined in paragraph (k) of this section.

(n) *Retired personnel of the former Lighthouse Service.* Retired officers and crews of vessels of the former Lighthouse Service and retired light keepers and depot keepers of the former Lighthouse Service.

(o) *Civilian employees of the Coast Guard.* Civilian employees of the Coast Guard as defined in § 823.2(l).

(p) *Retired civilian employees of the Coast Guard.* Retired civilian employees of the Coast Guard who on June 30, 1939, were serving as officers or crew on Lighthouse Service vessels, light keepers or depot keepers of the former Lighthouse Service and who after June 30, 1939, and at the time of retirement were civilian employees of the Coast Guard serving as lighthousekeepers or on board lightships or other Coast Guard vessels.

(q) *United Service Organization including Young Men's Christian Association.* At installations where Young Men's Christian Association buildings have been constructed pursuant to 10 U.S.C. 4778, the duly appointed secretaries of the Young Men's Christian Association, when serving at the installation, will be permitted to purchase subsistence supplies as are necessary for use in connection with official activities. Where it is within the capability as determined by the major overseas commander or commandant and without detriment to his ability to fulfill his military mission, commissary store privileges may be extended to United Service Organization and its member agencies clubs to purchase subsistence supplies for use in such club snackbars. For the purpose of this paragraph "overseas area" is defined as concerning all areas other than the United States, Puerto Rico, and Guam.

(r) *United States nongovernmental, nonmilitary agencies, and individuals in overseas commands.* Commissary store support may be authorized in overseas commands by the Secretary of the Military Department concerned, on a reimbursable basis, when such agencies and individuals are serving the U.S. Forces exclusively and when it has been determined that the granting of the privilege would be in the best interest of the United States and failure to grant such privileges would impair the efficient operation of the U.S. military establishment.

(s) *Agents.* Under regulations prescribed by the Military Department each authorized patron shall be permitted to designate his/her spouse and other dependent member(s) as defined in § 823.2 (l) who are entitled to DD Form 1173 (Uniformed Services Identification and Privilege Card) as his/her agent(s) for the purpose of making purchases on his/her behalf. If the designated agent(s) of the authorized member is incapable of shopping at the commissary store, temporary designation of an additional agent of persons not authorized above, may be made at the discretion of the local commanding officer. Authorization format will be such as to permit positive identification and will be effective for a period as determined by the Military Departments but not to exceed 1 year in duration. Authorization periods may be extended in instances where hardship continues to exist as determined by the local commanding officer. Individuals currently authorized to make purchases in their own right, or their authorized agent(s), may under circumstances as outlined above, also purchase subsistance supplies for authorized commissary patrons.

(t) *Recipients of the Medal of Honor.*

§ 823.4 Identification of patrons.

(a) *Positive identification required.* Any individual who seeks to make a purchase from a commissary store shall be positively identified as an authorized patron prior to entering or prior to consummation of sale. U.S. Armed Services personnel, on active duty, for periods in excess of seventy-two (72) hours, who present themselves in the prescribed military uniform may be identified thereby when in the judgment of the Military Commander concerned, such

procedure is justified. The prescribed identification of nonuniformed patrons shall be carefully checked to insure that each individual is entitled to the privileges which he/she seeks.

(b) *Types of identification required.* Subject to the instructions contained in paragraph (c) of this section, authorized patrons of commissary stores shall be identified by the complete regulation uniform, by an official Armed Services identification card, by an official Uniformed Services identification and privilege card, by an official identification card issued by the service of which the patron is a member or as prescribed in § 823.3(a) or paragraph (d) of this section. All identification media shall bear the signature of the person to whom issued.

(c) *Identification procedures.* Except for personnel in complete regulation uniform, commissary stores will accept the identification cards as referred to in paragraph (b) of this section, as proper identification for the following: Uniformed personnel as defined in § 823.2(g); dependents as defined in § 823.2(i); surviving spouse as defined in § 823.2(j); retired personnel as defined in § 823.2(k); civilian employees of the Coast Guard as defined in § 823.2(l); and agents as defined in § 823.2(m). In addition to the identification cards referred to in paragraph (b) of this section, members of the Reserve components will be identified subject to instructions contained in paragraph (d) of this section.

(d) *Reserve components identification procedures.* Members of the Reserve components, as defined in § 823.2(h), who are ordered to active duty, as defined in § 823.2(o), for periods in excess of seventy-two (72) hours will be required to produce competent orders indicating their training status to include length of such training. In lieu of identification cards eligible dependents of Reserve component members will be identified as follows: By a letter of authorization or endorsement on individual orders authenticated by the Reserve unit commander or receiving unit commander and containing name, rank, social security number or service number of sponsor, beginning and ending dates of sponsor's tour of duty, name of individual dependent(s) and relationship to sponsor, designation of commissary store agent privileges, and signature of dependent.

By order of the Secretary of the Air Force.

JOHN W. FAHRNEY,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.73-3874 Filed 3-1-73;8:45 am]

Title 43—Public Lands: Interior

SUBTITLE A—OFFICE OF THE SECRETARY

PART 17—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE DEPARTMENT OF THE INTERIOR—EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Miscellaneous Amendments

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301 and 42 U.S.C. 2000d–1, Part 17, Title 43 of the Code of Federal Regulations is amended as follows:

Wherever the term "on the grounds of race, color, or national origin" appears in this part, it is changed to read "on the grounds of race, color, sex, or national origin."

It is the policy of the Department of the Interior to allow time for interested parties to take part in the rulemaking process. However, this amendment broadens the field where specific discriminatory actions are prohibited, it is considered in the best interests of the public to make this amendment effective immediately. Therefore, the public rulemaking process is waived and this amendment will become effective March 2, 1973.

CHARLES G. EMLEY,
Deputy Assistant Secretary of the Interior.

FEBRUARY 22, 1973.

[FR Doc.73-3836 Filed 3-1-73;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19629; FCC 73-211]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments; Stone Harbor-Avalon-Cape May Court House, N.J.

Report and order. In the matter of amendment of § 73.202(b), *table of assignments,* FM Broadcast Stations. (Stone Harbor-Avalon-Cape May Court House, N.J.), Docket No. 19629, RM–1903.

1. The Commission here considers the notice of proposed rule making in this docket, adopted November 8, 1972 (37 FR 24368) proposing amendment of the FM Table of Assignments (§ 73.202(b) of the Commission's rules) on the basis of the petition of Ronald L. Oberholtzer (Oberholtzer) who proposed assignment of Channel 232A to Stone Harbor-Avalon-Cape May Court House, N.J.

2. The issues more or less are those set forth in the notice. We had raised the question whether a hyphenated assignment should be made to the three communities as proposed with a total population of 5,435, all located in Cape May County, population 59,554,[1] especially when the assignment of an FM channel to one of the communities would permit anybody to apply for use at either of the other two communities under the "10-mile" provision in § 73.203(b) of the Commission's rules. The petitioner pertinently noted that this proposal was a "drop-in" assignment in a seashore area in the southern part of the State of New Jersey. He relied on the fact that none of the communities had any means of local expression either in terms of a daily or weekly newspaper or broadcast facility and that the 1970 Census population did not properly reflect the population during the summer tourist season. The petition was opposed by Salt-Tee Radio, Inc. (Salt-Tee), the licensee of Station WSLT–FM, Channel 292A, Ocean City, N.J. Salt-Tee's opposition was based on economic injury grounds, which the petitioner took issue with in reply comments on the ground that such arguments were nominal and speculative. We noted that the petitioner's view more or less accorded with our view as to the meaning of FCC v. Sanders Bros. Radio Station, 309 U.S. 470 (1940), as concerns FM channel rule makings. Filing comments and/or reply comments were the petitioner; Salt-Tee; Cape Christian Broadcasters, Inc., licensee of Station WRIO–FM, Channel 272A, Cape May, N.J. (Cape Christian); and Jersey Cape Broadcasting Corp., licensee of Station WCMC–FM, Channel 264, Wildwood, N.J. (Jersey Cape). The latter three opposed the proposal.

3. Oberholtzer primarily relies on the contentions set forth in the petition for rule making which he incorporates by reference. As to the question of hyphenated assignment, however, Oberholtzer states that, while he intends to render primary service to all three communities, he now requests assignment of Channel 232A to Avalon, N.J., population 1,283.

4. Salt-Tee in its comments incorporates by reference its previous opposition to the petition. It makes an additional argument about a hyphenated assignment, but this has become moot. Salt-Tee also says that, if the Commission analyzes each community independently, it would determine that an assignment is not warranted.

5. The objections of Cape Christian are based on the proximity of Station WRIO–FM to the communities which Oberholtzer intends to serve, and its dependence on audience and revenues from those communities. Cape Christian also argues about the moot hyphenated assignment. Moreover, Cape Christian states that a prerequisite for assignment

[1] All population figures are from the 1970 Census.

of a channel is a showing of a real need for service which is lacking here, since, in addition to Station WRIO–FM at Cape May, there are stations licensed or proposed for Ocean City-Somers Point, N.J. (WSLT–AM/FM), and Wildwood, N.J. (Stations WCMC AM/FM/TV), serving the area and, despite Oberholtzer's claim, there are newspapers serving the area. According to Cape Christian, these include the Herald, a weekly with offices in Cape May Court House; the Seven-Mile Beach Reporter (covering Stone Harbor, Cape May Court House, Avalon and Sea Isle City) with offices at Sea Isle City and North Wildwood; and two Philadelphia newspapers—the Philadelphia Inquirer and Evening Bulletin—have special sections for Cape May County. Cape Christian points out that Stations WSLT, WCMC, and WRIO–FM, especially the latter, serve the entire area. Strong reliance is placed on the Commission's decision adding Channel 260 to Ocean City, Md., in Docket No. 19316, 35 FCC 2d 473, 474–5 (1972). Cape Christian also agrees with Salt-Tee's contention in opposition to the petition that there is no reason on the basis of the Commission's consideration of the adequacy of service of the area in the second report and order in Docket No. 17495, as concerns the assignment of an FM channel to Canton, N.J., 11 R.R. 2d 1676 (1967), to assign another channel. In this respect, Cape Christian says that population and other factors have not changed in the interim.

6. Jersey Cape, in its comments opposing the proposal, urges that its Station WCMC–FM at Wildwood is approximately 10 miles south of the area petitioner wishes to serve and another station would have a severe impact on other radio broadcast stations in the area because of the sparse population except during tourist season. Jersey Cape maintains that a station in the Stone Harbor-Avalon-Cape May Courthouse area would deprive it of advertising revenue by drawing on that from Wildwood, the city of its assignment. It also states that the area is well served by existing stations and that another FM station in this sparsely populated area would have severe economic impact on all radio broadcast stations, the fact which Station WCMC–FM has called to the Commission's attention in connection with license renewal in 1969 and 1972.

7. Oberholtzer filed reply comments and a supplement thereto. As concerns Salt-Tee's opposition, he indicates compliance with the Commission's Policy to Govern Requests for Additional FM Assignments, 9 R.R. 2d 1245 (1967), in making an appropriate preclusion study and showing that there is a demand for a station at Avalon. As to Cape Christian's opposition, the petitioner contends that service to the Stone Harbor-Avalon-Cape May Courthouse area from WCMC–AM and FM, and WRIO–FM is "marginal." Oberholtzer also disputes that these communities are adequately served by the four newspapers referred to by Cape Christian. With regard to the economic injury argument, specifically that portion of Cape Christian's contention that an additional FM station in the area would "fractionalize the base available to support those stations currently licensed to the area." Oberholtzer relies on that portion of the report and order in Docket No. 19491, adopted December 20, 1972 (FCC 72–1174; —— FCC 2d ——), dealing with Morro Bay, Calif., to the effect that the Commission has a long-established policy of considering questions of possible undesirable economic competition only in connection with objections raised when a specific application has been filed. Oberholtzer points to the Ocean City case, 35 FCC 2d 473, 474–5, as authority for the proposition that allocation of additional FM assignments might be made to a community not entitled to it under population criteria but because of needs during summer tourist season. Oberholtzer takes issue with Cape Christian's reliance on the Canton, N.J., case for the proposition that the Commission concluded that the area in question was adequately served; Oberholtzer states that not only is the case 5 years old but the Commission neither referred to the area in question specifically nor did the Commission conclude that the area was adequately served.

8. The Morro Bay case merely is a reiteration of our views expressed in the notice for which we had cited the Sanders case. We also agree with petitioner's reading of the Ocean City, Md., and Canton, N.J., cases.

9. In view of the foregoing, we believe that the public interest, convenience, and necessity would be served by assigning Channel 232A to Avalon. In this respect, we reiterate the view expressed in Docket No. 19413 that FM channel assignments should not be denied if not able to be assigned elsewhere, 37 FCC 2d 54, 55 (1972). Our decision is based on the facts and policies discussed, and the mandate of section 307(b) of the Communications Act of 1934, as amended. Authority for the action taken herein is contained in sections 4 (i) and (j), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended. Acordingly, the FM Table of Assignments (§ 73.202(b) of the Rules), is amended, effective April 6, 1973, by adding the following:

City	Channel No.
Avalon, N.J.	232A

10. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: February 21, 1973.

Released: February 26, 1973.

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

[FR Doc.73-3922 Filed 3-1-73;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Definition of "Occupant"; Deletion

This notice deletes the definition of "Occupant" from the general definitions applicable to the Federal motor vehicle standards.

At present, "Occupant" is defined in § 571.3 *Definitions* (applicable to all standards), as "a person or manikin seated in the vehicle, and, unless otherwise specified in an individual standard, having the dimensions and weight of the 95th percentile adult male." However, where the word "Occupant" is used in this chapter, the weight has generally been specified if it is a necessary part of the requirement. Thus, the definition is superfluous. Moreover, in instances where the use of a weight other than that of a 95th percentile male is assumed, the definition could be misleading.

Since this amendment is clarifying and interpretative in nature, and does not affect any requirements, notice and public procedure thereon are found to be unnecessary.

Accordingly, 49 CFR 571.3(b) is hereby amended by deleting the definition of "Occupant."

Effective date: April 1, 1973.

(Secs. 103, 119, Public Law 89–563, 80 Stat. 718, 15 U.S.C. 1392, 1407; delegation of authority at 49 CFR 1.51)

Issued on February 23, 1973.

DOUGLAS W. TOMS,
Administrator.

[FR Doc.73-3963 Filed 3-1-73;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Rev. S. O. 1110; Amdt. 5]

PART 1033—CAR SERVICE

Penn Central Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 21st day of February 1973.

Upon further consideration of Revised Service Order No. 1110 (37 FR 19616, 22871, 23236; 38 FR 878 and 3333), and good cause appearing therefor:

It is ordered, That:

§ 1033.1110 *Revised Service Order No. 1110* (Penn Central Transportation Co., George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees, required to restore service at the Buttonwood (Wilkes-Barre), Pa., Gateway and to reroute traffic originally routed via that gateway) be, and it is hereby, amended by substituting the following paragraphs (a) and (e) for paragraphs (a) and (e) thereof:

(a) The Penn Central Transportation Co., George P. Baker, Richard C.

Bond, and Jervis Langdon, Jr., Trustees (Penn Central) be, and it is hereby, ordered to restore service via its Buttonwood (Wilkes-Barre), Pa., gateway on or before March 31, 1973.

(e) It is further ordered, That this order shall become effective at 11:59 p.m., September 15, 1972, and, as to paragraph (b) of this section, shall expire at 11:59 p.m., March 31, 1973, unless sooner vacated by order of this Commission upon restoration of service through the Buttonwood (Wilkes-Barre) Gateway.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the 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 notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-3721 Filed 3-1-73;8:45 am]

[S.O. 1111; Amdt. 5]

PART 1033—CAR SERVICE

Delaware and Hudson Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 21st day of February 1973.

Upon further consideration of Service Order No. 1111 (37 FR 19617, 22872, 25237; 38 FR 878 and 3332), and good cause appearing therefor:

It is ordered, That:

Section 1033.1111 *Service Order No. 1111* (Delaware and Hudson Railway Co. authorized to operate over tracks of Erie Lackawanna Railway Co. Thomas F. Patton and Ralph S. Tyler, Jr., Trustees) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., March 31, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., February 28, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That a copy of this amendment shall be served upon the 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 notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-3920 Filed 3-1-73;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 33—SPORT FISHING

Red Rock Lakes National Wildlife Refuge, Mont.

The following special regulation is issued and is effective March 2, 1973.

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

MONTANA

RED ROCK LAKES NATIONAL WILDLIFE REFUGE

Sport fishing is permitted as posted from June 16 through November 30, 1973. All areas open to fishing are delineated on a map available at refuge headquarters, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 West Sixth Avenue, Denver, CO 80215. Areas closed the entire year include Upper and Lower Red Rock Lakes, Rivermarsh and Shambow Pond.

Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) Boats with motors are prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1973.

E. D. STROOPS, *Refuge Manager, Red Rock Lakes National Wildlife Refuge, Lima, Mont.*

JANUARY 31, 1973.

[FR Doc.73-3947 Filed 3-1-73;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 1—FEDERAL PROCUREMENT REGULATIONS

[Temporary Reg. 27, supplement 3]

PART 1-3—PROCUREMENT BY NEGOTIATION

Cost Accounting Standards; Extension of Time

Revision of regulations pursuant to Public Law 91-379 as implemented by the Cost Accounting Standards Board.

1. *Purpose.* This regulation modifies the termination date of an exemption prescribed by Supplement 2 to FPR Temporary Regulation 27 dated October 31, 1972 (37 FR 23544, Nov. 4, 1972), with respect to negotiated nondefense contracts.

2. *Effective date.* This regulation is effective on March 1, 1973.

3. *Expiration date.* This regulation expires at the end of the day on March 30, 1973.

4. *Background.* FPR Temporary Regulation 27 implements the rules and regulations of the Cost Accounting Standards Board (CASB) with respect to negotiated defense contracts. It also extends the application of the Board's rules to negotiated nondefense contracts. Supplement 2 to that regulation, which was dated October 31, 1972, prescribed several exemptions applicable to defense and nondefense contracts .

5. *Change of effective date.* The exemption prescribed in paragraph 5(2)(g) of Supplement 2 to FPR Temporary Regulation 27 is extended an additional 30 days through March 30, 1973.

ARTHUR F. SAMPSON, *Acting Aministrator of General Services.*

FEBRUARY 28, 1973.

[FR Doc.73-4202 Filed 3-1-73;10:57 am]

CHAPTER 4—DEPARTMENT OF AGRICULTURE

PROCUREMENT

Research Agreements With Educational Institutions

This amendment involves matters relating to agency management and contracting and while not subject by law to the notice and public procedure requirements for rule making under 5 U.S.C. 553 is subject to the Secretary's statement of policy (36 FR 13804). The amendment corrects or clarifies existing policy and embodies already existing Government-wide policy established by the Office of Management and Budget. No useful purpose would be served by public participation, and it is found upon good cause, in accordance with the Secretary's policy statement, that notice and other public procedures with respect to the amendment are impracticable and unnecessary.

(5 U.S.C. 301)

PART 4-3—PROCUREMENT BY NEGOTIATION

1. The table of contents for Part 4-3 is amended by adding the following:

§ 4-3.5104-1	Allowable costs.
§ 4-3.5104-2	Cost sharing.
§ 4-3.5104-3	Advance payments.
§ 4-3.5111	Protection of human subjects of research.

2. Section 4-3.5101 is revised as follows:

§ 4-3.5101 Definitions.

As used throughout this subpart, the following terms shall have the meanings set forth below:

(a) *Agency.* Any of the several agencies of the Department of Agriculture.

(b) *Authorized departmental officer.* Any person authorized to sign research agreements with educational institutions on behalf of his agency, or his properly designated representative.

(c) *Cost sharing.* Participation by the educational institution in the cost of conducting the program.

(d) *Department.* The U.S. Department of Agriculture.

(e) *General purpose equipment.* Nonexpendable property which is usable for activities other than activities directly related to the research, such as office equipment and furnishings, air conditioning, reproduction or printing equipment, motor vehicles, etc.

(f) *Educational institution.* The educational institution with which the research agreement is made. An educational institution (1) has a faculty, (2) offers courses of instruction, (3) is authorized to award a degree or certificate upon completion of a specific course of study.

(g) *Nonexpendable property.* Property which (1) costs $200 or more, (2) is complete in itself, (3) does not lose its identity or become a component part of another when put into use, and (4) is of a durable nature with an expected service life of over 1 year.

(h) *Research agreement.* A written agreement and amendments thereto between an agency and an educational institution to perform basic or applied research. Research agreements will be documented on the following types of instruments, as appropriate: (Form AD–451 shall be used as a cover sheet; Form AD–452, General Provisions, is incorporated in Form AD–451 by reference.)

(1) *Contract.* Agreement for work to be performed by one party for the other for consideration. When a contract is the award instrument used, the following factors will generally be present:

(i) Initiative should be with the agency that wishes a specific task to be performed.

(ii) The task should be capable of being specified in detail.

(iii) The purpose is to purchase a specific service or end product.

(iv) The contract may specify the manner of performance or timing of the work.

(2) *Grant.* Agreement which provides for an agency to furnish money, property, or materials to an institution to be used in connection with research programs. When a grant is the award instrument used, the following factors will generally be present:

(i) Initiative generally comes from the grantee.

(ii) The grantee should have substantial freedom to pursue its stated purpose.

(iii) The agency purpose should be to aid or support.

(iv) The agency does not, generally, need to specify the manner of performance or timing of the work.

(3) *Cooperative arrangement.* An agreement which provides for mutual undertaking by the agency and the institution to perform research. When a cooperative arrangement (agreement) is the award instrument used, the following factors will generally be present:

(i) The agency and the institution cooperate in the project and are mutually interested in the objective.

(ii) There should be mutual and shared responsibility in planning and conducting the project.

(iii) There should be contributions by all parties.

3. Section 4–3.5102, is amended by adding the following text after the heading, Authorities:

§ 4–3.5102 Authorities.

The authorities to provide financial assistance to educational institutions utilizing contracts, grants, or cooperative arrangements as the award instrument are as follows.

4. Section 4–3.5103, is amended by adding the following text after the heading, Policy:

§ 4–3.5103 Policy.

Unless otherwise specified by law, the definitions of contract, grant, and cooperative agreement (see § 4–3.5101(h) (1), (2), and (3)) shall be used to select the appropriate instrument. In addition, the following policies apply:

* * * * *

5. Section 4–3.5104 is revised as follows:

§ 4–3.5104 Cost reimbursement policy.

§ 4–3.5104–1 Allowable costs.

The cost principles of OMB Circular A–21 (revised) shall be used to determine allowability of costs. In addition, when cooperative arrangements are used as the award instrument, the research agreement shall provide for reimbursement of the agreed-upon portion of the allowable costs incurred. It shall be specific as to the contribution by either party of funds, personnel, supplies, equipment, space, or other things of value to the undertaking. Reimbursement may be provided for through either an advance of funds which will be liquidated by the allowable costs incurred, or by reimbursement after the costs are incurred.

§ 4–3.5104–2 Cost sharing.

When cost sharing is required, the cost sharing guidelines of OMB Circular A–100 shall be used.

§ 4–3.5104–3 Advance payments.

In view of the nonprofit position of educational institutions, and the stated Government objective of strengthening the research capabilities of those institutions, advance payments shall be made in reasonable amounts on research agreements, whether under contract, grant, or cooperative arrangement authorities, whenever practical and authorized by law. Advance shall be made in accordance with the Treasury Fiscal Requirements Manual, Part VI, Chapter 1000. Advance should be limited to the minimum necessary to meet the institution's cash needs. Ordinarily advances by Treasury check will be made monthly but may be made less frequently whenever the cash need is small.

6. Section 4–3.5105(d) is revised as follows:

§ 4–3.5105 Negotiation procedures.

* * * * *

(d) *Indirect cost rates.* In accordance with OMB Circular A–88, the negotiation of indirect costs of an educational institution and the auditing thereof, shall be assigned to one Federal agency (normally the Department of Health, Education, and Welfare) by an interagency coordinating committee. The negotiated indirect cost rates established by the assigned Federal agency shall be accepted by agencies of the Department and applied to contracts, grants, and cooperative agreements. Any agency which has reason to believe that special operating factors affecting its contracts, grants, or cooperative arrangements necessitate separate rates will, prior to the time the agreement is negotiated, notify the cognizant audit agency, the educational institution, and the cognizant negotiation agency so that appropriate attention may be devoted to them, in which case separate indirect cost rates may be established. The Department of Health, Education, and Welfare brochure entitled, "A Guide for Colleges and Universities—Cost Principles and Procedures for Establishing Indirect Cost Rates for Grants and Contracts with the Department of Health, Education, and Welfare," OASC–1, shall be used as a guide by institutions preparing indirect cost proposals for research agreements with this Department. This brochure is available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

7. The first sentence of § 4–3.5110 is amended as follows:

§ 4–3.5110 Changes in methodology, objectives or phenomena.

(a) In accordance with OMB Circular A–101, the principal investigator shall be permitted to change the methods and procedures employed in performing the research without approval of the authorized departmental officer unless the methods and procedures employed are stated as specific objectives of the research work, in which case, paragraph (b) of this section applies. * * *

8. Subpart 4–3.51 is amended by adding a new section as follows:

§ 4–3.5111 Protection of human subjects of research.

(a) *Policy.* Safeguarding the rights and welfare of people used as subjects in research projects conducted by the Department or supported by the Department is a responsibility of the Department agency conducting the research and the institution responsible for projects conducted with funds made available through the Department. Such research must protect the rights and

welfare of the subjects, must assure that risks do not outweigh either potential benefits to the subjects or the expected value of the knowledge sought, and must assure each person the right of adequate and appropriate informed consent. In all research projects covered by this policy, selection of persons or groups for study shall be made without regard to sex, race, color, religion, or national origin unless these characteristics are factors to be studied. Any investigator planning a project that includes these characteristics as factors for classification must outline his plans and the justification for them clearly in his project statement and must obtain written approval of such plans from the authorized departmental officer of the responsible agency before initiating research. Appropriate documentation should be kept when research includes members of minority groups selected as subjects of study because of their minority status.

(b) *Applicability.* The applicability of this policy is more obvious in medical and biological science research involving procedures that may be potentially harmful to persons used as subjects of study. It applies also to economic, social, and behavioral research that may involve varying degrees of discomfort, irritation, or harassment of persons or groups and to research in which rights of privacy of persons must be safeguarded by confidentiality of information obtained and by proper use of findings.

(c) *Review and approval.* To protect the safety and welfare of people who are subjects of research and to protect the researcher and his institution against liability when human subjects are involved in a study, each proposed project supported by USDA funds must be approved by the authorized departmental officer having responsibility for the research. The approval of the authorized departmental officer shall be based upon recommendations of a committee named by him. The committee may include scientists other than the principal investigator, lay consultants, and legal advisors as deemed appropriate by the authorized departmental officer. Documentation of the project must include the results of such review and recommendations of the reviewing committee.

(d) *Consistency with other policies.* This policy is consistent with recommendations of the Agricultural Research Policy Advisory Committee. Also, it is deemed to be consistent with existing policy of the U.S. Department of Health, Education, and Welfare, Public Health Service, as expressed in DHEW Grants Administration Manual, Chapter 1-40, "Protection of Human Subjects." Institutions that are in compliance with HEW rules will be in conformance with the USDA policy. If an institution receiving research funds from the USDA has applied to the Department of Health, Education, and Welfare for a research grant or contract involving human subjects and is in compliance with the rules set out in the Department of Health, Education, and Welfare Grants Administration Manual, Chapter 1-40, then that institution will be deemed to have met USDA requirements. In cases where no HEW funds are involved, the appropriate USDA agency will require institutions to meet the requirements set out in the DHEW Grants Administration Manual.

(e) *Responsibility for assuring compliance with this policy.* It is the responsibility of the Cooperative State Research Service (CSRS) to ascertain such compliance with respect to institutions receiving funds through that agency and the responsibility of other Department agencies making grants for research to institutions not receiving funds through CSRS to ascertain such compliance on the part of these institutions.

PART 4-7—CLAUSES

9. The table of contents of Part 4-7 is amended as follows:

§ 4-7.5101-22 Changes.
§ 4-7.5101-23 Protection of human subjects of research.

10. Section 4-7.5101 is revised as follows:

§ 4-7.5101 Clauses.

The clauses set forth in this § 4-7.5101 shall be incorporated in all research agreements. These clauses are included in Form AD-452, General Provisions, which is incorporated by reference in Research Agreement Form AD-451. See § 4-3.5106.

11. Section 4-7.5101-1 is revised as follows:

§ 4-7.5101-1 Definitions.

The following terms shall have the meanings set forth below:

(a) *Agency.* Any of the several agencies of the Department of Agriculture.

(b) *Authorized departmental officer.* Any person authorized to sign research agreements with educational institutions on behalf of his agency, or his properly designated representative.

(c) *Cost sharing.* Participation by the educational institution in the cost of conducting the program.

(d) *Department.* The U.S. Department of Agriculture.

(e) *General purpose equipment.* Nonexpendable property which is usable for activities other than activities directly related to the research, such as office equipment and furnishings, air conditioning, reproduction or printing equipment, motor vehicles, etc.

(f) *Educational institution.* The educational institution with which the research agreement is made. An educational institution (1) has a faculty, (2) offers courses of instruction, (3) is authorized to award a degree or certificate upon completion of a specific course of study.

(g) *Nonexpendable property.* Property which (1) costs $200 or more, (2) is complete in itself, (3) does not lose its identity or become a component part of another when put into use, and (4) is of durable nature with an expected service life of over 1 year.

(h) *Research agreemnt.* A written agreement and amendments thereto between an agency and an educational institution to perform basic or applied research. Research agreements will be documented on the following types of instruments, as appropriate: (Form AD-451 shall be used as a cover sheet; Form AD-452, General Provisions, is incorporated in Form AD-451 by reference).

(1) *Contract.* Agreement for work to be performed by one party for the other for consideration. When a contract is the award instrument used, the following factors will generally be present:

(i) Initiative should be with the agency that wishes a specific task to be performed.

(ii) The task should be capable of being specified in detail.

(iii) The purpose is to purchase a specific service or end product.

(iv) The contract may specify the manner of performance or timing of the work.

(2) *Grant.* Agreement which provides for an agency to furnish money, property, or materials to an institution to be used in connection with research programs. When a grant is the award instrument used, the following factors will generally be present:

(i) Initiative generally comes from the grantee.

(ii) The grantee should have substantial freedom to pursue its stated purpose.

(iii) The agency purpose should be to aid or support.

(iv) The agency does not, generally, need to specify the manner of performance or timing of the work.

(3) *Cooperative arrangement.* An agreement which provides for mutual undertaking by the agency and the institution to perform research. When a cooperative arrangement (agreement) is the award instrument used, the following factors will generally be present:

(i) The agency and the institution cooperate in the project and are mutually interested in the objective.

(ii) There should be mutual and shared responsibility in planning and conducting the project.

(iii) There should be contributions by all parties.

12. Section 4-7.5101-6 is revised as follows:

§ 4-7.5101-6 Travel.

Surface travel or less than first-class air accommodations shall be used where and when available for travel charged to this research agreement.

13. Section 4-7.5101-11 is amended by revising paragraph (a) as follows:

§ 4-7.5101-11 Estimated costs.

* * * * *

(a) Except as may be otherwise specifically provided in this agreement, the determination of allowable costs shall be in accordance with OMB Circular A-21 (revised).

* * * * *

14. Section 4-7.5101-18 is amended by revising paragraph (d) as follows:

§ 4–7.5101–18 Termination for convenience of the Government.

* * * * *

(d) Any determination of costs under paragraph (c) shall be governed by the cost principles set forth in OMB Circular A–21 (revised).

* * * * *

15. Section 4–7.5101–21 is revised as follows:

§ 4–7.5101–21 Disputes.

(a) Except as otherwise provided in this research agreement any dispute concerning a question of fact arising under this research agreement, not disposed of by agreement, shall be decided by the authorized departmental officer, who shall reduce his decision to writing and furnish a signed copy to the institution. Such decision shall be final and conclusive unless, within 30 days from the date or receipt thereof the institution mails or otherwise furnishes to the authorized departmental officer a written appeal, addressed to the Secretary of Agriculture. The institution shall be afforded an opportunity to be heard and to offer evidence. The decision of the Secretary or his duly authorized representative for the determination of such appeals, shall be final and conclusive unless fraudulent, or capricious, or arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. Pending final decision of a dispute hereunder, the institution shall proceed diligently with the performance of the research agreement and in accordance with the authorized departmental officer's decision.

(b) This "Disputes" clause does not preclude consideration of law questions in connection with decisions provided for in paragraph (a) of this section: *Provided*, That nothing in this agreement shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

16. Subpart 4–7.51 is amended by adding a new section as follows:

§ 4–7.5101–22 Changes.

The authorized departmental officer may at any time, by a written order, make changes in the specifications within the general scope of this research agreement. If any such change causes an increase or decrease in the cost of, or the time required for, the performance of any part of the work under this research agreement, an equitable adjustment shall be made in the price or time of performance, or both, and the research agreement shall be modified accordingly. Any claim by the educational institution for adjustment under this clause must be asserted within 30 days from the date of receipt by the educational institution of the notification of change. Failure to agree to any adjustment shall be a dispute concerning a question of fact within the meaning of the clause of this research agreement entitled "Disputes." However, nothing in this clause shall excuse the educational institution from proceeding with the research agreement as changed.

17. Subpart 4–7.51 is amended by adding a new section as follows:

§ 4–7.5101–23 Protection of human subjects of research.

(a) Protection of human subjects of research: Safeguarding the rights and welfare of people used as subjects in research projects conducted by the Department or supported by the Department is a responsibility of the USDA agency conducting the research and the institution responsible for projects conducted with funds made available through the Department. Such research must protect the rights and welfare of the subjects, must assure that risks do not outweigh either potential benefits to the subjects or the expected value of the knowledge sought, and must assure each person the right of adequate and appropriate informed consent.

(b) In all research projects covered by this policy, selection of persons or groups for study shall be made without regard to sex, race, color, religion, or national origin unless these characteristics are factors to be studied. Any investigator planning a project that includes these characteristics as factors for classification must outline his plans and the justification for them clearly in his project statement and must obtain written approval of such plans from the authorized departmental officer of the responsible agency before initiating research. Appropriate documentation should be kept when research includes members of minority groups selected as subjects of study because of their minority status.

PART 4–15—CONTRACT COST PRINCIPLES AND PROCEDURES

18. The title of Subpart 4–15.3 is amended by substituting the term "Agreements" for the term "Contracts."

19. The table of contents of Subpart 4–15.3 is revised as follows:

§ 4–15.301 Policy.

20. Subpart 4–15.3 is revised as follows:

§ 4–15.301 Policy.

The cost principles of OMB Circular A–21 (revised) shall be used to determine allowability of costs. In addition, agencies shall comply with the cost reimbursement policy of § 4–3.5104 whenever applicable.

Effective date. March 2, 1973.

Done at Washington, D.C., this 23d day of February 1973.

T. M. BALDAUF,
Director of Plant and Operations.

[FR Doc.73–3926 Filed 3–1–73;8:45 am]

Proposed Rule Making

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1103]

MILK IN THE MISSISSIPPI MARKETING AREA

Notice of Proposed Termination of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of the order regulating the handling of milk in the Mississippi marketing area is being considered to become effective May 1, 1973.

A public hearing on proposed amendments to the Mississippi milk order was held at Jackson, Miss., on December 11, 1972, pursuant to notice thereof issued on November 15, 1972 (37 FR 24760). On February 16, 1973 (38 FR 4773), the Deputy Assistant Secretary issued a final decision on the issues considered at the hearing. The decision concluded that the provisions of the proposed amended order would tend to effectuate the declared policy of the Act.

The February 16, 1973, decision issued by the Deputy Assistant Secretary included a determination that December 1972 would be the representative period for the ascertainment of producer approval or disapproval of the amended order. More than one-third of the producers have indicated that they disapprove the issuance of the amended order. It is hereby found and determined that less than two-thirds of the producers of milk in the representative period favor issuance of the amended order. Therefore, notice is hereby given of the proposed termination of Order No. 103, regulating the handling of milk in the Mississippi marketing area.

All persons who desire to submit written data, views, or arguments in connection with the proposed termination should file the same with the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than March 12, 1973. All documents filed should be in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Signed at Washington, D.C., on February 27, 1973.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc.73-4024 Filed 3-1-73;8:45 am]

Animal and Plant Health Inspection Service

[9 CFR Part 92]

IMPORTATION OF COMMERCIAL BIRDS

Quarantine Facilities and Handling Procedures; Extension of Comment Period

On January 26, 1973, there were published in the FEDERAL REGISTER (38 FR 2463–2464) proposed amendments of the regulations in 9 CFR Part 92 which would allow the importation of commercial birds under specified conditions, including a requirement of quarantine in facilities approved by an inspector of Veterinary Services and a requirement that the birds be handled during quarantine in accordance with procedures prescribed by the Deputy Administrator, Veterinary Services. A period of 30 days was allowed by the notice for submission of comments by interested persons concerning such amendments. This period is hereby extended to include April 2, 1973, pursuant to section 2 of the Act of February 2, 1903, as amended, and sections 2, 3, 4, and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 134a, 134b, 134c, and 134f). Further notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that pursuant to said authorities, the Department of Agriculture is considering issuing the following regulations to prescribe facilities, standards, and handling procedures to implement such proposed amendments.

Accordingly, it is proposed to amend § 92.11 of the regulations (9 CFR 92.11) by adding a new paragraph (f) to read:

§ 92.11 **Quarantine requirements.**

* * * * *

(f) *Standards for approved quarantine facilities and handling procedures for importation of birds.* To qualify for designation as an approved quarantine facility[6] and to retain such approval, the facility and its maintenance and operation must meet the minimum requirements of paragraph (f)(1) through (6) of this section. The cost of the facility and all costs associated with the maintenance and operation of such facility shall be borne by the importer.

(1) *Supervision of the facility.* The facility shall be maintained under the supervision of the Department port veterinarian at one of the ports listed in § 92.8(b) of this chapter.

(2) *Physical plant requirements.* The facility shall comply with the following requirements:

(i) *Location.* The quarantine facility shall be located:

(*a*) Within the immediate area of the port of entry to curtail to a minimum the possibility of introduction and dissemination of poultry diseases by the imported birds, while in transit from the point of entry to the quarantine facility;

(*b*) At least one-half mile from any concentration of avian species, such as, but not limited to, poultry processing plants, poultry or bird farms, pigeon lofts, or other approved quarantine facilities. Factors such as prevailing winds, possible exposure to poultry or birds moving in local traffic, etc., shall be taken into consideration. If the quarantine facility consists of multiple units for handling separate lots of birds, the individual units shall be located at least one-half mile from each other with separate personnel working as handlers in each unit.

(ii) *Construction.* The unit or units making up the quarantine facility shall each consist of a building or buildings which shall:

(*a*) Be constructed only with materials that can withstand continued cleaning and disinfection. (All solid walls, floors, and ceilings shall be constructed of impervious material; all screening shall be metal; all openings to the outside shall be double screened.);

(*b*) Have a bird holding area of sufficient size to prevent overcrowding of the birds in quarantine. (All access into this holding area shall be from within the building and each entryway into such area shall be equipped with self-closing, double doors: *Provided,* That emergency exits to the outside may exist in the bird holding area if required by local fire ordinances. Such emergency exits shall be constructed so as to permit their opening from the inside of the facility only.);

(*c*) Have a ventilation capacity sufficient to control moisture and odor at levels that are not injurious to the health of the birds in quarantine;

(*d*) Have a vermin-proof feed storage area;

(*e*) Have office space for recordkeeping;

(*f*) Have a separate necropsy room which shall have refrigerated storage space for carcasses retained for laboratory examination and facilities adequate for specimen preparation and carcass disposal;

(*g*) Have a separate area for washing facility equipment;

(*h*) Have a shower at the entrance into the area comprised of the bird holding and necropsy rooms and a clothes storage and change area at each end of the shower area;

(*i*) Have a storage area for equipment necessary for quarantine operations;

[6] Information as to the identity of such facilities may be obtained from the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(*j*) Have equipment necessary to maintain the facility in a clean and sanitary condition, including insect and pest control equipment;

(*k*) Have a receptacle for soiled and contaminated clothing in the clothes change area located nearest the entrance to the bird holding area.

(iii) *Sanitation and security.* Arrangements shall exist for:

(*a*) A supply of water adequate to meet all watering and cleaning needs.

(*b*) Disposal of wastes by incineration or a public sewer system which meets all applicable environmental quality control standards;

(*c*) Control of surface drainage onto or from the facility to prevent any disease agent from entering or escaping;

(*d*) Protective clothing and footwear adequate to insure that workers at the facility have clean clothing and footwear at the start of each workday and at any time such articles become soiled or contaminated;

(*e*) Power cleaning and disinfecting equipment with adequate capacity to disinfect the facility and equipment;

(*f*) Sufficient stocks of a disinfectant listed in § 71.10(a)(5) of this chapter;

(*g*) A security system which prevents contact of birds in quarantine with persons not authorized entry to the facility and with other birds and animals. Such a system shall include a daily log to record the entry and exit of all persons entering the facility and controls at all doorways and other openings to the facility to prevent escape or accidental entry of birds.

(3) *Operational procedures.* To retain designation as an approved quarantine facility, the following procedures shall be observed at the facility at all times.

(i) *Personnel.* Access to the facility shall be granted only to persons working at the facility or to persons specifically granted such access by the Department port veterinarian.

(*a*) All personnel granted access to the bird holding area shall:

(*1*) Wear clean protective clothing and footwear upon entering the bird holding area;

(*2*) Change protective clothing and footwear when they become soiled or contaminated;

(*3*) Shower when entering or leaving the bird holding and necropsy areas.

(*b*) The operator of the facility shall handle soiled clothing worn within the quarantine unit in a manner which precludes transmission of a poultry disease agent from the facility.

(ii) *Handling of the birds in quarantine.* The birds shall be kept in the quarantine facility for a minimum of 30 days and while in quarantine shall be handled in compliance with the following requirements:

(*a*) Each lot of birds to be quarantined shall be placed in the facility on an "all-in, all-out" basis. No birds shall be taken out of the lot while it is in quarantine except for diagnostic purposes and if additional birds are added to a lot, the total quarantine period for that lot shall be extended so that all birds will have completed at least 30 consecutive days of quarantine before release for entry into the commerce of the United States. The guarantine period may be extended as provided in paragraph (e) of this section;

(*b*) The birds shall not be vaccinated prior to release from the guarantine;

(*c*) Birds of the psittacine family shall receive treatment as a precautionary measure against ornithosis (psittacosis), in accordance with the guidelines of U.S. Public Health Service; [3]

(*d*) The facility operator shall immediately collect all birds which die in quarantine and hold them under refrigeration, within the facility, shall account for all birds in the shipment, and shall not dispose of any carcass or parts thereof unless authorized to do so by a Veterinary Medical Officer of Veterinary Services of the Department. Birds that die en route to the United States or while in quarantine shall be made available at the port of entry for necropsy by a Department poultry diagnostician who shall submit specimens from such birds for laboratory examination.

(*e*) During the period of quarantine, the birds may be subjected to such tests and procedures as are required in specific cases by the Deputy Administrator, Veterinary Services, to determine whether the birds are free from communicable diseases of poultry. Such procedures may include requiring that sentinel birds be placed in the facility to detect the presence of exotic Newcastle disease. Such sentinel birds shall be provided by the importer from a source approved by the Deputy Administrator as adequate to supply birds meeting the requirements of Part 90 of this chapter. If frank or clinical Newcastle disease occurs among any commercial or sentinel birds in quarantine, all birds in the facility shall be destroyed and the entire facility shall be thoroughly cleaned and then disinfected as directed under the supervision of a Veterinary Services inspector.

(*f*) The quarantine facility from which a lot of birds has been released shall be thoroughly cleaned and disinfected with a disinfectant listed in § 71.10(a)(5) of this chapter, under supervision of a Veterinary Services inspector before a new lot is placed in the facility.

(iii) *Records.* It shall be the responsibility of the operator of the facility to maintain a current daily log for each lot of birds, recording such information as the general condition of the birds each day, source of origin of the birds in the lot, total number of birds in the lot when imported, number of dead birds when lot arrived, date lot was placed into the facility, number of deaths each day in the lot during the quarantine period, necropsy results, and laboratory findings on birds that died during the quarantine, date of prescribed tests and results, Department import permit numbers for each lot, date lot was removed from the facility, and any other observations pertinent to the general health of the birds in the lot. The daily log shall be made available to Veterinary Services personnel upon request.

(4) Additional requirements as to location, security, physical plant and facilities, sanitation, and other items may be imposed by the Deputy Administrator, Veterinary Services, in each specific case in order to assure that the quarantine of the birds in such facility will be adequate to enable determination of their health status, prevent spread of disease among birds in quarantine, and prevent escape of poultry disease agents from the facility.

(5) Plans for proposed facilities shall be submitted to the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Federal Center Building, Hyattsville, Md. 20782.

(6) Before a decision is made with respect to the eligibility of any facility for initial approval, a personal inspection of the facility shall be made by a Veterinary Medical Officer of Veterinary Services, to determine whether it complies with the standards outlined in this section. Approval of any facility may be refused and approval of any approved quarantine facility may be withdrawn at any time by the Deputy Administrator, Veterinary Services, upon his determination that any requirement of this section is not being met. Before such action is taken, the operator of the facility will be informed of the reasons for the proposed action and afforded opportunity to present his views thereon.

(7) Requirements of other Federal laws and regulations, such as the Department's Animal Welfare Regulations in Subchapter A of this chapter may also apply to the quarantine facilities.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments set forth above or in the January 26, 1973, notice may do so by filing them with the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Hyattsville, Md. 20782, not later than April 2, 1973.

Any person who wishes to submit views orally on such amendments should immediately communicate with said Deputy Administrator if he has not already requested an opportunity to present his views orally, so that arrangements may be made for such presentation prior to said date. A summary will be made of views orally presented and will be furnished to the person presenting such views for his approval or correction.

All written submissions and a summary of oral views approved by each person making an oral submission, pursuant to this notice will be made available for public inspection at the Federal Center Building, 6505 Belcrest Road, Room 370, Hyattsville, MD 20782, during

[3] Such guidelines may be obtained from the Director, Center for Disease Control, U.S. Public Health Service, Atlanta, Ga. 30333 or the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250.

regular business hours in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 27th day of February 1973.

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

[FR Doc.73-4022 Filed 3-1-73;8:45 am]

Forest Service

[36 CFR Part 295]

USE OF OFF-ROAD VEHICLES

Regulations for National Forest System Lands

Notice is hereby given that it is proposed to issue a new Part 295 to Chapter II of Title 36, Code of Federal Regulations, as set forth herein. This Part 295 deals with the designation of specific areas and trails of National Forest System lands on which the use of off-road vehicles shall be allowed, restricted, or prohibited. Regulations for administration, control, and restrictions of other uses of roads and trails are in Part 212 of this title. Recreation regulations now appearing in Part 251 are being redesignated as Parts 290 through 295 by a document (73-3703) that will appear in the March 5, 1973 edition of the FEDERAL REGISTER.

Sec.
295.1 Applicability.
295.2 Definitions.
295.3 Planning designation of areas and trails.
295.4 Public participation.
295.5 Public information.
295.6 Operating conditions. [Reserved]
295.7 Restricted and prohibited use.
295.8 Off-road vehicle permit.
295.9 Monitoring effects of off-road vehicle use.

AUTHORITY: 30 Stat. 35, as amended; 16 U.S.C. 551; 50 Stat. 525, as amended; 7 U.S.C. 1011; 83 Stat. 852; E.O. 11644.

§ 295.1 Applicability.

The regulations in this part pertain to administrative designation of the specific areas and trails of National Forest System lands on which the use of off-road vehicles shall be allowed, restricted, or prohibited and establishing controls governing the use of off-road vehicles on such areas. The use of off-road vehicles in National Forest Wilderness and Primitive Areas is governed by §§ 293.1 through 293.17 of this title.

§ 295.2 Definitions.

(a) "Off-road vehicles" means any motorized vehicles designed for or capable of travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other terrain; except that such term excludes (1) any registered motorboat, (2) any military, fire, or law enforcement vehicle when used for emergency purposes, and (3) any vehicle whose use is expressly authorized by the Chief, Forest Service, under a permit, lease, license, or contract.

(b) "National Forest System lands" means National Forests, National Grasslands, and other lands and interests in lands administered by the Forest Service.

(c) "Official use" means an employee, agent, or designated representative of the Forest Service or one of its contractors in the course of his employment, agency, or representation.

§ 295.3 Planning designation of areas and trails.

On National Forest System lands the continuing resource planning process will provide for designation of specific areas and trails for off-road vehicle use, use restrictions, and closures to any or all types of such use. The planning process will analyze and evaluate alternatives to enable decisions which best balance protection of the resources, promotion of safety for all users, minimization of use conflicts, and accomplishment of all of the other resource objectives for National Forest System lands. Analysis and evaluation of off-road vehicle uses will take into consideration factors such as noise, safety, quality of the various recreational experiences provided, potential impacts on soil, watersheds, vegetation, fish, wildlife, fish, and wildlife habitat, and existing or proposed recreational uses of the same or neighboring lands.

§ 295.4 Public participation.

The public shall be provided an opportunity to participate in the designation of areas and trails relating to off-road vehicle use. Advance notice will be given to allow review by the public of proposed designations or revisions of designations of any areas or trails for off-road vehicle use, for restrictions, or for closures to such use. Time will be allowed for public response prior to any designations or revisions.

§ 295.5 Public information.

Areas and trails where off-road vehicle use is restricted or prohibited shall be marked with appropriate signs. Notices of restrictions or notices of the closure shall be posted so as to reasonably bring them to the attention of the public, and a copy of the restriction order or closure order shall be kept available to the public in the Offices of the District Rangers and Forest Supervisors. Information and maps will be published and distributed describing the conditions of use and the time periods when areas and trails are: (a) Open to off-road vehicle use, (b) restricted to certain types of off-road vehicle uses, (c) closed to off-road vehicle uses.

§ 295.6 Operating conditions. [Reserved]

§ 295.7 Restricted and prohibited use.

Except as provided in § 295.8 of this part, and except for use in connection with mining activities under the provisions of the General Mining Act of 1872, the use of off-road vehicles is prohibited in areas and trails on National Forest System lands during any period when such areas and trails have been closed to vehicles or certain types of vehicles pursuant to these regulations.

§ 295.8 Off-Road vehicle permit.

Use of off-road vehicles on National Forest System lands where the use of off-road vehicles is prohibited may be allowed for official use or with prior authorization by means of an Off-Road Vehicle permit. Off-Road Vehicle permits may be issued by the Chief, Forest Service, and such permits will be for a specific area, conditions-of-use, and a definite period of time. Off-Road Vehicle permits shall be revocable for violation of the rules and regulations governing the National Forests.

§ 295.9 Monitoring effects of off-road vehicle use.

The effects of off-road vehicle use will be monitored. Designations, use restrictions and operating conditions will be revised as needed to meet changing conditions and needs.

All persons who wish to submit written data, views, or objections pertaining to the proposed amendment may do so by submitting them to the Department of Agriculture, Forest Service, Division of Recreation, South Agriculture Building, Washington, D.C. 20250, on or before April 2, 1973.

All written submissions made pursuant to this notice will be available for public inspection in the Division of Recreation during regular business hours. (7 CFR 1.27(b))

T. K. COWDEN,
Assistant Secretary of Agriculture.

FEBRUARY 28, 1973.

[FR Doc.73-4116 Filed 3-1-73;8:45 am]

Rural Electrification Administration

[7 CFR Part 1701]

RURAL TELEPHONE FACILITIES

Specifications for Two-Wire Voice Frequency Repeater Equipment

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to issue REA Bulletin 345-69 to announce a new REA Specification PE-29 for two-wire voice frequency repeater equipment. On issuance of REA Bulletin 345-69, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the new specification may submit written data, views, or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before April 2, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division, during regular business hours.

A copy of the new REA Specification PE-29 may be secured in person or by

written request from the Director, Telephone Operations and Standards Division.

The text of REA Bulletin 345–69 announcing the issuance of the new specification is as follows:

REA BULLETIN 345–69

SUBJECT: REA SPECIFICATION FOR TWO-WIRE VOICE FREQUENCY REPEATER EQUIPMENT

I. *Purpose.* To announce a new REA Specification PE–29 for two-wire voice frequency repeater equipment.

II. *General.* This specification covers requirements for voice frequency repeaters used for the amplification of speech and other voice frequency signals transmitted over two-conducter physical circuits in telephone systems.

This specification becomes effective immediately upon issuance of this bulletin. Manufacturers of equipment now accepted in the REA program shall have a period of 6 months to comply in all respects with the new REA Specification PE–29.

III. *Availability of specification.* Copies of the new PE–29 will be furnished by REA upon request. Questions concerning the new specification may be referred to the Chief, Transmission Branch, Telephone Operations and Standards Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202—447–3917.

Dated: February 26, 1973.

E. F. RENSHAW,
Assistant Administrator—Telephone.

[FR Doc.73–3964 Filed 3–1–73;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1910]

OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Petitions To Revoke Standard Concerning the Design, Construction, Setting, and Feeding of Dies; Extension of Time for Comments

On January 26, 1973, a notice was published in the FEDERAL REGISTER (38 FR 2465) requesting information concerning two petitions for the revocation of paragraph (d) (1) and (2) of 29 CFR 1910.217. The standard concerns the design, construction, setting, and feeding of dies in such a way as to eliminate the need for the operator to place his hands within the point of operation. Interested persons were given until February 24, 1973, to submit written data, views, and arguments concerning the petitions.

On February 1, 1973, one of the petitioners requested an extension of the time allowed for submitting written comments. The petitioner bases its request on the fact that various employers and associations of employers have indicated that they will not be able to submit adequate responses within the time allowed. The petitioner states that an extensive examination on an individual corporate basis will have to be made with respect to each of the six particulars specified in the notice. Therefore, the petitioner requests that the time allowed for submitting written comments be extended to April 24, 1973, inclusive.

It appears from the petitioner's request that additional time is necessary for the submission of the information requested. Therefore, the time for the submission of written data, views, and arguments concerning the petitions to revoke paragraph (d) (1) and (2) of 29 CFR 1910.217 is hereby extended until April 24, 1973, inclusive.

Signed at Washington, D.C., this 23d day of February 1973.

CHAIN ROBBINS,
Acting Assistant Secretary of Labor.

[FR Doc.73–3938 Filed 3–1–73;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

[45 CFR Part 185]

EMERGENCY SCHOOL AID

Notice of Proposed Rule Making

Pursuant to the authority contained in the Emergency School Aid Act (Title VII of the Education Amendments of 1972, 86 Stat. 354, 20 U.S.C. 1601), the Assistant Secretary for Education, with the approval of the Secretary of Health, Education, and Welfare, hereby proposes to amend Part 185 of Title 45 of the Code of Federal Regulations by adding new subparts D, F, H, I, and J as set forth below.

The new subparts govern the award of grants to or contracts with local educational agencies and other public and private applicants under sections 706(a)(2), 709, 708(c), 711, 713, and 708(a) of the Emergency School Aid Act for programs, projects, and activities for which funds are not allotted among the States. The regulation governing State allotment programs under the Act was published in the FEDERAL REGISTER on February 6, 1973, as 45 CFR Part 185 (38 FR 3450).

The new subpart D sets forth proposed rules governing awards to local educational agencies for metropolitan area projects under sections 706(a)(2) and 709, including interdistrict transfers, areawide plans for elimination or reduction of minority group isolation, and planning and construction of integrated education parks.

The new subpart F would apply to awards under section 708(c) of the Act to local educational agencies and nonprofit private applicants for assistance in developing or implementing bilingual/bicultural educational programs designed to meet the special needs of children from environments where a dominant language is other than English.

Subpart H sets forth proposed rules for the awards under section 711 of the Act to public or nonprofit private applicants for integreted children's television programing which teaches concrete academic skills and encourages interracial and intercultural understanding.

The new subpart I covers contracts under section 713 of the Act to State educational agencies, institutions of higher education, or private applicants for evaluation of other programs, projects, or activities assisted under the Act.

Subpart J sets forth proposed rules for assistance under section 708(a) of the Act to State or local educational agencies or other public applicants for special projects which would assist in achieving the purposes of the Act, including special reading projects designed to improve the reading achievement of children in schools affected by a plan for desegregation or for the elimination, reduction, or prevention of minority group isolation.

The Assistant Secretary will make awards of assistance under subparts D, F, H, I, and J, on the basis of criteria set forth in this notice, to support activities by local educational agencies and other public and private applicants which conform to the requirements of part 185, as such part is proposed to be amended, and which promise to make substantial progress in achieving the purposes of the Act.

Federal financial assistance provided pursuant to the Emergency School Aid Act is subject to the regulation in 45 CFR part 80, issued by the Secretary of Health, Education, and Welfare and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d). Such assistance is also subject to the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. 1681).

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed regulation to Dr. Herman R. Goldberg, Associate Commissioner, Bureau of Equal Educational Opportunity, Room 2029, 400 Maryland Avenue SW., Washington, DC 20202, on or before March 22, 1973. Comments received in response to this notice will be available for public inspection at Room 2029, 400 Maryland Avenue SW., Washington, DC between 8 a.m. and 4:30 p.m., Monday through Friday.

Dated: February 8, 1973.

PETER P. MUIRHEAD,
Acting Assistant Secretary for Education.

Approved: February 27, 1973.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

PART 185—EMERGENCY SCHOOL AID

Subpart D—Metropolitan Area Projects

Sec.
185.31 Eligibility for assistance.
185.32 Authorized activities.
185.33 Applications.
185.34 Criteria for assistance (interdistrict transfers).
185.35 Criteria for assistance (area-wide plans).
185.36 Criteria for assistance (education parks).
185.37 Advisory committees.
185.38–185.40 [Reserved]

Subpart F—Bilingual Projects

Sec.
185.51 Eligibility for assistance.
185.52 Authorized activities.
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185.55 Program or project committees.
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185.57–185.60 [Reserved]

Subpart H—Educational Television

185.71 Eligibility for assistance.
185.72 Authorized activities.
185.73 Applications.
185.74 Criteria for assistance.
185.75 Advisory committees.
185.76 Limitations on eligibility.
185.77–185.80 [Reserved]

Subpart I—Evaluation

185.81 Eligibility for awards.
185.82 Authorized activities.
185.83 Applications.
185.84 Criteria for awards.
185.85 Limitations on eligibility.
185.86–185.90 [Reserved]

Subpart J—Special Projects

185.91 Eligibility for assistance.
185.92 Applications.
185.93 Criteria for assistance.
185.94 Community involvement.

AUTHORITY: Except as specifically noted below, the provisions of these subparts of Part 185 are issued under title VII of Public Law 92-318, 86 Stat. 354-371 (20 U.S.C. 1601-1619).

Subpart D—Metropolitan Area Projects

§ 185.31 Eligibility for assistance.

(a) *Interdistrict transfers.* (1) A local educational agency (i) which is located within a Standard Metropolitan Statistical Area, or which serves a school district adjacent to a school district which is located wholly within such an area, and (ii) whose total student enrollment includes a percentage of minority group members which is smaller than the percentage of minority group members enrolled as students in all schools of the local educational agencies within such an area, may apply for assistance, by grant or contract, from funds reserved pursuant to § 185.95(a), for the purpose of a joint arrangement with a cooperating local educational agency located within the same Standard Metropolitan Statistical Area (whose student enrollment includes a percentage of minority group members which is greater than the percentage of minority group members enrolled as students in all schools of the local educational agencies within such area) for the establishment or maintenance of one or more integrated schools.

(2) For purposes of this paragraph, an integrated school must have an enrollment in which (i) at least 40 percent of the children are from families whose income is higher than the median family income for the school district served by the applicant, the appropriate Standard Metropolitan Statistical Area (or the appropriate governmental unit for which such information is available), or the Nation, whichever is lowest, or (ii) at least 50 percent of the children currently score at or above the 60th percentile on a recognized standard reading achievement test, when compared either with students of a comparable age or grade level in the schools of the applicant or the appropriate Standard Metropolitan Statistical Area or with national norms, whichever is lowest, and (iii) the proportion of minority group children is at least 50 percent of the proportion of minority group children enrolled in all schools of the local educational agencies within the Standard Metropolitan Statistical Area. In no event should the minority group enrollment in any such school exceed 50 percent. For purposes of this paragraph, such a school must have a faculty in which the percentage of minority group teachers, supervisors, and administrators, taken together, is equal to or greater than the percentage of minority group members in the student body of such school.

(3) A joint arrangement assisted under this subpart shall consist of the enrollment in schools of the applicant of students residing in the district served by, or attending the schools of, the cooperating local educational agency. No such arrangement shall result in an increase in the degree of minority group isolation in any school operated by any local educational agency. Students so enrolled by the applicant shall be selected from those who, in the absence of such enrollment, would be enrolled in, or assigned to, a minority group isolated school, and shall be representative of the larger group from which they are selected.

(20 U.S.C. 1605(a)(2), 1608(a)(1), 1619(6); Senate Rept. No. 92-61, p. 16)

(b) *Area-wide plans.* (1) Two or more local educational agencies located within a Standard Metropolitan Statistical Area may apply for a grant from funds reserved pursuant to § 185.95(a) for the joint development of a plan to reduce and eliminate minority group isolation, to the maximum extent possible, in the public elementary and secondary schools in such area. Such a plan shall, at a minimum, provide that by a certain date (no later than July 1, 1983), the percentage of minority group children enrolled in each public elementary and secondary school in such area shall be at least 50 percent of the percentage of such children enrolled in all such schools in such area, and shall specify in detail the means by which such objective is to be achieved.

(2) No grant shall be made under this paragraph unless (i) two-thirds or more of the local educational agencies in a Standard Metropolitan Statistical Area have approved the application; (ii) the number of students in the schools of such agencies which have approved such application constitutes two-thirds or more of the students in all schools of the local educational agencies in such area; and (iii) at least one of the schools operated by a local educational agency in such area is a minority group isolated school.

(20 U.S.C. 1608(a)(2))

(c) *Education parks.* (1) One or more local educational agencies located within a Standard Metropolitan Stastistical Area may apply for a grant from funds reserved pursuant to § 185.95(a) to pay all or part of the cost of planning an integrated education park.

(2) For purposes of this paragraph, an integrated education park is a school, or cluster of schools located on a common site, (i) within a Standard Metropolitan Statistical Area; (ii) in which at least 5,000 students are regularly enrolled; (iii) providing secondary education as defined by the applicable State law; and (iv) with a student enrollment and faculty which conform to the requirements of paragraph (a)(2) of this section (except that in the case of an application pursuant to this paragraph by a single local educational agency, the proportion of minority group children enrolled in such an integrated education park shall be substantially the same as the proportion of minority group children enrolled in all schools of such agency).

(20 U.S.C. 1608(a)(3))

(d) *Agreements and approvals.* Applicants for assistance under this subpart shall provide assurances and information satisfactory to the Assistant Secretary establishing that a joint arrangement described in paragraph (a) of this section, the joint development of a plan described in paragraph (b) of this section, the required approvals of an application submitted pursuant to paragraph (b) of this section, or any other arrangement, agreement, or approval required pursuant to this subpart has been negotiated by or obtained from the appropriate local educational agency or agencies. Such required assurances or information may include:

(1) Signatures on applications for assistance under this subpart by authorized officials of such applicants or agencies;

(2) Copies of school board resolutions or other evidence of final official action approving and agreeing to carry out an arrangement or agreement or indicating an approval required pursuant to this subpart;

(3) In the case of interdistrict transfers to be undertaken upon the award of assistance pursuant to paragraph (a) of this section, evidence that notice of the intent to engage in such a transfer program upon the award of such assistance has been published in a newspaper of general circulation serving all affected school districts no later than 20 days prior to submission of an application for such assistance.

(20 U.S.C. 1608)

§ 185.32 Authorized activities.

(a) *Interdistrict transfers.* Assistance made available pursuant to § 185.31(a) is authorized to be used for any of the authorized activities described in § 185.12 (a) (1) through (11) when such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01. Such activities shall be directly related to, and necessary to, the establishment or maintenance of

one or more integrated schools as described in § 185.31(a). Assistance made available pursuant to § 185.31(a) is also authorized to be used to pay the net cost, if any, to the applicant of the enrollment and education in such schools of students who, prior to the award of assistance pursuant to § 185.31(a), were not residents of the school district served by the applicant and did not attend a school operated by the applicant.

(20 U.S.C. 1608(a)(1))

(b) *Area-wide plans.* Assistance made available pursuant to § 185.31(b) is authorized to be used for any activities reasonably necessary to the joint development of a plan described in § 185.31(b), when such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01. No funds made available pursuant to § 185.31(b) shall be used for any costs related to construction or to any repair or remodeling.

(20 U.S.C. 1608(a)(2))

(c) *Education parks.* Assistance made available pursuant to § 185.31(c) is authorized to be used for activities reasonably necessary to the planning of an education park as described in § 185.31(c), when such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01. Such activities may include demographic surveys, selection of construction sites, studies of academic achievement, development of educational specifications, and community and parental involvement. Funds awarded pursuant to § 185.31(c) shall not be used to pay any costs related to architectural services, construction, preparation of construction sites, or purchase of land.

(20 U.S.C. 1608(a)(3))

§ 185.33 Applications.

An applicant desiring to receive assistance under this subpart for any fiscal year shall submit to the Assistant Secretary an application therefor for that fiscal year, which application shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use the funds received under this subpart only for the activities set forth in § 185.32. Such application, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and the Assistant Secretary. Such application shall comply with the requirements of § 185.13 (a) through (n), except that in the case of applications for assistance under § 185.31 (b) and (c), such applications need not comply with § 185.13(h) (with respect to the statement of procedures described therein) or § 185.13(n).

(20 U.S.C. 1608(a) (2) and (3)).

§ 185.34 Criteria for assistance (interdistrict transfers).

(a) *Statistical criteria.* In approving applications for assistance pursuant to § 185.31(a), the Assistant Secretary shall apply the following statistical criteria (75 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group children enrolled in the schools of the local educational agency cooperating with the applicant for the fiscal year or years for which assistance is sought (30 points); and

(2) The net reduction in minority group isolation, in terms of the number of children affected, accomplished or to be accomplished by the interdistrict transfers to be assisted pursuant to § 185.31(a) (45 points). The "net reduction in minority group isolation," for purposes of this subparagraph, means the number of minority group children, weighted by their relative degree of isolation prior to such transfers, removed from minority group isolated schools as a result of such transfers.

(20 U.S.C. 1609(c) (1), (2), and (3))

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance pursuant to § 185.31(a) on the basis of the following criteria (30 points):

(1) *Statement of objectives (6 points).* (i) The degree to which the applicant sets out specific measurable objectives for its program, project, or activity, in relation to students normally enrolled in the schools of the applicant and those enrolled or to be enrolled as a result of the proposed transfers; and (ii) the degree to which (*a*) the program, project, or activity to be assisted promises realistically to achieve the objectives identified in the application, and (*b*) such program, project, or activity involves to the fullest extent practicable the total educational resources, both public and private, of the community to be served.

(2) *Activities (17 points)*—(i) *Project design (5 points).* The extent to which (*a*) the proposed program, project, or activity emphasizes individualized instruction and services; (*b*) students to be served are afforded an opportunity to contribute to, and suggest changes in, the proposed program, project, or activity; (*c*) the proposed program, project, or activity promotes interracial and intercultural understanding; and (*d*) the proposed program, project, or activity involves both students regularly enrolled in the affected school and those affected by the proposed interdistrict transfers;

(ii) *Staffing (3 points).* The extent to which the application (*a*) sets out an adequate staffing plan which includes provisions for making maximum use of present staff capabilities, and (*b*) provides for continuing training of staff in order to increase the effectiveness of the proposed program, project, or activity;

(iii) *Delivery of services (5 points).* The extent to which the application contains evidence that (*a*) arrangements have been made for participation of students affected by the proposed transfers in extracurricular and afterhours activities at the school to which they are transferred; (*b*) arrangements have been made for the participation of parents of such students in school-related activities; and (*c*) school-related activities affecting such students will be carried out in their home communities; and

(iv) *Parent and community involvement (4 points).* The extent to which the application (*a*) delineates specific opportunities for community and advisory committee participation in the development and implementation of the proposed program, project, or activity in addition to those required by § 185.37, and (*b*) includes evidence that such participation has been encouraged and has in fact occurred.

(3) *Resource management (3 points).* The extent to which the application contains evidence that (i) the amount of funds requested is of sufficient magnitude in relation to the number of participants to be served to give substantial promise of achieving the stated objectives; (ii) the costs of project components are reasonable in relation to the expected benefits; and (iii) the proposed project will be coordinated with existing efforts.

(4) *Evaluation (4 points).* The extent to which the application sets out a format for objective, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (i) a timetable for compilation of data for evaluation and a method of reviewing the program, project, or activity in the light of such data; (ii) a description of instruments to be used for evaluation of the proposed program, project, or activity (and of the method for validating such instruments where necessary), or a description of the procedure to be employed in selecting such instruments; and (iii) provisions for comparison of evaluation results with norms, control group performance, results of other programs, or other external standards.

(5) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the area of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1601(b), 1609(a)(11), 1609(c)(1), (2), (4), and (6))

(c) *Funding criteria.* In determining amounts to be awarded to applicants for assistance pursuant to § 185.31(a), the Assistant Secretary shall consider the additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed program, project, or activity, in relation to the amount of funds available for assistance under this subpart and the other applications pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the Act or this subpart, or which sets forth a program, project, or activity, of such insufficient promise for achieving the purposes of

the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award funds to applicants (whose applications meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section, and shall take steps to insure a distribution of awards among the several types of programs, projects, or activities authorized by this subpart. No more than 30 percent of the funds made available pursuant to § 185.31(a) (or § 185.31 (b) or (c)) shall be awarded to applicants in any one State, unless the Assistant Secretary determines that the applications for such awards in excess of such amount are of exceptional merit or promise.

§ 185.35 Criteria for assistance (area-wide plans).

(a) *Statistical criteria.* In approving applications for assistance pursuant to § 185.31(b), the Assistant Secretary shall apply the following statistical criteria (60 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group children enrolled in all schools of the local educational agencies in the affected standard metropolitan statistical area for the fiscal year or years for which assistance is sought (30 points); and

(2) The net reduction in minority group isolation, in terms of the number of children affected, to be accomplished by the areawide plan to be developed pursuant to § 185.31(b). The "net reduction in minority group isolation," for purposes of this subparagraph, means the weighted number of minority group children currently enrolled in minority group isolated schools in the standard metropolitan statistical area whose degree of isolation will be eliminated or reduced as a result of the plan to be developed.

(20 U.S.C. 1609(c)(1))

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance pursuant to § 185.31(b) on the basis of the following criteria (30 points):

(1) *Statement of objectives (6 points).* (i) The degree to which the applicant sets out specific measurable objectives for its program, project, or activity, in relation to the needs identified; and (ii) the degree to which (*a*) the program, project, or activity to be assisted promises realistically to result in the development and implementation of a plan as described in § 185.31(b), and (*b*) such program, project, or activity involves to the fullest extent practicable the total educational resources, both public and private, of the community to be served.

(2) *Activities (19 points)*—(i) *Project design (10 points).* The extent to which the application includes (*a*) plans for a comprehensive demographic study of the affected Standard Metropolitan Statistical Area, including projections of housing patterns; (*b*) provisions for participation of the appropriate housing authorities, zoning boards, regional planning organizations, and other such governmental and quasi-governmental agencies; (*c*) opportunities for students in the affected area to contribute to the development of the proposed plan; (*d*) provisions for improvement of educational services offered by local educational agencies affected by the proposed plan; and (*e*) a specific timetable for completion of various elements of the plan to be developed;

(ii) *Staffing (2 points).* The extent to which the application (*a*) sets out an adequate staffing plan which includes provisions for making maximum use of present staff capabilities, and (*b*) provides for participation by both minority and nonminority group staff members; and

(iii) *Parent and community involvement (7 points).* The extent to which the application (*a*) delineates specific opportunities for community and advisory committee participation in the development and implementation of the proposed program, project, or activity in addition to those required by § 185.37 and (*b*) includes evidence that such participation has been encouraged and has in fact occurred.

(3) *Resource management (2 points).* The extent to which the application contains evidence that (i) the amount of funds requested is of sufficient magnitude to give substantial promise of achieving the stated objectives; (ii) the proposed program, project, or activity will be coordinated with existing efforts; and (iii) existing facilities will be utilized after implementation of the plan to be developed.

(4) *Evaluation (3 points).* The extent to which the application sets out a format for measurement of success in attaining specific objectives and subobjectives.

(5) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1601(b), 1609(a)(11), 1609(c)(1), (4), and (6))

(c) *Funding criteria.* In determining amounts to be awarded for assistance pursuant to § 185.31(b), the Assistant Secretary shall apply the criteria set forth in § 185.34(c).

(20 U.S.C. 1609(c)(1)(C), 1609(c)(5))

§ 185.36 Criteria for assistance (education parks).

(a) *Statistical criteria.* In approving applications for assistance pursuant to § 185.31(c), the Assistant Secretary shall apply the following statistical criteria (65 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group secondary students enrolled in the schools of the applicant(s) for the fiscal year or years for which assistance is sought (30 points); and

(2) The estimated number and percentage of minority group secondary students currently enrolled in minority group isolated secondary schools of the applicant(s) which will be incorporated into the proposed education park (35 points).

(20 U.S.C. 1609(c)(1))

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance pursuant to § 185.31(c) on the basis of the following criteria (35 points).

(1) *Needs assessment (6 points).* The extent to which the application (i) provides for participation of parents, secondary students, and other members of the affected community in the identification of needs related to secondary education and the elimination, reduction, or prevention of minority group isolation; (ii) describes a variety of methods and instruments to be used for collection and evaluation or relevant and substantive data regarding such needs; and (iii) contains evidence that the assessment of needs to be carried out in connection with the proposed program, project, or activity will be coordinated with other planning activities conducted by the applicant(s).

(2) *Statement of objectives (5 points).* (i) The degree to which the application sets out specific measurable objectives for the proposed program, project, or activity, in relation to the needs identified; and

(ii) The degree to which (*a*) the program, project, or activity to be assisted promises realistically to address the needs identified in the application, and (*b*) such program, project, or activity involves to the fullest extent practicable the total educational resources, both public and private, of the community to be served.

(3) *Activities (17 points).* (i) Project design (6 points). The extent to which the application (*a*) describes a logical sequence of steps to be completed at specified intervals; (*b*) contains convincing evidence that the proposed education park will increase the educational options available to secondary school students; (*c*) provides for the participation of secdary students and teachers in designing the physical and educational aspects of the proposed education par; (*d*) proposes a logical combination of small educational units and centralized administration within the proposed education park; and (*e*) contains convincing evidence that the proposed education park will be constructed in an area which is equally accessible and convenient to minority and nonminority group secondary students;

(ii) *Staffing (5 points).* The extent to which the application (*a*) sets out an adequate staffing plan which includes provisions for making maximum use of

present staff capabilities, and (b) provides for participation by both minority and nonminority group staff members; and

(iii) *Parent and community involvement (7 points).* The extent to which the application (a) delineates specific opportunities for community and advisory committee participation in the development and implementation of the proposed program, project, or activity in addition to those required by § 185.37, and (b) includes evidence that such participation has ben encouraged and has in fact occurred.

(4) *Resource management (2 points).* The extent to which the application contains (i) evidence that the amount of funds requested is of sufficient magnitude to give substantial promise of achieving the stated objectives; (ii) evidence that the proposed program, project, or activity will be coordinated with existing efforts; and (iii) a description of how existing secondary school facilities will be utilized after establishment of the proposed education park.

(5) *Evaluation (5 points).* The extent to which the application sets out a format for measurement of success in attaining specific objectives and subobjectives.

(6) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1601(b), 1609(a)(ii), 1609(c) (1), (4), and (6))

(c) *Funding criteria.* In determining amounts to be awarded to applicants for assistance pursuant to § 185.31(c), the Assistant Secretary shall apply the criteria set forth in § 185.34(c). No more than one award shall be made pursuant to § 185.31(c) to local educational agencies making individual applications until at least one such award has been made to local educational agencies applying jointly, and the number of such awards to such agencies making individual applications shall not exceed the number of such awards to such agencies applying jointly, unless the joint applications pending before the Assistant Secretary do not meet the requirements of the Act or this subpart, or set forth programs, projects, or activities of such insufficient promise for achieving the purposes of the Act that their approval is not warranted.

(20 U.S.C. 1609(c)(1)(C), 1609(c)(5); Senate Rpt. No. 92-61, p. 17)

§ 185.37 Advisory committees.

(a) *Interdistrict transfers.* (1) Applicants for assistance under § 185.31(a) shall comply with the requirements of § 185.41 as to advisory committee participation and public hearings. For purposes of this paragraph, references in § 185.41 to "the community" or "communities to be served" shall be understood to refer to the areas in both the school district served by the applicant and that served by the cooperating local educational agency.

(2) For purposes of this paragraph, the reference in § 185.41(h) to a "school which will be affected by any program, project, or activity assisted under the Act" shall be understood to refer to the integrated schools established pursuant to § 185.31(a).

(3) Student advisory committees established pursuant to this paragraph, in addition to meeting the requirements of § 185.41(h), shall consist of equal numbers of students regularly enrolled in such schools and of students enrolled in such schools by virtue of the interdistrict transfers assisted under § 185.31(a).

(20 U.S.C. 1609(a) (2) and (3), 1609(b))

(b) *Areawide plans and education parks.* (1) Applications for assistance under § 185.31 (b) and (c) shall comply with the requirements of §§ 185.41(a) through (g) as to advisory committee participation and public hearings. For purposes of this paragraph, the references in § 185.41 to "the community" or "communities to be served" shall be understood to refer to the entire area to be affected by the plan to be developed under § 185.31(b) or the education park proposed pursuant to § 185.31(c).

(2) Only one advisory committee shall be established pursuant to this paragraph, regardless of the number of local educational agencies joining in the application for assistance.

(3) Each applicant agency shall designate teachers to serve as members of such committee in accordance with § 185.41(c)(2).

(4) Student members of such committee selected in accordance with § 185.41(c)(4) shall include at least one student enrolled in the schools of each applicant agency (and, in the case of an application for assistance under § 185.31(b), of each local educational agency approving such application), except that committees established pursuant to this paragraph shall not be required to include more than six student members.

(20 U.S.C. 1609(a) (2) and (3), 1609(b))

§§ 185.38–185.40 [Reserved]

Subpart F—Bilingual Projects

§ 185.51 Eligibility for assistance.

(a) Any local educational agency which is implementing a plan described in § 185.11 (a) or (b) may apply for assistance, by grant or contract, from funds reserved pursuant to § 185.95(b)(2), (1) to develop educational programs designed (i) to meet the special educational needs of minority group children who are from environments in which a dominant language is other than English for the development of reading, writing, and speaking skills in the English language and their primary language, and (ii) to meet the educational needs of such children and their classmates to understand the history and cultural background of the minority groups of which such children are members; or (2) to carry out activities authorized by § 185.12 to implement the educational programs described in this paragraph (whether or not developed with assistance made available under this subpart).

(20 U.S.C. 1607(c)(1) (B) and (C))

(b) Any nonprofit private agency, institution, or organization may apply for assistance, by grant or contract, under this subpart to develop the educational programs described in paragraph (a) of this section: *Provided however,* That such development is requested by one or more local educational agencies which are implementing a plan described in § 185.11 (a) or (b).

(20 U.S.C. 1607(c)(1)(A))

(c) For purposes of determining eligibility for assistance under this subpart, the Assistant Secretary may determine that members of a specific ethnic group (in addition to Negroes, American Indians, Spanish-surnamed Americans, Portuguese, Orientals, Alaskan natives, or Hawaiian natives) constitute a "minority group," as that term is used in this subpart and in § 185.11, upon a finding that such group has been denied equal educational opportunity because of language barriers and cultural differences. Applications for assistance under this subpart relating to local educational agencies which are implementing plans described in § 185.11 (a) or (b) with respect to Negroes, American Indians, Spanish-surnamed Americans, Portuguese, Orientals, Alaskan natives, or Hawaiian natives shall be considered only on the basis of such plans. No plan affecting a minority group other than those named in the preceding sentence shall be deemed to qualify an applicant for assistance under this subpart if it results in any increase in minority group isolation for any member of any minority group named in the preceding sentence.

(20 U.S.C. 1619(9)(A))

§ 185.52 Authorized activities.

(a) Funds made available under this subpart shall be used for the activities described in § 185.51, where such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01.

(20 U.S.C. 1607(c)(1))

(b) All applications for assistance under this subpart shall contain a plan for implementation of any educational program developed or proposed to be developed, whether or not assistance is sought for such implementation. No more than 25 percent of the funds made available under this subpart shall be awarded for development activities.

(20 U.S.C. 1607(c)(1))

(c) All applications for assistance under this subpart shall contain a plan for in-service training of teachers and other ancillary educational personnel in skills related to implementation of the educational programs described in § 185.51(a),

including cultural awareness, oral or written language skills in a language other than English, and diagnostic evaluation and prescriptive teaching techniques.

(20 U.S.C. 1607(c)(1); Senate Rept. No. 92-61, p. 23)

(d) All programs, projects, or activities assisted under this subpart shall be specifically designed to complement any programs, projects, or activities assisted under Subparts B and C of this part, or under title I or title VII of the Elementary and Secondary Education Act of 1965 or other programs of Federal financial assistance related to the purposes of this subpart.

(20 U.S.C. 1607(c)(3))

(e) Educational programs to be developed and implemented pursuant to § 185.51(a)(1)(i) shall provide for the participation of nonminority group children as well as those from minority groups, unless the applicant conclusively demonstrates that such participation will not contribute to the success of the proposed program, project, or activity. Educational programs to be developed and implemented pursuant to § 185.51(a)(1)(ii) shall provide for such participation. All applications for assistance under this subpart shall include activities with respect to the educational programs described in both § 185.51(a)(1)(i) and (ii).

(20 U.S.C. 1607(c)(1))

(f) The limitations on authorized activities set forth in § 185.12 (b), (c), and (d) shall apply to activities assisted under this subpart.

(20 U.S.C. 1601(b), 1606(a), 1607(c)(1))

§ 185.53 Applications.

(a) Application by local educational agencies for assistance under this subpart shall comply with the requirements of § 185.13 (a) through (n). Such applications, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and the Assistant Secretary.

(20 U.S.C. 1607(c)(1), 1609(a))

(b) Applications by nonprofit private agencies, institutions, or organizations shall comply with the requirements of § 185.63 (a), (b)(2), (b)(4), (b)(5), (b)(6), and (b)(7).

(20 U.S.C. 1607(c)(1))

(c) In addition to the assurances and information required by paragraph (a) or paragraph (b) of this section, applications for assistance under this subpart shall contain the following information:

(1) A description of the proposed program, project, or activity, and of such policies and procedures as will assure that the applicant will use funds received under the Act only for the activities described in § 185.52;

(2) In the case of nonprofit private applicants, evidence that the proposed activity has been requested by one or more local educational agencies which are implementing a plan described in § 185.11(a) or § 185.11(b). Such evidence may include (i) a copy of a school board resolution or other final official action requesting the assistance of the applicant, or (ii) a letter from the school board chairman or superintendent of a local educational agency requesting such assistance. No application by a nonprofit private applicant shall be approved less than 10 days after a copy of said application has been submitted by the Assistant Secretary to the appropriate State educational agency for comment, unless the Assistant Secretary has received comments from such agency upon such application prior to expiration of the 10-day period.

(3) Information as to (i) the number and percentage of minority group children in the affected school district from environments in which a dominant language is other than English who receive instruction of any kind (prior to the application for assistance under this subpart) in such language, the average number of hours per day such instruction is provided, and the educational goals of such instruction; (ii) the extent to which minority group children are separated from nonminority group children by or within classes for any part of the day (*a*) for the provision of instructional or other services to such minority group children or (*b*) for purposes of ability grouping or homogeneous instruction, and the educational justification for such separation (including the information required by § 185.43(c) (1) through (4)); (iii) the extent to which materials utilized for reading instruction are varied (by primary language, subject matter, or intended level of instruction) as between the various schools in the affected school district, or between the various classrooms within such schools; (iv) the amount of Federal funds, if any, applied for and received by the affected local educational agency for the current academic year under titles I, II, III, and VII of the Elementary and Secondary Education Act of 1965 and the Education Professions Development Act. The application shall specify the minority group of which such children are members.

(20 U.S.C. 1607(c) (1) and (3))

§ 185.54 Criteria for assistance.

(a) *Objective criteria.* In approving applications for assistance under this subpart, the Assistant Secretary shall apply the following objective criteria (60 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group children enrolled in the schools of such agency for the fiscal year or years for which assistance is sought who are from environments in which a dominant language is other than English (30 points); and

(2) The effective net reduction in minority group isolation, as defined in § 185.14(a)(2), in terms of the number and percentage of children affected, in all the schools operated by such agency accomplished or to be accomplished by the implementation of a plan described in § 185.11(a) or § 185.11(b) (30 points).

(20 U.S.C. 1607(c)(1))

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance under this subpart on the basis of the following criteria (55 points):

(1) Needs assessment (10 points): (i) The severity of needs assessed by the applicant in relation to the inequality of educational opportunity available to minority group children who are from environments in which a dominant language is other than English, and (ii) the degree to which the applicant has demonstrated, by standardized achievement test data and other objective evidence, the existence of such needs.

(2) Statement of objectives (6 points): (i) The degree to which the applicant sets out specific measurable objectives for its program, project, or activity, in relation to the needs identified; and (ii) the degree to which (*a*) the program, project, or activity to be assisted promises realistically to address the needs identified in the application, and (*b*) such program, project, or activity involves to the fullest extent practicable the total educational resources, both public and private, of the community to be served.

(3) Activities (28 points):

(i) *Project design (12 points).* The extent to which (*a*) the proposed program, project, or activity provides for development and implementation of the educational programs described in § 185.51(a)(1)(ii) in an imaginative and sensitive manner; (*b*) the proposed services are concentrated upon a group of participants which is sufficiently limited and specific to give promise of measurable growth for each participant; (*c*) such services are sufficiently intensive to give promise of such growth; (*d*) the proposed program, project, or activity emphasizes individualized instruction and services; (*e*) the application includes innovative plans to meet the goals of the Act which extend instruction in language skills to other areas of the curriculum in an integrated setting, and which include nonminority group children in activities other than those relating to the curricula described in § 185.51(a)(1)(ii); (*f*) the applicant proposes to extend bilingual/bicultural instructional techniques to academic areas other than those with respect to which assistance is made available; (*g*) students to be served are afforded an opportunity to contribute to, and suggest changes in, the proposed program, project, or activity; and (*h*) the proposed program, project, or activity makes use of existing bilingual/bicultural research and instructional materials;

(ii) *Staffing (10 points).* The extent to which the application (*a*) sets out an adequate staffing plan which includes provisions for making maximum use of present staff capabilities; (*b*) provides for continuing training of staff in order

to increase the effectiveness of the proposed program, project, or activity; and (c) proposes to utilize credentialed bilingual teachers and to provide career development opportunities for paraprofessional staff members with bilingual capabilities;

(iii) *Delivery of services (2 points).* The extent to which the proposed program or project sets out a plan for meeting the logistical requirements of the proposed activities, including a description of adequate and conveniently available facilities and equipment; and

(iv) *Parent and community involvement (4 points).* The extent to which the application (a) delineates specific opportunities for community and program or project committee participation in the development and implementation of the proposed program, project, or activity in addition to those required by § 185.55, and (b) includes evidence that such participation has been encouraged and has in fact occurred.

(4) Resource management (5 points): The extent to which the application contains evidence that (i) the amount of funds requested is of sufficient magnitude in relation to the number of participants to be served to give substantial promise of achieving the stated objectives; (ii) the costs of project components are reasonable in relation to the expected benefits; (iii) all possible efforts have been made to minimize the amount of funds requested for purchase of equipment necessary for implementation of the proposed program, project, or activity; and (iv) the proposed program, project, or activity has been coordinated with existing programs and resources.

(5) Evaluation (6 points): The extent to which the application sets out a format of objective, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (i) a timetable for compilation of data for evaluation and a method of reviewing the program, project, or activity in the light of such data; (ii) a description of instruments to be used for evaluation of the proposed program, project, or activity (and of the method for validating such instruments where necessary), or a description of the procedure to be employed in selecting such instruments; (iii) an assessment of the validity of such instruments when used to evaluate the language skills, academic aptitude, or general intelligence of children whose primary language is other than English; and (iv) provisions for comparison of evaluation results with norms, control group performance, results of other programs, or other external standards.

(6) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1601(b), 1607 (c)(1), (c)(2)(A)(ii)(II), (c)(3) 1609(a)(11))

(c) *Funding levels.* (1) In determining amounts to be awarded to applicants for assistance under this subpart, the Assistant Secretary shall consider the additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed program, project, or activity, in relation to the amount of funds available for assistance under this subpart and the other applications for such assistance pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the Act or this part, or which sets forth a program, project, or activity of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award funds to applicants (whose applications meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section until the sums available for the purposes of this subpart have been exhausted.

(2) No more than 30 percent of the funds available for grants or contracts pursuant to this subpart shall be awarded to applicants proposing to carry out programs, projects, or activities with respect to local educational agencies in any one State, unless the Assistant Secretary determines that the applications pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(20 U.S.C. 1607(c)(1))

§ 185.55 Program or project committees.

(a) *Local educational agencies*—(1) *Consultation; public hearing; publication.* Local educational agencies applying for assistance under this subpart shall comply with the requirements as to advisory committee participation and public hearings set forth in § 185.41 (a), (b), (e), and (f). For purposes of this subparagraph, references in such paragraphs to a "district-wide advisory committee" shall be understood to refer to the program or project committee required by this paragraph.

(2) *Composition of committee.* (i) In order to establish a program or project committee as required by this paragraph, a local educational agency shall designate at least five civic or community organizations, each of which shall select a member of the committee. The civic or community organizations which participate in the selection process shall, when taken together rather than considered individually, be broadly representative of the minority and nonminority communities to be served by the proposed program, project, or activity.

(ii) Such agency shall, after consultation with the appropriate teachers' organization(s), either (a) designate two classroom teachers, one of whom is a member of the minority group whose educational needs the proposed program, project, or activity is designed to meet, to serve as members of the committee required by this paragraph, or (b) delegate the responsibility for such selections to the appropriate teachers' organization(s).

(iii) Such agency shall designate two administrators or school board members, one of whom is a member of a minority group as described in subdivision (ii) of this subparagraph, to serve as members of the committee required by this paragraph.

(iv) At least 50 percent of the members of a committee formed under this subparagraph must be members of a minority group as described in subdivision (ii) of this subparagraph. At least 50 per centum of the members of the committee shall be parents of children directly affected by a plan described in § 185.11 (a) or (b), or a program, project, or activity assisted under this subpart. In addition to members appointed pursuant to paragraph (a)(2) (i), (ii), and (iii) of this section, and taking into account the students to be appointed pursuant to paragraph (a)(2)(v) of this section, such agency shall select the minimum number of additional persons as may be necessary to meet the requirements of this subdivision.

(v) Committee members appointed pursuant to paragraph (a)(2) (i), (ii), (iii), and (iv) of this section shall select at least two secondary students, half of whom are members of a minority group as described in paragraph (a)(2)(ii) of this section, to serve as members of the committee required by this paragraph. Such students shall be regularly enrolled in a secondary school or schools operated by the local educational agency.

(3) *Approval by committee.* No application by a local educational agency for assistance under this subpart shall be approved which is not accompanied by the written comments of a committee formed in accordance with paragraph (a)(2) of this section, indicating that a majority of the members of such committee have approved the program, project, or activity set forth in such application.

(4) *Comments and suggestions by committee.* No amendment to the program, project, or activity of a local educational agency assisted under this subpart shall be approved, and no additional funds made available under this subpart, unless the members of a committee formed in accordance with paragraph (a)(2) of this section have been involved in the development of, and a majority of such members has approved, such amendment of or addition to the program, project, or activity. Comments indicating such approval shall be included with any application submitted by such agency for such amendments or additions. Amendments or additions suggested by the committee required by this paragraph shall be forwarded by the local educational agency, with or without comment by such agency, to the Assistant Secretary for his consideration.

(5) *Student advisory committees.* The local educational agency shall comply with the requirements of § 185.41(h) as to student advisory committees, except

that at least 50 percent of the members of each such committee shall be members of a minority group as described in subparagraph (2)(ii) of this paragraph: *Provided, however,* That if such agency is receiving assistance under subpart B, C, or D as of the date specified in § 185.41(h)(1), and if members of such a minority group have been selected as members of such committees at the appropriate secondary schools, such committees shall be deemed to comply with the requirements of this subparagraph.

(20 U.S.C. 1607 (c)(2) (A)(i), (c) (2)(B))

(b) *Nonprofit private applicants—(1) Consultation; publication.* Nonprofit private agencies, institutions, or organizations applying for assistance under this subpart shall comply with the requirements of §§ 185.65 (a), (d), and (e). For purposes of this subparagraph, references in such paragraphs to a "district-wide advisory committee" shall be understood to refer to the program or project board required by this paragraph. Applications submitted by nonprofit private applicants shall describe in detail how such program or project boards will exercise policymaking authority with respect to the proposed program, project, or activity.

(2) *Composition of board.* (i) In order to establish a program or project board as required by this paragraph, the applicant shall designate at least 5 civic or community organizations, each of which shall select a member of the board. The civic or community organizations which participate in the selection process shall, when taken together rather than considered individually, be broadly representative of the minority and nonminority communities to be served.

(ii) The applicant shall invite the appropriate local educational agency to designate as members of the board described in this subparagraph a classroom teacher and an administrator or school board member, one of whom is a member of a minority group as described in paragraph (a)(2)(ii) of this section.

(iii) At least 50 percent of the members of a board formed under this subparagraph must be members of a minority group as described in paragraph (a)(2)(ii) of this section. Such board shall have at least 10 members. At least 50 percent of the members of such board shall be parents of children directly affected by a plan described in § 185.11 (a) or (b), or a program, project, or activity assisted under this subpart. In addition to members appointed pursuant to paragraph (b)(2) (i) and (ii) of this section, and taking into account the students to be appointed pursuant to paragraph (b)(2)(iv) of this section, the applicant shall select the minimum number of additional persons as may be necessary to meet the requirements of this subdivision.

(iv) Board members appointed pursuant to paragraph (b)(2) (i), (ii), and (iii) of this section shall select at least two secondary school students, half of whom are members of a minority group as described in paragraph (a)(2)(ii) of this section, to serve as members of the board required by this paragraph. Such students shall be regularly enrolled in a secondary school or schools operated by the appropriate local educational agency.

(3) *Approval by board.* No application for assistance under this subpart shall be approved which is not accompanied by the written comments of a board formed in accordance with paragraph (b) (2) of this section, indicating that a majority of the members of such board have approved the program, project, or activity set forth in such application.

(4) *Comments and suggestions by board.* No amendment to a program, project, or activity assisted under this subpart shall be approved, and no additional funds made available under this subpart, unless the members of such board have been involved in the development of, and a majority of such members has approved, such amendment of or addition to such program, project, or activity. Comments indicating such approval shall be included with any application submitted by such applicant for such amendments or additions. Amendments or additions suggested by the board required by this paragraph shall be forwarded by the applicant, with or without comment, to the Assistant Secretary for his consideration.

(20 U.S.C. 1607(c)(2) (A)(ii)(I), (B))

§ 185.56 Limitations on eligibility; nonpublic participation.

The limitations on eligibility set forth in § 185.43 shall apply to educational agencies applying for assistance under this subpart. The provisions of § 185.44 as to waiver of ineligibility shall apply to local educational agencies applying for assistance under this subpart. The provisions of § 185.45 as to termination of assistance shall apply to all recipients of assistance under this subpart. The provisions of § 185.42 as to participation of children or staff enrolled in or employed by nonpublic schools shall apply to local educational agencies applying for assistance under this subpart.

(20 U.S.C. 1605(d), 1607(c)(1), 1609 (a) and (b), and 1611(c))

§§ 185.57–185.60 [Reserved]

Subpart H—Educational Television

§ 185.71 Eligibility for assistance.

(a) Any public or nonprofit private agency, institution, or organization with the capability of providing expertise in the development of television programming may apply for assistance, by grant, from funds reserved pursuant to § 185.95 (b)(3) to pay the cost of development and production of integrated children's television programs of cognitive and affective educational value. For purposes of this subpart, "programs of cognitive and affective educational value" are those which teach concrete academic skills and encourage interracial and interethnic understanding.

(20) U.S.C. 1610 (a), (b)(1); Senate Rept. No. 92-61, p. 24)

(b) No more than four grants shall be awarded pursuant to this subpart during the fiscal year ending June 30, 1973.

(20 U.S.C. 1610(b)(1))

§ 185.72 Authorized activities.

(a) Funds made available under this subpart shall be used to pay the normal and necessary expenses of researching, planning, writing, editing, staging, directing, performing, producing, reproducing, and distributing integrated children's television programs, where such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01. Such programs shall be either a standard-length series addressing an area of concern described in paragraph (a) (1), (2), or (3) of this section, or 1-minute "spots" addressing any of the following areas of concern:

(1) Bilingual/bicultural approaches to assisting minority group children from environments in which a dominent language is other than English in the development of reading, writing, and speaking skills (in both the English language and the language of their parents or grandparents), and to instilling in both minority and nonminority group children an understanding and appreciation of each other's history and cultural background;

(2) Supplemental or introductory instruction in basic reading and mathematics skills and concepts, art and music, and basic science concepts;

(3) Instruction in family life-related academic skills directed particularly at secondary school age children;

(4) Dropout counseling and other approaches to the problems of dropouts;

(5) Encouraging and enriching the understanding and appreciation of school age children for the art, music, literature, and other cultural attainments of their own and other racial or ethnic groups;

(6) Reduction of interracial or interethnic tension and conflict.

(20 U.S.C. 1610(b)(1))

(b)(1) No more than one grant for a standard-length series shall be awarded for any one of the areas of concern described in paragraph (a) (1), (2), and (3) of this section, unless the Assistant Secretary determines that the applications pending before him for additional grants in the same area of concern are of exceptional merit or promise.

(2) No more than one grant shall be awarded for television programing directed to a particular racial or ethnic group in a particular geographical area, unless the Assistant Secretary determines that the applications pending before him for additional grants for programing directed to the same group in the same area are of exceptional merit or promise.

(20 U.S.C. 1610(b)(1))

(c) Television programs developed in whole or in part with assistance made available under this subpart shall be

made reasonably available for transmission, free of charge, and shall not be transmitted under commercial sponsorship. An application for assistance under this subpart shall include an assurance that the procedures to be followed, and the standards or criteria to be applied, in making such programs freely available for transmission will be developed in conjunction with the Assistant Secretary upon completion of production of a designated portion of the proposed television programing. For purposes of this paragraph, where the costs of transmission are met by a commercial firm, a brief statement to that effect at the beginning or end of such transmission shall not be considered commercial sponsorship. No television program developed in whole or in part with assistance made available under this subpart shall be used or transmitted in such a manner as to result in a financial benefit to any person or organization.

(20 U.S.C. 1610(b)(2); Senate Rept. No. 92-61, pp. 24-25)

(d) Funds made available under this subpart shall not be used for construction, repair, or remodeling of any building or facility, or for the purchase of any equipment which has an extended useful life and is not consumed in use.

(20 U.S.C. 1610(b)(1))

§ 185.73 Applications.

(a) *General.* An applicant for assistance under this subpart for any fiscal year shall submit to the Assistant Secretary an application therefor for that fiscal year, which application shall contain such information and set forth such policies and procedures as will assure that the applicant will use funds received under this subpart only for the activities described in § 185.72.

(20 U.S.C. 1610(b)(1))

(b) *Basic assurances.* Applications for assistance under this subpart shall comply with the requirements of § 185.13 (a), (b), (c), (d), (f), (h), (k)(1)(i) and (ii), (k)(2), and (m).

(20 U.S.C. 1609(a), 1610(b)(1))

(c) *Assurances by local educational agencies.* Applications by local educational agencies for assistance under this subpart shall comply with the requirements of § 185.13 (g), (i), (j), (k)(1)(iii), (k)(3), and (l), in addition to the requirements specified in paragraph (b) and (e) of this section. Such application, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and the Assistant Secretary.

(20 U.S.C. 1609(a), 1610(b)(1))

(d) *Assurances by other applicants.* Applications by public or nonprofit private agencies, institutions, or organizations (other than local educational agencies) under this subpart shall comply with the requirements of § 185.63(b)(2), (5), and, where appropriate, § 185.63(b)(3), in addition to the requirements specified in paragraphs (b) and (e) of this section.

(20 U.S.C. 1610(b)(1))

(e) *Additional information and assurances.* Applications for assistance under this subpart shall contain the following information, in addition to the assurances and information required by the applicable paragraphs of this section:

(1) A detailed description of the integrated children's television programs to be developed and produced with assistance made available under this subpart, together with an identification of the audience to be reached by such programs and a statement of the educational and other gains to be achieved;

(2) A statement of the name, address, position, duties, prior experience in educational television and school and community affairs, and race of all persons permanently employed (or to be employed) in positions of responsibility by the applicant on its development, production, and administrative staffs;

(3) A detailed description of the formative evaluation procedures to be employed by the applicant in measuring and evaluating the educational and other change to be achieved by children viewing the television programs for which assistance is sought;

(4) A statement of past activities engaged in by the applicant or its officers or employees indicating the relative capability of the applicant to provide expertise in the development of integrated children's television programing, and to develop and produce the proposed television programs; and

(5) Information as to the research and development techniques to be employed (or which have previously been employed), production standards to be observed, nonbroadcast materials to be utilized in support of the proposed television programing, and field activities and other measures to be undertaken in order to insure target audience participation in ongoing program development.

(20 U.S.C. 1610(b)(1), (3))

(f) *Application procedure.* The Assistant Secretary may require the information described in this section to be submitted either in a single application or sequentially, and may require additional information and assurances of selected applicants.

(20 U.S.C. 1610(b)(1))

§ 185.74 Criteria for assistance.

In approving applications for assistance under this subpart, the Assistant Secretary shall apply the following criteria:

(a) *Needs assessment (10 points).* (1) The extent to which the applicant has undertaken a comprehensive assessment, on the basis of test data, audience surveys, and other objective evidence, of the educational and other needs of the target population, and the magnitude of the needs so assessed; (2) the extent to which the applicant has undertaken a reasonable numerical estimate of the expected or potential target audience; and (3) the size of the potential audience so estimated.

(20 U.S.C. 1610(b)(1))

(b) *Statement of objectives (11 points).* (1) The degree to which the application (i) sets forth specific, measurable objectives in relation to the needs identified, and (2) specifically describes, on the basis of modern research and development techniques, the issues and subject matter related to such needs which will be addressed by the proposed television programing.

(20 U.S.C. 1610(b)(1), (3)(B))

(c) *Activities (32 points).*—(1) *Program content and design (10 points).* The extent to which the proposed television programing promises to reach the expected or potential target audience and to encourage and sustain the participation, interest, and educational and other growth of such audience, by use of minority and nonminority group performers or characters and by other means;

(2) *Staffing (12 points).* (i) The extent to which the application (*a*) sets out an adequate staffing plan which includes provisions for making maximum use of present staff capabilities, and (*b*) provides for continuing training of staff in order to increase the effectiveness of the proposed television programing; and (ii) the extent to which minority group personnel are employed (or will be employed) in responsible positions on the development, production, and administrative staffs of the applicant;

(3) *Facilities capability (10 points).* The extent to which the application describes a level of production facilities capability sufficient to meet the requirements of the proposed television programing, including a description of adequate and conveniently available production facilities and equipment;

(4) *Supplementary materials (2 points).* In the case of applications for standard-length series, the extent to which such application sets forth a plan of activities, such as the creation, production, and dissemination of nonbroadcast materials, designed to intensify and amplify the effects of the proposed programing; and

(5) *Parent and community involvement (3 points).* The extent to which the application (i) delineates specific opportunities for continuing community and advisory committee participation in the development and evaluation of the proposed television programing in addition to those required by § 185.75, and (ii) includes evidence that such participation has been encouraged and has in fact occurred.

(20 U.S.C. 1610(e)(1), (b)(3)(A))

(d) *Resource management (6) points).* The extent to which the application contains evidence that (1) the amount of funds requested is of sufficient magnitude to give substantial promise of achieving the stated objectives; (2) the costs of project components are reasonable in relation to the expected benefits;

and (3) needed resources will be purchased or otherwise obtained in such a manner as to insure that project deadlines will be met.

(20 U.S.C. 1610(b)(1))

(e) *Evaluation (5 points).* The extent to which the application sets out a detailed format, including specific study designs, for applying formative evaluation techniques prior to and during the initial phases of production of the proposed television programing, in order to determine the production and presentation techniques which offer the greatest promise of achieving the stated objectives.

(20 U.S.C. 1610 (b)(1), (b)(3)(c))

(f) *Funding levels.* In determining amounts to be awarded to applicants for assistance under this subpart, the Assistant Secretary shall consider the additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively developing and producing its proposed television programing, in relation to the amount of funds available for assistance under this subpart and the other applications for such assistance pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the Act or this part, or which sets forth proposed television programing of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award funds to applicants (whose applications meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section until the sums available for the purposes of this subpart have been exhausted.

(20 U.S.C. 1610(b)(1))

(g) In making the determinations required under this section, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education, educational television, and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1610 (b)(1), (b)(3))

§ 185.75 Advisory committees.

(a) Public or nonprofit private agencies, institutions, or organizations (other than local educational agencies) applying for assistance under this subpart shall comply with the requirements as to advisory committee participation set forth in § 185.65, except for the second sentence of § 185.65(b)(2). For purposes of this paragraph, references in said section to a "plan or project described in § 185.11' or "program, project, or activity" shall be understood to refer to the proposed television programing for which assistance is sought.

(b) Local educational agencies applying for assistance under this subpart shall comply with the requirements as to advisory committee participation and public hearings set forth in § 185.41 (a) through (g). For purposes of this paragraph, references in said paragraphs to a "plan or project described in § 185.11" or "program, project, or activity" shall be understood to refer to the proposed television programing for which assistance is sought.

(20 U.S.C. 1609(a) (2) and (3), 1609(b))

(c) Where the primary area to be served by the proposed television programing for which assistance is sought under this subpart is larger than the school district of a single local educational agency, members of the advisory committees required by this section shall be selected so as to represent the larger area to be served.

(20 U.S.C. 1610(b)(1))

§ 185.76 Limitations on eligibility.

The limitations on eligibility set forth in § 185.43 shall apply to educational agencies applying for assistance under this part. The provisions of § 185.44 as to waiver of ineligibility shall apply to local educational agencies applying for assistance under this subpart. The provisions of § 185.45 as to termination of assistance shall apply to all recipients of assistance under this subpart.

(20 U.S.C. 1605(d), 1609 (a) and (b), 1610(b)(1))

§§ 185.77–185.80 [Reserved]

Subpart I—Evaluation

§ 185.81 Eligibility for awards.

Any State educational agency, institution of higher education, or private agency, organization, or institution (including an advisory committee established by a local educational agency pursuant to § 185.37, § 185.41, § 185.55(a), § 185.75(b), or § 185.94) may submit a proposal for a contract, from funds reserved pursuant to § 185.95(b)(4), for the purpose of evaluating specific programs, projects, or activities assisted under this part.

(20 U.S.C. 1612)

§ 185.82 Authorized activities.

Funds awarded pursuant to this subpart shall be used to pay the normal and necessary expenses of planning, instrument development and administration, data collection and analysis, and reporting incident to evaluation of programs, projects, or activities assisted under this part, where such expenses would not otherwise be funded.

(20 U.S.C. 1612)

§ 185.83 Applications.

(a) *Assurances and information.* Proposals submitted pursuant to this subpart shall comply with the requirements of § 185.13 (a), (b), (c), (f), and (m) and § 185.63(b)(2). Such proposals shall contain such information, and set forth such policies and procedures, as will assure that the offeror will use funds received under this subpart only for the activities described in § 185.82. In addition, such proposals shall contain the following information:

(1) A detailed description of the technical approach, management plan, and techniques of data collection, analysis, and synthesis to be utilized or employed in the proposed evaluation;

(2) A detailed description of the objectives of the proposed evaluation, as they relate to the purposes set forth in § 185.01;

(3) A statement of the name, position, and prior relevant experience of all persons permanently employed (or to be employed) in positions of responsibility by the offeror in connection with the proposed evaluation; and

(4) A statement of past activities engaged in by the offeror or its officers or employees indicating the relative capability of the offeror to conduct the proposed evaluation.

(20 U.S.C. 1612)

(b) *Procedures.* (1) Proposals under this subpart shall be submitted in response to requests for proposals. The Assistant Secertary may require the information described in this section to be submitted either in a single document or sequentially, and may require additional information and assurances of selected offerors.

(2) Contracts under this subpart shall be subject to the requirements of the Federal Procurement Regulations (41 CFR Ch. 1 and 3), to the extent that such regulations are not inconsistent with the provisions of this subpart.

(20 U.S.C. 1612)

§ 185.84 Criteria for awards.

(a) The Assistant Secretary shall determine the merits of proposals submitted under this subpart on the basis of the following criteria:

(1) *Statement of objectives.* The degree to which the offeror sets out specific objectives for the proposed evaluation, in relation to the purposes described in § 185.01, as demonstrated by background discussion and objective analysis included in its proposal;

(2) *Technical approach.* The extent to which the proposal sets out a technical approach which promises to achieve the stated objectives;

(3) *Management plan.* The extent to which the proposal sets out a plan for effective management of the proposed evaluation, including a specific timetable for completion of project components and specific staff assignments;

(4) *Data techniques.* The extent to which the proposal sets out effective techniques for collection, analysis, and synthesis of data in connection with the proposed evaluation;

(5) *Staff capabilities.* The extent to which the proposal demonstrates (i) the presence or availability of staff members with relevant technical and management experience, and (ii) past experience on the part of the offeror or its officers or employees in conducting evaluations similar to that for which funds are requested;

(6) *Resource management.* The extent to which the proposal contains evidence that (i) the amount of funds requested

is of sufficient magnitude to give substantial promise of achieving the stated objectives; (ii) the costs of project components are reasonable in relation to the expected benefits; and (iii) provisions have been made for maximum utilization of existing facilities and resources; and

(7) *Scope.* The extent to which the offeror proposes an evaluation of sufficeint comprehensiveness to insure results of general applicability and reliability.

(8) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education and human relations from the Department, other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1612)

(b) *Funding levels.* In determining amounts to be awarded under this subpart, the Assistant Secretary shall consider the additional cost to an offeror (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed evaluation, in relation to the amount of funds available for contracts under this subpart and the other applications pending before him. The Assistant Secretary shall not be required to approve any proposal which does not meet the requirements of the Act or this part, or which sets forth a proposed evaluation of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award funds to offerors (whose proposals meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section with respect to each type of evaluation for which proposals are requested.

(20 U.S.C. 1612)

§ 185.85 Limitations on eligibility.

The limitations on eligibility set forth in § 185.43 shall apply to educational agencies submitting proposals under this subpart.

(20 U.S.C. 1605(d))

§§ 185.86–185.90 [Reserved]

Subpart J—Special Projects

§ 185.91 Eligibility for assistance.

(a) *Special reading projects.* (1) Any local educational agency which is implementing a plan described in § 185.11(a) or § 185.11(b) may apply for assistance, by grant or contract, from funds reserved pursuant to § 185.95(b)(1), for special reading projects to improve the reading performance of minority and nonminority group children in a school affected by such a plan in which the proportion of minority group children enrolled is greater than 20 percent and no more than 50 percent.

(2) No more than $2,500,000 from funds reserved pursuant to § 185.95(b)(1) shall be awarded for grants or contracts pursuant to this paragraph during the fiscal year ending June 30, 1973.

(20 U.S.C. 1607(a))

(b) *Other projects.* The Assistant Secretary may assist, by grant or contract, any State or local educational agency or other public agency or organization (or a combination of such agencies and organizations), from funds reserved pursuant to § 185.95(b)(1) and not awarded or to be awarded pursuant to paragraph (a) of this section, for the purpose of conducting special programs or projects which the Assistant Secretary determines will make substantial progress toward achieving the purposes of the Act.

(20 U.S.C. 1607(a))

(c) *Definitions.* For purposes of this subpart, State or local educational agencies in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be deemed to be State or local educational agencies within the meaning of § 185.02 (e) and (j).

(20 U.S.C. 1607(a), 1619 (8), (14), and (15))

(d) *Authorized activities.* (1) Assistance made available pursuant to paragraph (a) of this section shall be used for activities described in § 185.12 which would not otherwise be funded and are designed to carry out the purposes described in § 185.02 and to achieve the results described in paragraph (a) of this section.

(2) Assistance made available pursuant to paragraph (b) of this section shall be used for activities described in or authorized by §§ 185.12, 185.22, 185.32, 185.52, 185.62, and 185.72 which would not otherwise be funded and which are designed to carry out the purposes described in § 185.01.

(3) The provisions of § 185.12 (b), (c), and (d) shall apply to assistance made available under this subpart.

(4) No activity assisted pursuant to paragraph (a) of this section shall be carried out with respect to a class which does not include both minority and nonminority group children. Students shall not be removed from their regularly assigned classrooms on a regular basis in order to participate in a program, project, or activity assisted pursuant to paragraph (a), but may be so removed on an occasional basis for special treatment or services.

(20 U.S.C. 1606, 1607(a))

(e) *Limitations on eligibility; nonpublic participation.* The limitations on eligibility set forth in § 185.43 shall apply to educational agencies applying for assistance under this subpart. The provisions of § 185.44 as to waiver of ineligibility shall apply to local educational agencies applying for assistance under this subpart. The provisions of § 185.45 as to termination of assistance shall apply to all recipients of assistance under this subpart. The provisions of § 185.42 as to participation of children or staff enrolled in or employed by nonpublic schools shall apply to local educational agencies applying for assistance under this subpart.

(20 U.S.C. 1605(d), 1607(a), 1609 (a) and (b), 1611(c))

§ 185.92 Applications.

(a) Applications by local educational agencies for assistance under this subpart shall comply with the requirements of § 185.13 (a) through (n), and (together with all correspondence and other written materials relating thereto) shall be made readily available to the public by the applicant and the Assistant Secretary. Applications by other public agencies or organizations shall be in such form, and contain such information and assurances, as may be required by the Assistant Secretary.

(20 U.S.C. 1607(a), 1609(a))

(b) In addition to the information and assurances required by paragraph (a) of this section, applications by local educational agencies pursuant to § 185.91(a) shall contain the following additional information:

(1) A description of the proposed program, project, or activity, and of such policies and procedures as will insure that the applicant will use funds received under the Act only for the activities described in § 185.91(d);

(2) A complete special reading needs assessment with regard to the affected school, in a form to be prescribed by the Assistant Secretary;

(3) The signature of the principal of the school to be served by the proposed program, project, or activity, indicating concurrence in the submission of such agency's application.

(20 U.S.C. 1607(a))

§ 185.93 Criteria for assistance.

(a) *Objective criteria.* In approving applications for assistance by local educational agencies pursuant to § 185.91(a), the Assistant Secretary shall apply the following objective criteria (20 points):

(1) The need for such assistance, as indicated by the number and percentage of minority group children enrolled in the schools of such agency for the fiscal year or years for which assistance is sought (10 points); and

(2) The effective net reduction in minority group isolation, as defined in § 185.14(a)(2), in terms of the number and percentage of children affected, in all the schools operated by such agency accomplished or to be accomplished by the implementation of a plan or project described in § 185.11(a) or § 185.11(b) (10 points).

(20 U.S.C. 1609(c) (1), (2), and (3))

(b) *Educational and programmatic criteria.* The Assistant Secretary shall determine the educational and programmatic merits of applications for assistance by local educational agencies pursuant to § 185.91(a) on the basis of the following criteria (105 points):

(1) Needs assessment (20 points): (i) The magnitude of needs assessed by the applicant in relation to reading achievement of students in the affected school, and (ii) the degree to which the applicant has demonstrated, by standardized

achievement test data and other objective evidence, the existence of such needs in a form to be prescribed by the Assistant Secretary.

(2) Statement of objectives (20 points): (i) The degree to which the applicant sets out specific measurable objectives for its program, project, or activity, in relation to the needs identified; and, (ii) the degree to which (*a*) the program, project, or activity to be assisted promises realistically to address the needs identified in the application, and (*b*) such program, project, or activity involves to the fullest extent practicable the total educational resources, both public and private, of the community to be served. At a minimum, the stated objectives shall include progress during the period of the proposed program, project, or activity toward the goal of a normal range and distribution of reading achievement in the affected school, such goal to be attained within a 3-year period.

(3) Activities (40 points):

(i) *Curriculum development* (10 points). The extent to which the application sets out specific procedures for the evaluation, development, and revision of the curriculum in the affected school, in relation to the needs identified;

(ii) *Staffing (20 points).* The extent to which the application (*a*) sets out an adequate staffing plan which includes provisions for making maximum use of present staff capabilities; (*b*) provides for continuing training of staff in order to increase the effectiveness of the proposed program, project, or activity; and (*c*) includes evidence that the project staff reflects the racial and ethnic makeup of the student body at the affected school.

(iii) *Parent and community involvement (10 points).* The extent to which the application (*a*) delineates specific opportunities for community and parental participation in the development and implementation of the proposed program, project, or activity in addition to those required by § 185.94 and (*b*) includes evidence that such participation has been encouraged and has in fact occurred.

(4) Resource Management (5 points): The extent to which the application contains evidence that (i) the amount of funds requested is of sufficient magnitude in relation to the number of participants to be served to give substantial promise of achieving the stated objectives; (ii) the costs of project components are reasonable in relation to the expected benefits; (iii) all possible efforts have been made to minimize the amount of funds requested for purchase of equipment necessary for implementation of the proposed program, project, or activity; and (iv) the proposed program, project, or activity has been coordinated with existing programs and resources.

(5) Evaluation (20 points): The extent to which the application sets out a format for objective, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (i) a timetable for compilation of data for evaluation and a method of reviewing the program, project, or activity in the light of such data; (ii) a description of instruments to be used for evaluation of the proposed program, project, or activity (and of the method for validating such instruments where necessary), or a description of the procedure to be employed in selecting such instruments; and (iii) provisions for comparison of evaluation results with norms, control group performance, results of other programs, or other external standards.

(6) In making the determinations required under this paragraph, the Assistant Secretary is authorized to purchase or utilize the services, recommendations, and advice of experts in the areas of education, evaluation, and human relations from the Department, or other Federal agencies, State or local governmental units, or the private sector.

(20 U.S.C. 1601(b), 1609(a)(11), 710(c) (1), (2), (4), and (6))

(c) *Funding criteria.* In determining amounts to be awarded to applicants for assistance pursuant to § 185.91(a), the Assistant Secretary shall consider the additional cost to such applicant (as such cost is defined in § 185.13(a)) of effectively carrying out its proposed program, project, or activity, in relation to the amount of funds available for assistance pursuant to § 185.91(a) and the other applications for such assistance pending before him. The Assistant Secretary shall not be required to approve any application which does not meet the requirements of the Act or this part, or which sets forth a program, project, or activity of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award funds to applicants (whose applications meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section until the sums allotted for such assistance have been exhausted. No more than 20 percent of the funds made available pursuant to § 185.91(a) shall be awarded to applicants in any one State, unless the Assistant Secretary determines that applications for such awards in excess of such amount are of exceptional merit or promise.

(20 U.S.C. 1609(c)(1)(C), (c)(5))

(d) *Other applications.* The merits of applications for assistance pursuant to § 185.91(b) shall be determined on the basis of the criteria set forth in § 185.14, to the extent that such criteria are applicable to the proposed program, project, or activity.

(20 U.S.C. 1607(a), 1609(c))

§ 185.94 Community involvement.

(a) *Unit task force.* Applications by local educational agencies for assistance pursuant to § 185.91(a) shall be developed by a unit task force headed by the principal of the school to be served by the proposed program, project, or activity and formed in accordance with paragraph (b) of this section.

(20 U.S.C. 1609 (a)(2)(B), (b))

(b) *Composition.* (1) In order to establish a unit task force as required by this section, a local educational agency shall designate two civic or community organizations broadly representative of the minority and nonminority communities to be served, each of which shall select a resident of the attendance area of the school to be served to serve as a member of the unit task force.

(2) Such agency, after consultation with the appropriate teachers' organization(s), shall either (i) designate two teachers from the school to be served who will participate in the proposed program, project, or activity to serve as members of the unit task force, or (ii) delegate the responsibility for such selections to the appropriate teachers' organization(s).

(3) Such agency shall designate one member of its administrative staff, at the assistant superintendent level or higher, to serve as a member of the unit task force.

(4) Where the proposed program, project, or activity will affect a secondary school, the unit task force required by this section shall include at least two secondary students regularly enrolled at such school who have been selected by the student body or student government of such school.

(5) The local educational agency shall select the minimum number of additional members of such unit task force necessary to insure that (i) it will be composed of equal numbers of nonminority group members and of members from each minority group substantially represented in the school to be served, and (ii) at least half the members of such unit task force will be parents of students to be served by the proposed program, project, or activity.

(20 U.S.C. 1609(a)(2)(B))

(c) *Consultation; public hearing; publication.* Local educational agencies applying for assistance pursuant to § 185.91(a) shall comply with the requirements as to public hearings, publications, and post-award consultation set forth in § 185.41 (a), (b), (e), and (f). For purposes of this paragraph, references in such paragraphs to a "district-wide advisory committee" shall be understood to refer to the unit task force required by this section.

(20 U.S.C. 1609(a)(2)(3))

(d) *Comments and suggestions by unit task force.* No amendment to the program, project, or activity of a local educational agency shall be approved, and no additional funds made available pursuant to § 185.91(a), unless the unit task force required by this section has been involved in the development of, and a majority of its members has approved, such amendment of or addition to the program, project, or activity. Comments

indicating such approval shall be included with any application submitted by such agency for such amendments or additions. Amendments or additions suggested by the unit task force shall be forwarded by the local educational agency, with or without comment by such agency, to the Assistant Secretary for his consideration.

(20 U.S.C. 1609(a)(3))

(e) *Other applicants.* Applicants for assistance pursuant to § 185.91(b) shall comply with the requirements of § 185.41, to the extent that such requirements are applicable to the proposed program, project, or activity.

(20 U.S.C. 1609(a) (2) and (3), 1609(b))

[FR Doc. 73-4039 Filed 3-1-73; 8:45 am]

Social Security Administration

[20 CFR Part 404]

[Regs. No. 4]

FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE

Deductions; Reductions; Nonpayments; Increases Excess Earnings for Retirement Test

Notice is hereby given, pursuant to the Administrative Procedure Act (5 U.S.C. 552 et seq.) that the amendments to the regulations set forth in tentative form are proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare. The proposed amendments show the amount of earnings a person may have in a taxable year ending after 1972 and still receive all his social security benefits and the rules for figuring the amount of benefits that will be withheld if he has earnings in excess of that amount. In a 12-month taxable year, the allowable amount of earnings is increased from $1,680 to $2,100. For the taxable year in which a beneficiary reaches age 72 only his earnings up to the month in which he reaches that age are counted in figuring the amount to be withheld. If the beneficiary is self-employed, the pro rata share of the net earnings or net loss for the taxable year for the period prior to the month of attainment of age 72 is used to figure the amount to be withheld.

Prior to final adoption of the proposed amendments to the regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C. 20201, on or before April 2, 1973.

Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Public Affairs, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue SW., Washington, DC 20201.

The proposed amendments are to be issued under the authority contained in sections 203, 205, and 1102, 53 Stat. 1367, as amended, 53 Stat. 1368, as amended, 49 Stat. 647, as amended; 42 U.S.C. 403, 405, and 1302.

Dated: January 22, 1973.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: February 23, 1973.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

Regulations No. 4 of the Social Security Administration (20 CFR Part 404) are further amended as follows:

1. Paragraph (a) of § 404.428 is revised to read as follows:

§ 404.428 Earnings in a taxable year.

(a) *General.* In applying the annual earnings test (see § 404.415(a)) under the provisions of this subpart, all of a beneficiary's earnings (as defined in § 404.429) for all months of his taxable year are included even though the individual is not entitled to benefits during all months of his taxable year. (See, however, § 404.430 for rule for figuring excess earnings where beneficiary attains age 72 in a taxable year ending after December 1972.) The taxable year of an employee is presumed to be a calendar year until it is shown to the satisfaction of the Administration that he has a different taxable year. A self-employed individual's taxable year is a calendar year unless he has a different taxable year for the purposes of subtitle A of the Internal Revenue Code of 1954. In either case, the number of months in a taxable year is not affected by (1) filing a claim for social security benefits, (2) attainment of age 18, 22, 65, 72, or any other age, (3) marriage, (4) termination of marriage, or (5) adoption. A taxable year ends with the death of the beneficiary. In such a case, the month of death is included as a month of the deceased beneficiary's taxable year in determining whether the beneficiary had excess earnings as defined in § 404.430, § 404.431, § 404.432, or § 404.433.

* * * * *

2. After § 404.429, new § 404.430 is added to read as follows:

§ 404.430 Excess earnings; defined for taxable years ending after December 1972.

For taxable years ending after December 1972, an individual's excess earnings for a taxable year are 50 percent of his earnings (as described in § 404.429) for such year in excess of the product of $175 multiplied by the number of months in such year. However, earnings in and after the month an individual attains age 72 will not be used to figure excess earnings for retirement test purposes. For the employed individual his wages for months prior to the month of attainment of age 72 are used to figure his excess earnings for retirement test purposes. For the self-employed individual the pro rata share of the net earnings or net loss for the taxable year for the period prior to the month of attainment of age 72 is used to figure his excess earnings. If the beneficiary was not engaged in self-employment prior to the month of attainment of age 72 any subsequent earnings or losses from self-employment in the taxable year will not be used to figure his excess earnings. Where the excess amount figured in accordance with the provisions of this section is not a multiple of $1, it is reduced to the next lower dollar.

Example 1. The self-employed beneficiary attained age 72 in July 1973. His net earnings for 1973, his taxable year, were $6,000. The pro rata share of such net earnings for the period prior to July is $3,000. His excess earnings for 1973 for retirement test purposes are $450. This is arrived at by subtracting $2,100 ($175×12) from $3,000 and dividing the result by 2.

Example 2. The beneficiary attained age 72 in July 1973. His wages for the period prior to July were $3,000. From August through December 1973 he engaged in self-employment and derived net earnings in the amount of $2,000. His net earnings from self-employment are not used to figure his excess earnings. Only his wages for the period prior to July 1973, $3,000, are used to figure his excess earnings. As in Example 1 his excess earnings are $450.

Example 3. The facts are the same as in Example 2 except that the beneficiary had a net loss in the amount of $500 from self-employment activity in which he engaged throughout 1973. The net loss is used in figuring his excess earnings. The pro rata share of such net loss for the period prior to July is $250. His earnings for the taxable year for figuring excess earnings are $2,750. This is arrived at by subtracting the $250 loss from the $3,000 in wages. The excess earnings are $325 ($2,750−$2,100÷2).

3. After § 404.430, new § 404.431 is added to read as follows:

§ 404.431 Excess earnings; defined for taxable years ending after December 1967 and prior to January 1973.

For taxable years ending after December 1967 and prior to January 1973, an individual's excess earnings are the amount of his earnings (as described in § 404.429) that exceed $140 times the number of months in his taxable year, except that his excess earnings do not include an amount equal to one-half of the first $1,200 of such excess amount (or equal to one-half of the entire excess amount if such excess amount is less than $1,200). Where the excess amount so figured is not a multiple of $1, it is reduced to the next lower dollar. Thus, in the usual 12-month-taxable-year case, an individual's excess earnings are computed as follows:

(a) $1 for each $2 of earnings over $1,680, up to and including $2,880; and

(b) $1 for each $1 of earnings over $2,880.

4. Section 404.432 is revised to read as follows:

§ 404.432 Excess earnings; defined for taxable years ending after December 1965 and prior to January 1968.

For taxable years ending after December 1965 and prior to January 1968, an individual's excess earnings are the amount of his earnings (as described in

§ 404.429) that exceed $125 times the number of months in his taxable year, except that his excess earnings do not include an amount equal to one-half of the first $1,200 of such excess amount (or equal to one-half of the entire excess amount if the excess is less than $1,200). Where the excess amount so figured is not a multiple of $1, it is reduced to the next lower dollar. Thus, in the usual 12-month-taxable-year case, an individual's excess earnings are computed as follows:

(a) $1 for each $2 of earnings over $1,500, up to and including $2,700; and

(b) $1 for each $1 over $2,700.

5. Section 404.434 is amended by revising paragraphs (a) and (b)(3) to read as follows:

§ 404.434 Excess earnings; method of charging.

(a) *Months charged.* For purposes of imposing deductions for taxable years after 1960, the excess earnings (as described in §§ 404.430, 404.431, 404.432, and 404.433) of an individual are charged to each month beginning with the first month the individual is entitled in the taxable year in question and continuing, if necessary, to each succeeding month in such taxable year until all of the individual's excess earnings have been charged. Excess earnings, however, are not charged to any month described in §§ 404.435 and 404.436.

(b) *Amount of excess earnings charged.* * * *

(3) *Insured individual and person entitled (or deemed entitled) on his earnings record both have excess earnings.* If both the insured individual and a person entitled (or deemed entitled) on his earnings record have excess earnings (as described in §§ 404.430, 404.431, 404.432, and 404.433), the insured individual's excess earnings are charged first against the total family benefits payable (or deemed payable) on his earnings record, as described in subparagraph (1) of this paragraph. Next, the excess earnings of a person entitled on the insured individual's earnings record are charged (as described in paragraph (c)(2) of this section) against his own benefits, but only to the extent that his benefits have not already been charged with the excess earnings of the insured individual. See § 404.441 for an example of this process and the manner in which partial monthly benefits are apportioned.

[FR Doc. 73-3888 Filed 3-1-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGD 72-155P]

DRAWBRIDGE OPERATION REGULATIONS; AIWW, VERO BEACH, FLA.

Notice of Proposed Rule Making

At the request of the Chairman of the Indian River County Commission, the Coast Guard is considering amending the regulations for the Merrill P. Barber (State Road 60) drawbridge across the Atlantic Intracoastal Waterway at Vero Beach to permit closed periods from 7:45 a.m. to 9 a.m., 12 noon to 1:15 p.m. and 4 p.m. to 5:15 p.m., Monday through Friday, with the proviso that the draw shall open at 8:30 a.m., 12:30 p.m., and 4:30 p.m., if any vessels are waiting to pass the closed draw. The draw is presently required to open on signal at any time. This is a modification of the original request from the Indian River County Commission which asked for closed periods from 8 a.m. to 6 p.m. and would require openings of the draw only on the hour and half hour during this period. The original proposal was circulated as a public notice dated 21 August 1972 by the Commander, Seventh Coast Guard District and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGD 72-155) on 16 August 1972 (37 FR 16552). Nine letters of protest and no letters of support were received regarding the proposal. The Coast Guard informed the applicant that due to the validity of several of the objections, the original request would not provide for the reasonable need of navigation. The added storm signal provision is already contained in several drawbridge regulations governing other bridges in Florida and should be included in this section.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Seventh Coast Guard District, Room 1018, Federal Building, 51 Southwest First Avenue, Miami, FL 33130. 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, Seventh Coast Guard District.

The Commander, Seventh Coast Guard District, will forward any comments received before April 3, 1973, 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 adding § 117.438a immediately after § 117.438 to read as follows:

§ 117.438a State Road 60 Bridge, AIWW, Vero Beach, Fla.

(a) Except as provided in paragraph (b) of this section, the draw shall be opened on signal for the passage of vessels.

(b) From 7:45 a.m. to 9 a.m., 12 noon to 1:15 p.m., and 4 p.m. to 5:15 p.m. Monday through Friday, except national holidays, the draw need not open for the passage of vessels. However, the draw shall open at 8:30 a.m., 12:30 p.m., and 4:30 p.m. if any vessels are waiting to pass.

(c) The draw shall open at any time for the passage of public vessels of the United States, State, or local government vessels used for public service, tugs with tows, and vessels in distress. The opening signal from these vessels is four blasts of a whistle or horn or by shouting.

(d) The owner of or agency controlling the bridge shall conspicuously post notice containing the substance of these regulations, both upstream and downstream, on the bridge or elsewhere, in such a manner that they can easily be read at all times from an approaching vessel.

(e) During periods when storm signals are displayed in the Vero Beach area, the draw shall open on signal. Storm signals are displayed upon notification by the National Weather Service that winds of up to 33 knots or more and/or sea conditions considered dangerous to small craft are expected. The opening signal is three blasts of a whistle, horn, or other sound-producing device, or by shouting.

(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: February 28, 1973.

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

[FR Doc.73-3914 Filed 3-1-73;8:45 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 72-AL-4]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the Iliamna, Alaska, control zone and transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, AK 99501. All communications received on or before April 2, 1973, will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. 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 the light of comments received.

The official docket will be available for examination by interested persons at

the office of the Regional Counsel, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, AK.

Application of the U.S. Standard for Terminal Instrument Procedures (TERPS) and revised criteria for establishment of terminal controlled airspace require amendments to the Iliamna, Alaska, control zone and transition area. Additionally, refined coordinates of the Airport Reference Point (ARP) are contained in this docket.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

1. In § 1.171 (38 FR 451) the Iliamna, Alaska, control zone is amended to read:

ILIAMNA, ALASKA

Within a 5-mile radius of the Iliamna Airport (latitude 59°54'54" W); and within 2.5 miles each side of a bearing 209° from the Iliamna RBN; extending from the 5-mile radius zone to 9.5 miles southwest of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the U.S. Government Flight Information Publication, Supplement Alaska.

2. In § 71.171 (38 FR 506) the Iliamna transition area is amended to read:

ILIAMNA, ALASKA

That airspace extending upward from 700 feet above the surface within an 5-mile radius of the Iliamna Airport (latitude 59° 45'12" N, longitude 154°54'54" W); and within 2.5 miles each side of a bearing 209° from the Iliamna RBN; extending from the RBN to 9.5 miles southwest of the RBN; and that airspace extending upward from 1,200 feet above the surface within 5.5 miles northwest and 9.5 miles southeast of a bearing 029° and 209° of the Iliamna RBN; extending from 7 miles northeast to 18.5 miles southwest of the RBN.

The action proposed herein would alter the Iliamna, Alaska, control zone to comply with new criteria. The proposed 700-foot transition area would provide protected airspace for aircraft conducting instrument operations during those dates and times when the control zone is not effective. The 1,200-foot portion of the transition area would be altered to provide protected airspace under revised criteria for aircraft conducting instrument operations.

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

Issued in Anchorage, Alaska, on February 21, 1973.

QUENTIN S. TAYLOR,
Acting Director, Alaskan Region.

[FR Doc.73-3962 Filed 3-1-73;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 72-AL-29]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would establish a control zone and transition area at Ketchikan, Alaska.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, AK 99501. All communications received on or before April 2, 1973, will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. 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 the light of comments received.

The official docket will be available for examination by interested persons at the office of the Regional Counsel, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, AK.

The proposed Ketchikan control zone would be designated to provide controlled airspace protection for Instrument Flight Rule (IFR) traffic using the new Ketchikan Airport to be commissioned on or about June 1, 1973. The control zone would be designated part-time during specific hours based upon the time the Ketchikan Flight Service Station is in operation. This time would also coincide with scheduled IFR operations. The control zone and transition area configuration conforms to the minimum requirement for controlled airspace protection for standard instrument procedures as specified in the U.S. Standard for Terminal Instrument Procedures (TERPS) which criteria are premised on safety.

The proposed terminal airspace required for the Ketchikan Airport would overlie in part, the airspace designated for the area approach based on the Guard Island RBN. For simplification purposes it is proposed to incorporate the Guard Island transition area into the Ketchikan transition area description. Therefore, the current designation of the Guard Island transition area in FAR § 71.181 (38 FR 435) is to be canceled on the date the Ketchikan transition area becomes effective.

In consideration of the foregoing, it is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

1. In § 71.171 (38 FR 351) the Ketchikan, Alaska, control zone is designated to read:

KETCHIKAN, ALASKA

Within a 5-mile radius of the Ketchikan Airport (latitude 55°21'09" N., longitude 131°42'22" W.); and within 2 miles each side of the Ketchikan localizer 316° course, extending from the 5-mile radius zones to 10 miles northwest of the Ketchikan localizer (latitude 55°20'52" N., longitude 131°41'53" W.). This control zone is effective from 0800 to 1700 local time daily or during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication, Supplement Alaska.

2. In § 71.181 (38 FR 435) the Ketchikan, Alaska, transition area is designated to read:

KETCHIKAN, ALASKA

That airspace extending upward from 700 feet above the surface within 4.5 miles northeast and 9.5 miles southwest of the Ketchikan ILS localizer southeast and northwest course, extending from 8.5 miles southeast to 26 miles northwest of the Ketchikan localizer (latitude 55°20'52" N., longitude 131°41'53" W.); and that airspace extending upward from 1,200 feet above the surface within 13 miles northwest and 8.5 miles southeast of the 247° and the 067° bearings from the Guard Island RBN, extending from 11 miles northeast to 24 miles southwest of the RBN; within 7 miles northeast and 17 miles southwest of the 150° and 330° bearing from the Guard Island RBN, extending from 12 miles southeast to 26.5 miles northwest of the RBN, excluding the portion within the Annette Island 700-foot and 1,200-foot floor transition area.

3. In § 71.181 (38 FR 435) the Guard Island, Alaska, transition area is deleted.

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

Issued in Anchorage, Alaska, on February 21, 1973.

QUENTIN S. TAYLOR,
Acting Director, Alaskan Region.

[FR Doc.73-3961 Filed 3-1-73;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 72-NW-28]

TRANSITION AREA

Withdrawal of Proposed Alteration

On January 19, 1973 a notice of proposed rule making was published in the FEDERAL REGISTER (38 FR 1938) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Twin Falls, Idaho transition area. A subsequent review of the airspace requirements at Twin Falls, Idaho disclosed that further revision to the transition area is required. Accordingly, Airspace Docket No. 71-NW-14 is hereby cancelled. The revised proposal for Twin Falls, Idaho transition area will be re-submitted in the near future under another docket number.

Issued in Seattle, Wash., on February 21, 1973.

J. H. TANNER,
Acting Director,
Northwest Region.

[FR Doc.73-3959 Filed 3-1-73;8:45 am]

ATOMIC ENERGY COMMISSION

[10 CFR Parts 50, 70, 73]

LICENSING OF PRODUCTION AND UTILIZATION FACILITIES; SPECIAL NUCLEAR MATERIAL; PHYSICAL PROTECTION OF SPECIAL NUCLEAR MATERIAL

Requirements for Physical Security; Extension of Comment Period

On February 1, 1973, the Atomic Energy Commission published in the FEDERAL REGISTER (38 FR 3073, 3075, 3080, and 3082) proposed amendments to 10 CFR Parts 50, 70, and 73 which would strengthen the Commission's requirements for physical protection of special nuclear materials in nuclear facilities and in transportation and would require measures for the protection of certain nuclear facilities against industrial sabotage. The period for public comment on these approved amendments was specified as ending on March 3, 1973. Requests have been received for extension of the comment period. Considering the complexity of the proposed regulations, the Commission has extended the comment period on the proposed amendments to April 3, 1973. Copies of comments received may be examined in the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated this 28th day of February 1973.

For the Atomic Energy Commission.

GORDON M. GRANT,
Acting Secretary
of the Commission.

[FR Doc.73-4195 Filed 3-1-73;10:45 am]

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

[29 CFR Part 1602]

PROPOSED REPORTING AND RECORDKEEPING REGULATIONS FOR STATE AND LOCAL GOVERNMENTS

Notice of Public Hearing on Proposed Regulations

Notice is hereby given pursuant to 44 U.S.C. 1508 and § 1602.3, *Equal Employment Opportunity Commission Procedural Regulations*, 29 CFR 1602.3, that the Equal Employment Opportunity Commission has authorized a public hearing to be held at 10 a.m., March 21, 1973, in the hearing room of the Equal Employment Opportunity Commission, 1800 G Street NW., Washington, DC, Room 1129, for the purpose of considering views regarding proposed reporting and recordkeeping requirements for State and local governments embodied in §§ 1602.30–1602.37 and Report Form EEO–4.[1] The public hearing is held as required by section 709(c), 42 U.S.C. 2000e–8(c), of title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, and § 1602.2, *Equal Employment Opportunity Commission Procedural Regulations*, 29 CFR 1602.2.

The Equal Employment Opportunity Act of 1972 extended the Commission's jurisdiction to include the employment practices of State and local governments and political subdivisions thereof with 25 or more employees (as of Mar. 24, 1973, 15 or more employees). The Act prohibits employment discrimination on the basis of race, color, religion, sex, or national origin. Section 709(c) of the Act authorizes the Commission to require employers, employment agencies, and labor organizations to preserve such records and reports as are necessary and appropriate for the enforcement of the Act.

Accordingly, the Commission proposes to amend Title 29, Chapter XIV, Part 1602, of the Code of Federal Regulations to establish report and recordkeeping regulations for State and local governments as set forth below.

All persons who are interested are invited to participate in the public hearing. The procedure governing the hearing is set forth in §§ 1602.4–1602.6, Equal Employment Opportunity Commission Procedural Regulations, 29 CFR 1602.4–1602.6. Each person who wishes to participate should notify, in writing, the Director of Research, Equal Employment Opportunity Commission, Public Hearing—Personal, 1800 G Street NW., Washington, DC 20506, by March 16, 1973. Such notification should include the name, address, and telephone number of the person, agency, or organization wishing to participate, a brief general description of the evidence or argument to be presented, and an estimation of the time which will be required for such purpose. The Commission will notify the person, agency, or organization of the approximate time it will have for presentation and the approximate time during the public hearing at which such presentation may be given. A transcript will be made of the hearing and may be purchased by the public .

Persons planning to participate in this hearing and persons who are unable to attend the hearing or who wish to supplement in any way the presentation given at the hearing may submit pertinent written data, views, and argument to the Director of Research, Equal Employment Opportunity Commission, Proposed Regulation—Personnel, 1800 G Street NW., Washington, DC 20506, no later than March 26, 1973. Each written submission should give the name and address of the person, agency, or organization responsible for it. Copies of all written submissions will be available for examination by interested persons at the Equal Employment Opportunity Commission Library, 1800 G Street NW., Washington, DC, Room 1145, between the hours of 9:30 a.m. to 5 p.m.

It is proposed to amend Part 1602 by adding new Subparts I, J, and K, and by adding new §§ 1602.30, 1602.31, 1602.32, 1602.33, 1602.34, 1602.35, 1602.36, and 1602.37 thereto to read as follows:

[1] The proposed Rept. EEO–4 with instructions are set forth in Appendix I immediately following the proposed regulations.

Subpart I—State and Local Governments Recordkeeping

Sec.
1602.30 Records to be made or kept.
1602.31 Preservation of records made or kept.

Subpart J—State and Local Government Information Report

1602.32 Requirement for filing and preserving copy of report.
1602.33 Penalty for making of willfully false statements on report.
1602.34 Commission's remedy for political jurisdiction's failure to file report.
1602.35 Political jurisdiction's exemption from reporting requirements.
1602.36 Additional reporting requirements.

Subpart K—Records and Inquiries as to Race, Color, National Origin, or Sex

1602.37 Applicability of State or local law.
Appendix I

AUTHORITY: Section 709(c), 78 Stat. 265, 42 U.S.C. 2000e–8(c); 29 CFR 1602.3.

Subpart I—State and Local Governments Recordkeeping

§ 1602.30 Records to be made or kept.

On or before July 30, 1973, and annually thereafter, every political jurisdiction with 15 or more employees is required to make or keep information therefrom which are or would be necessary for the completion of Report EEO–4 under the circumstances set forth in the instructions thereto (set out below), whether or not the political jurisdiction is required to file such report under § 1602.32 of the regulations in this part. The instructions are specifically incorporated herein by reference and have the same force and effect as other sections of this part. Such records and the information therefrom shall be retained at all times for a period of 3 years at the central office of the political jurisdiction and shall be made available if requested by an officer, agent, or employee of the Commission under section 710 of title VII, as amended. It is the responsibility of every political jurisdiction to obtain from the Commission or its delegate necessary instructions in order to comply with this section's requirements.

§ 1602.31 Preservation of records made or kept.

(a) Any personnel or employment record made or kept by a political jurisdiction (including but not necessarily limited to application forms submitted by applicants and other records having to do with hiring, promotion, demotion, transfer, layoff or termination, rates of pay or other terms of compensation, and selection for training or apprenticeship) shall be preserved by the political jurisdiction for a period of 2 years from the date of the making of the record or the personnel action involved, whichever occurs later. In the case of involuntary termination of an employee, the personnel records of the individual terminated shall be kept for a period of 2 years from the date of termination. Where a charge of discrimination has been filed, or an action brought by the Attorney General, against a political jurisdiction under title VII, the respondent political jurisdiction shall preserve all personnel records relevant to the charge or action until

final disposition of the charge or the action. The term "personnel record relevant to the charge," for example, would include personnel or employment records relating to the person claiming to be aggrieved and to all other employees holding positions similar to that held or sought by the person claiming to be aggrieved; and application forms or test papers completed by an unsuccessful applicant and by all other candidates for the same position as that for which the person claiming to be aggrieved applied and was rejected. The date of "final disposition of the charge or the action" means the date of expiration of the statutory period within which a person claiming to be aggrieved may bring an action in a U.S. district court or, where an action is brought against a political jurisdiction either by a person claiming to be aggrieved or by the Attorney General, the date on which such litigation is terminated.

(b) The requirements of this section shall not apply to application forms and other preemployment records of applicants for positions known to applicants to be of a temporary or seasonal nature.

NOTE: The reporting and/or recordkeeping requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

Subpart J—State and Local Government Information Report

§ 1602.32 Requirement for filing and preserving copy of report.

On or before July 30, 1973, and annually thereafter, certain political jurisdictions subject to title VII of the Civil Rights Act of 1964, as amended, shall file with the Commission or its delegate executed copies of State and Local Government Information Report EEO–4 in conformity with the directions set forth in the form and accompanying instructions. The political jurisdictions covered by this regulation are (a) those which have 100 or more employees, and (b) those other political jurisdictions which have 15 or more employees from whom the Commission requests the filing of reports. Every such political jurisdiction shall retain at all times a copy of the most recently filed EEO–4 at the central office of the political jurisdiction for a period of 3 years and shall make the same available if requested by an officer, agent, or employee of the Commission under the authority of section 710 of title VII, as amended. It is the responsibility of the political jurisdictions above described in this section to obtain from the Commission or its delegate necessary supplies of the form.

§ 1602.33 Penalty for making of willfully false statements on report.

The making of willfully false statements on Report EEO–4 is a violation of the United States Code, title 18, section 1001, and is punishable by fine or imprisonment as set forth therein.

§ 1602.34 Commission's remedy for political jurisdiction's failure to file report.

Any political jurisdiction failing or refusing to file Report EEO–4 when required to do so may be compelled to file by order of a U.S. district court, upon application of the Attorney General.

§ 1602.35 Political jurisdiction's exemption from reporting requirements.

If it is claimed the preparation or filing of the report would create undue hardship, the political jurisdiction may apply to the Commission for an exemption from the requirements set forth in this part by submitting to the Commission or its delegate a specific proposal for an alternative reporting system prior to the date on which the report is due.

§ 1602.36 Additional reporting requirements.

The Commission reserves the right to require reports, other than that designated as the State and Local Government Information Report EEO–4, about the employment practices of individual political jurisdictions or groups of political jurisdictions whenever, in its judgment, special or supplemental reports are necessary to accomplish the purposes of title VII. Any system for the requirement of such reports will be established in accordance with the procedures referred to in section 709(c) of title VII and as otherwise prescribed by law.

Subpart K—Records and Inquiries as to Race, Color, National Origin, or Sex

§ 1602.37 Applicability of State or local law.

The requirements imposed by the Equal Employment Opportunity Commission in these regulations, Subparts I and J, supersede any provisions of State or local law which may conflict with them.

APPENDIX I

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

STATE AND LOCAL GOVERNMENT INFORMATION REPORT EEO–4

Federal law requires that the Equal Employment Opportunity Commission prescribe such records and reports as are necessary or appropriate for the enforcement of title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972.

Accordingly, this compliance reporting system is being implemented for State and local governments. The applicable law, section 709(c), title VII, and regulations issued by the Equal Employment Opportunity Commission under that law are reprinted in the Appendix (4).

1. *How to file.* States should file a maximum of 15 separate forms (one for each function) for each SMSA and a maximum of 15 forms for the combined Non-SMSA. Where SMSA's cross State lines, the State is responsible only for the State employment in that SMSA.

Recipients below the State level (county, city, township, special district) should file one form for each function listed on page 1 of the form (if that function is performed), for a maximum of 15 forms.

Where interstate, intercounty, etc., boards agencies, commissions, or other type special district governments exist, the forms should be submitted by the headquarters of the special district.

Blank forms will be sent to a central office for the political jurisdiction. In those jurisdictions where all data are available at a single location, forms may be completed by the central office. Where data are not available centrally, figures should be obtained by the central office from all agencies and aggregated into the proper forms by function. Where this is not possible, a list of agencies and addresses not covered should accompany the forms. In all cases, completed forms for the jurisdiction must be returned in one package.

2. *When to file.* This annual report must be filed with the Equal Employment Opportunity Commission no later than July 30. Employment figures should cover the payroll period which includes June 30. New hire figures will not be reported until 1974 (see instructions).

3. *Where to file.* The completed reports should be forwarded in triplicate to the post office box indicated on the form. All requests for additional report forms should also be directed to this address.

4. *Requests for information and special procedures.* An employer who claims that preparation or the filing of Report EEO–4 would create undue hardships may apply to the Commission for a special reporting procedure. In such cases, the employer should submit in writing an alternative proposal for compiling and reporting information to the Equal Employment Opportunity Commission, 1800 G Street NW., Washington, DC 20506.

Only those special procedures approved in writing by the Commission are authorized. Such authorization remains in effect until notification of cancellation is given.

All requests for information should be sent to the same address.

5. *Recordkeeping requirements.* Although the EEO–4 report requires the combining of agency data to complete the form, separate agency data should be maintained onsite in such form and combining such information as is required in the EEO–4 report form, and should be available upon request to representatives of Federal agencies. Copies of submitted EEO–4 forms should be retained for a period of 3 years.

INSTRUCTIONS

HOW TO PREPARE INFORMATION REPORTS—DEFINITIONS OF TERMS AND CATEGORIES ARE LOCATED IN THE APPENDIX

SECTION I—*Identification.* Indicate the name and central mailing address of governmental jurisdiction if different from address label in top margin.

SEC. II—*Function.* A separate form should be submitted for each function. The data should be aggregated to represent the employment for all agencies performing the particular function. If the data for any agency cannot be supplied, attach a list showing name and address of agencies not included.

SEC. III—*Employment data as of June 30—*SEC. A—*Full-time employees.* (For detailed explanation of job categories and race/ethnic group identification, see appendix.)

Employment data should include total full-tice employment except for elected and

appointed officials and/or advisers. This exemption does not apply to employees subject to the civil service laws of a State government, governmental agency, or political jurisdiction.

1. *Race/sex data.* Columns A through L should reflect employment by sex for the categories indicated. Every employee must be accounted for in one and only one of the categories. Definitions are included in the appendix (2).

2. *Occupational data.* Employment data should be reported by annual salary within job category. Report each employee in only one job/salary category. In order to simplify and standardize the method of reporting, all jobs are considered as belonging in one of the broad occupations shown in the table. To assist you in determining how to place your jobs within the occupational groups, a description of job categories with examples follows in the appendix (3). The list of examples is in no way exhaustive. *Total line*—Report total employment for this matrix; and column totals.

SEC. B—*Other than full-time employees.* Employment data should cover all employees not included in the full time matrix except for elected and appointed officials and/or advisers. This exemption does not apply to employees subject to the civil service laws of a State government, governmental agency, or political jurisdiction:

Columns A through L should reflect employment by sex for the occupational group indicated. See appendix (2) for examples.

Total line—Report total employment for this matrix and column totals.

SEC. C—*New hires during fiscal year.* NOTE: These data will not be required until the 1974 survey. Records should be kept beginning June 30, 1973. New hire data should reflect all permanent full-time employees hired from July 1, 1973, to June 30, 1974. Data will be reported as above.

Total line—Report total employment for this matrix and column totals.

1. *Definitions applicable to all employers.* a. "Commission" refers to the Equal Employment Opportunity Commission established under title VII of the Civil Rights Act of 1964.

b. "Employee" means an individual employed by a political jurisdiction, except that the term "employee" shall not include any person elected to public office in any State or political subdivision of any State by the qualified voters thereof, or any person chosen by such officer to be on such officer's personal staff, or an appointee on the policy-making level or an immediate adviser with respect to the exercise of the constitutional or legal powers of the office. The exemption set forth in the preceding sentence shall not include employees subject to the civil service laws of a State government, governmental agency, or political subdivision.

c. "Full-Time Employees"—Persons employed during this pay period to work the number of hours per week that represent regular full-time employment (excluding temporaries and intermittents).

d. "Other than Full-Time Employees"—Persons employed during this pay period on a part-time basis. Include those daily or hourly employees usually engaged for less than the regular full-time workweek temporaries working on a seasonal basis (wheher part time or full time) or hired for the duration of a particular job or operation, and intermittents.

e. "New Hires During Fiscal Year"—Persons both with and without previous experience and transfers who were hired for the first time in this jurisdiction or rehired after a break in service for permanent full-time employment.

2. *Race/Ethnic identification.* An employer may acquire the race/ethnic information necessary for this section either by visual surveys of the work force, or from postemployment records as to the identity of employees. An employee may be included in the minority group to which he or she appears to belong, or is regarded in the community as belonging.

Since visual surveys are permitted, the fact that race/ethnic identifications are not present or agency records is not an excuse for failure to provide the data called for.

Moreover, the fact that employees may be located at different addresses does not provide an acceptable reason for failure to comply with the reporting requirements. In such cases, it is recommended that visual surveys be conducted for the employer by persons such as supervisors who are responsible for the work of the employees or to whom the employees report for instructions or otherwise.

Please note that conducting a visual survey and keeping postemployment records of the race or ethnic origin of employees is legal in all jurisdictions and under all Federal and State laws. State laws prohibiting inquiries and recordkeeping as to race, etc., relate only to applicants for jobs, not to employees.

The concept of race as used by the Equal Employment Opportunity Commission does not denote clearcut scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic category. NOTE: The category "Spanish Surnamed," while not a race identification, is included as a separate ethnic category because of the employment discrimination often encountered by this group; for this reason do not include Spanish Surnamed under either "white" or "black".

The category "White" should include persons of Indo-European descent, including Pakistani and East Indian.

The category "Black" should include persons of African descent as well as those identified as Jamaican; Trinidadian, and West Indian.

The category "Spanish Surnamed" should include all persons of Mexican, Puerto Rican, Cuban, Latin American or Spanish descent. The category "American Indian" should include persons who identify themselves or are known as such by virtue of tribal association.

The category "Asian American" should include persons of Japanese, Chinese, Korean, or Filipino descent.

The category "Other" should include Aleuts, Eskimos, Malayans, Thais, and others not covered by the specific categories on the form.

3. Description of job categories—a. *Officials and administrators.* Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district, or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, assessors, inspectors, examiners, wardens, superintendents, unit supervisors, and kindred workers.

b. *Professionals.* Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: Personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dieticians, lawyers, system analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers, or instructors, and kindred workers.

c. *Technicians.* Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized postsecondary school education or through equivalent on-the-job training. Includes: Computer programers and operators, draftsmen, surveyors, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences) and kindred workers.

d. *Protective service workers.* Occupations in which workers are entrusted with public safety, security, and protection from destructive forces. Includes: Police officers, firefighters, guards, sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, and kindred workers.

e. *Paraprofessionals.* Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. Includes: Library assistants, research assistants, medical aides, child support workers, police auxiliary, welfare service aides, recreation assistants, homemaker aides, home health aides, and kindred workers.

f. *Office and clerical.* Occupations in which workers are responsible for internal and external communications, recording and retrieval of data and/or information and other paperwork required in an office. Includes: Bookkeepers, messengers, office machine operators, clerk-typists, stenographers, court transcribers, hearings reporters, statistical clerks, dispatchers, license distributors, payroll clerks, and kindred workers.

g. *Skilled craft workers.* Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairmen, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, and kindred workers.

h. *Service/maintenance.* Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene, or safety of the general public or which contribute to the upkeep and care of buildings, facilities, or grounds of public property. Workers in this group may operate machinery. Includes: Chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial personnel, gardeners and groundskeepers, refuse collectors, construction laborers, and kindred workers.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

STATE AND LOCAL GOVERNMENT INFORMATION (EEO-4)

EXCLUDE SCHOOL SYSTEMS AND EDUCATIONAL INSTITUTIONS

(Read attached instructions prior to completing this form)

FORM APPROVED

MAIL COMPLETED FORM TO:

TYPE OF GOVERNMENT *(Check one box only)*

☐ 1. STATE ☐ 2. COUNTY ☐ 3. MUNICIPALITY ☐ 4. TOWNSHIP ☐ 5. SPECIAL DISTRICT

☐ 6. OTHER *(Specify)* _____

I. IDENTIFICATION — EEOC USE ONLY

A. NAME OF POLITICAL JURISDICTION *(If same as addressee, skip to Item II)* — A.

B. ADDRESS — B.

NUMBER AND STREET	CITY/TOWN	COUNTY	STATE/ZIP CODE

II. FUNCTION

(Check one box to indicate the function for which this form is being submitted. Data should be reported for all departments and agencies in your government covered by the function indicated. If you cannot supply the data for every agency within the function, please attach a list showing name and address of agencies whose data are not included.)

☐ A. FINANCIAL ADMINISTRATION—Tax assessing, tax billing and collection, budgeting, purchasing, central accounting and similar financial administration carried on by a treasurer's, auditor's or comptroller's office and

GENERAL CONTROL—Duties usually performed by boards of supervisors or commissioners; central administrative offices and agencies, central personnel or planning agencies, all judicial offices and employees (judges, magistrates, bailiffs, etc.)

☐ B. STREETS AND HIGHWAYS—Maintenance, repair, construction and administration of streets, alleys, sidewalks, roads, highways and bridges.

☐ C. PUBLIC WELFARE—Maintenance of homes and other institutions for the needy; administration of public assistance. (Hospitals and sanitoriums should be reported as item G.)

☐ D. POLICE PROTECTION—Duties of a police department, sheriff's constable's, coroner's office, etc., including technical and clerical employees engaged in police activities.

☐ E. FIRE PROTECTION—Duties of the uniformed fire force and clerical employees. (Report any forest fire protection activities as item F.)

☐ F. NATURAL RESOURCES—Agriculture, forestry, forest fire protection, irrigation, drainage, flood control, etc., and

PARKS AND RECREATION—Provision, maintenance and operation of parks, playgrounds, swimming pools, auditoriums, museums, marinas, zoo, etc.

☐ G. HOSPITALS AND SANITORIUMS—Operation and maintenance of institutions for in-patient medical care.

☐ H. HEALTH—Provision of public health services, out-patient clinics, visiting nurses, food and sanitary inspections, mental health, etc.

☐ I. HOUSING—Code enforcement, low rent public housing, fair housing ordinance enforcement, housing for elderly, housing rehabilitation, rent control.

☐ J. COMMUNITY DEVELOPMENT—Planning, zoning, land development, open space, beautification, preservation.

☐ K. CORRECTIONS—Jails, reformatories, detention homes, and probation activities.

☐ L. UTILITIES AND TRANSPORTATION—Includes water supply, electric power, transit, gas, airports, water transportation and terminals.

☐ M. SANITATION AND SEWAGE—Street cleaning, garbage and refuse collection and disposal. Provision, maintenance and operation of sanitary and storm sewer systems and sewage disposal plants.

☐ N. EMPLOYMENT SECURITY

☐ O. OTHER *(Specify)*

III. EMPLOYMENT DATA AS OF JUNE 30

(Do not include elected/appointed officials. Blank spaces will be counted as zero)

A. FULL TIME EMPLOYEES *(Temporary employees not included)*

JOB CATEGORY	ANNUAL SALARY	MALE						FEMALE					
		WHITE (a)	BLACK (b)	SPANISH SURNAMED AMER. (c)	ASIAN AMER. (d)	AMER. INDIAN (e)	OTHER (f)	WHITE (g)	BLACK (h)	SPANISH SURNAMED AMER. (i)	ASIAN AMER. (j)	AMER. INDIAN (k)	OTHER (l)
OFFICIALS/ ADMIN-ISTRATORS	1. $3,999 OR LESS												
	2. $4,000 -6,999												
	3. $7,000 -9,999												
	4. $10,000 -12,499												

EEOC FORM X3 (TEST)

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OFFICIALS/ ADMIN- ISTRATORS (CONT.)	5. $12,500 -14,999	
	6. $15,000 -24,999	
	7. $25,000 PLUS	
PRO- FESSIONALS	8. $ 3,999 OR LESS	
	9. $ 4,000 -6,999	
	10. $ 7,000 -9,999	
	11. $10,000 -12,449	
	12. $12,500 -14,999	
	13. $15,000 -24,999	
	14. $25,000 PLUS	
TECH- NICIANS	15. $ 3,999 OR LESS	
	16. $ 4,000 -6,999	
	17. $ 7,000 -9,999	
	18. $10,000 -12,499	
	19. $12,500 -14,999	
	20. $15,000 -24,999	
	21. $25,000 PLUS	
PROTECTIVE SERVICE	22. $ 3,999 OR LESS	
	23. $ 4,000 -6,999	
	24. $ 7,000 -9,999	
	25. $10,000 -12,499	
	26. $12,500 -14,999	
	27. $15,000 -24,999	
	28. $25,000 PLUS	
PARA- PRO- FESSIONALS	29. $ 3,999 OR LESS	
	30. $ 4,000 -6,999	
	31. $ 7,000 -9,999	
	32. $10,000 -12,499	
	33. $12,500 -14,999	
	34. $15,000 -24,999	
	35. $25,000 PLUS	

EEOC FORM X3 (TEST) Page 2

JOB CATEGORIES	ANNUAL SALARY	A. FULL TIME EMPLOYEES (Temporary employees not included)											
		MALE						FEMALE					
		WHITE	BLACK	SPANISH SURNAMED AMER.	ASIAN AMER.	INDIAN AMER.	OTHER	WHITE	BLACK	SPANISH SURNAMED AMER.	ASIAN AMER.	INDIAN AMER.	OTHER
OFFICE/ CLERICAL	38. $ 3,999 OR LESS												
	39. $ 4,000 -6,999												
	40. $ 7,000 -9,999												
	41. $10,000 -12,499												
	42. $12,500 -14,999												
	43. $15,000 -24,999												
	44. $25,000 PLUS												
SKILLED CRAFT	45. $ 3,999 OR LESS												
	46. $ 4,000 -6,999												
	47. $ 7,000 -9,999												
	48. $10,000 -12,499												
	49. $12,500 -14,999												
	50. $15,000 -24,999												
	51. $25,000 PLUS												
SERVICE/ MAIN-TENANCE	52. $ 3,999 OR LESS												
	53. $ 4,000 -6,999												
	54. $ 7,000 -9,999												
	55. $10,000 -12,499												
	56. $12,500 -14,999												
	57. $15,000 -24,999												
	58. $25,000 PLUS												
TOTAL FULLTIME	COLUMN TOTALS →												
B. OTHER THAN FULL-TIME EMPLOYEES (Includes temporary employees)													
1. OFFICIALS/ADMINISTRATORS													
2. PROFESSIONALS													
3. TECHNICIANS													
4. PROTECTIVE SERVICES													
5. PARA PROFESSIONALS													

EEOC FORM 3X (TEST)

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6. OFFICE/CLERICAL													
7. SKILLED CRAFT													
8. SERVICE MAINTENANCE													
TOTAL OTHER	COLUMN TOTALS →												
C. NEW HIRES DURING FISCAL YEAR													
1. OFFICIALS/ADMINISTRATORS													
2. PROFESSIONALS													
3. TECHNICIANS													
4. PROTECTIVE SERVICES													
5. PARA-PROFESSIONALS													
6. OFFICE/CLERICAL													
7. SKILLED CRAFT													
8. SERVICE MAINTENANCE													
TOTAL NEW HIRES	COLUMN TOTALS →												

REMARKS

CERTIFICATION. *I certify that the information given in this report is correct and true to the best of my knowledge and was prepared in accordance with accompanying instructions (Willfully false statements on this report are punishable by law, U. S. Code, Title 18, Section 1001.)*

NAME OF PERSON TO CONTACT REGARDING THIS FORM	TITLE
ADDRESS *(Number and street, city, state and zip code)*	TELEPHONE NO. *(Give area code)*
DATE / TYPED NAME/TITLE OF AUTHORIZED OFFICIAL	SIGNATURE

EEOC FORM X3 (TEST) Page 4

Signed at Washington, D.C., this 26th day of February 1973.

WILLIAM H. BROWN III,
Chairman.

[FR Doc.73-3931 Filed 3-1-73;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19692; FCC 73-210]

ANTENNA MONITORS IN STANDARD BROADCAST STATIONS WITH DIRECTIONAL ANTENNAS

Standards for Design and Installation of Sampling Systems; Inquiry

In the matter of amendment of Part 73 of the Commission's rules and regulations to establish standards for the design and installation of sampling systems for antenna monitors in standard broadcast stations with directional antennas, Docket No. 19692.

1. The antenna monitor is an instrument utilized to provide indications for the radio operator of the relative phases and amplitudes of the currents in the elements of a directional array of a standard broadcast station. Such a monitor can furnish much of the information necessary to insure the proper maintenance of the station's radiation pattern, which is essential if interference to other stations is to be minimized.

2. On January 10, 1973, the Commission adopted a Report and Order in Docket 18471, which amended our rules and regulations to establish a procedure for the type approval of antenna monitors, and a schedule for their installation by all standard broadcast stations utilizing directional antennas. The implementation of these rules will result in the eventual substitution of accurate, stable, and easily manipulated monitors, for present equipment, much of which is obsolete, comparatively complicated to operate (a problem which assumes greater proportions, now that we permit lesser grade duty operators at stations with directional antennas), and of doubtful accuracy and stability. Furthermore, the type approved monitors will be adaptable for remote indication and control, and thus can be utilized to provide phase indications at a remote control point. If a monitor is used in this manner, rule amendments adopted pursuant to Docket 18455 will permit a substantial lessening of transmitter inspection requirements for remotely controlled stations with directional antennas.

3. While we have thus provided for improved instrumentation in the station, a further step would appear to be necessary if the potentialities of modern antenna monitors are fully to be realized. The signals which activate the monitor are samples of the currents flowing in the array towers. These samples are obtained with coupling elements, usually mounted on the individual towers, and delivered from each tower to the monitor, which is located in the transmitter house, by transmission lines (usually coaxial cable). Each line may be several hundred feet in length. If the monitor is to be relied on to provide accurate and stable indications of relative phase and amplitude, it is essential that the sampling system be so designed that errors in indication which can easily result from inadequacies in the system will be minimized.

4. Many of those who filed comments in Docket 18471, particularly consulting engineers and the technical personnel of broadcast stations, emphasized this last point, and contended, furthermore, that the sampling systems presently employed in many stations are clearly of poor design, or have deteriorated through lack of adequate maintenance. Such systems may be expected to introduce large and variable errors in monitor indications with changes in temperature, wind velocity, humidity, and other factors. A number of the parties urged that the Commission establish at least minimum standards for the installation and maintenance of sampling systems, and provided useful information upon which such standards might be based.

5. We believe that the problem raised is one which should be explored in considerable depth. We propose to do this in the instant proceeding. As a point of departure, in the appendix to this document we have set forth for comment proposed standards for sampling system design and installation. In formulating this proposal, we have drawn extensively on the information and suggestions submitted in Docket 18471, selecting those specifications which appeared to be of basic importance. We emphasize that our aim is to establish only minimum and essential requirements for a properly designed sampling system, and to avoid the imposition of unnecessary restriction on the prerogatives of the engineer who designs the system, or undue burdens on the station licensee.

6. We invite the fullest discussion of all aspects of this matter. A number of questions immediately present themselves—for instance, if temperature stabilized cable is specified to what extent, if any, may the requirement for lines of equal length be modified? Have we specified the physical design and the placement of the coupling loops so rigidly as to preclude orientation to minimize the effects of adjacent tower fields, or so that adjustments of the relative degree of coupling of each loop to its tower, to present a signal to the monitor within the range of amplitudes necessary for proper performance of the monitor, is unduly restricted? Should we preclude the use of rotatable and/or shielded loops in all instances? Should tower-mounted loops be required, even for towers which are less than a quarter wavelength in height? Would the performance of the system be improved should we require an impedance match at the input end of each transmission line? Undoubtedly, engineers and technicians who have had extensive experience with the installation, maintenance and use of such sampling systems will have informed opinions on these points, and on other pertinent and important factors. Where test data is available to support a particular point of view, its submission would be welcomed.

7. In addition to information as to the basic design of such systems we desire suggestions as to a comparatively simple and practical test procedure which might be employed periodically, perhaps at the time of the equipment performance measurements pursuant to § 73.47, to ascertian that no deterioration has occurred in the sampling system.

8. Should we adopt appropriate rules in this matter, it obviously would be desirable that they become applicable on the same schedule we have specified in § 73.67 for the installation of type approved antenna monitors, if this can reasonably be accomplished. Whether this would be possible depends upon the time frame within which this proceeding may be concluded. In any case, we foresee instances where a waiver or partial waiver of any requirements we set up may appear appropriate—as, for instance, with respect to recently installed or renovated sampling systems which are generally adequate in design, but may not meet all of the requirements which are established.

9. If it appears from the study of all comments, reply comments and information submitted in response to this notice that rules should be established in this matter, and there is a reasonable consensus as to the content of such rules, we may adopt an appropriate Report and Order without other proceedings. Otherwise, a further notice will be issued before final action is taken.

10. The effort initiated in this proceeding to formulate sampling system standards may be viewed as an action at variance with the Commission's avowed purpose, as expressed in its public notice of April 6, 1972, of simplifying, and, where possible relaxing the regulations governing the broadcasting services. In the long run, we believe, we are here aiming toward that end. For instance the general use by stations with directional antennas of stable and accurate antenna monitoring systems should substantially reduce the incidence of out-of-adjustment antennas, whose re-adjustment is a source of considerable trouble and expense to many licensees, and may make feasible the relaxation of certain existing operating requirements. Thus, monitoring point measurements may be required at less frequent intervals, and it may be possible to rely completely on antenna monitor indications for the maintenance of proper antenna current ratios, with the consequent elimination of the requirement for frequent base current observations.

11. We invite comments and reply comments on the standards set forth below and on other matters discussed herein.

12. Authority for the adoption of amendments of the rules of the nature proposed is contained in sections 4 (i) and (j) and 303 of the Communications Act of 1934, as amended.

13. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before May 7, 1973, and reply

comments on or before May 21, 1973. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

14. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, reply comments, pleadings, briefs and other documents shall be furnished the Commission. Copies of all pleadings filed in this proceeding are available for public inspection in the Public Reference Room at the Commission's headquarters in Washington, D.C. (1919 M St., NW.).

Adopted: February 21, 1973.

Released: February 26, 1973.

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

1. Sampling lines:

a. All sampling lines shall be of equal total lengths with equal portions of the lines subject to the same environmental conditions.

b. All sampling lines shall have solid outer conductors with air/polyethylene dielectric so proportioned as to produce a minimum phase temperature coefficient.

c. All sampling lines shall have identical electrical characteristics.

d. Those portions of sampling lines between the towers and the transmitter house preferably should be buried. If run above ground, the lines shall be rigidly supported and positioned. Outer conductors shall be grounded at points necessary to insure that fields from the array will not induce error currents in the lines.

2. Sampling elements:

a. Sampling elements shall be single turn, untuned, unshielded loops of rigid construction, with ample gaps at the terminals, solidly supported by nonhygroscopic insulators.

b. Each sampling loop shall be oriented with the plane of the loop including the vertical centerline of the tower, and shall be rigidly mounted on the tower in this orientation. The center conductor of the transmission line shall be connected to the side of the loop nearest the tower.

c. All loops shall be of the same size and shape and of identical construction, and shall be located at the same height on each tower (if the towers are of equal height) at a point close to the current maximum in the tower, but in no case less than 10 feet above ground level.

d. For a tower of less than one-fourth wavelength in height, current samples may be obtained from the transmission line, as close to the base of the tower as possible, by a current transformer or other coupling element.

[FR Doc.73-4008 Filed 3-1-73;8:45 am]

SELECTIVE SERVICE SYSTEM

[32 CFR Parts 1604, 1613]

REGISTRATION PROCEDURES

Disqualification and Jurisdiction

Pursuant to the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq) and § 1604.1 of Selective Service Regulations (32 CFR 1604.1), the Director of Selective Service hereby gives public notice that consideration is being given to the following proposed amendments to the Selective Service Regulations constituting a portion of Chapter XVI of the Code of Federal Regulations. These Regulations implement the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.).

All persons who desire to submit views to the Director on the proposals should prepare them in writing and forward them to the General Counsel, National Headquarters, Selective Service System, 1724 F Street NW., Washington, DC, 20435. Comments received on or before April 2, 1973, will be considered.

The proposed amendments follow:

PART 1604—SELECTIVE SERVICE OFFICERS

Section 1604.25 is amended to read as follows:

§ 1604.25 Disqualification.

(a) No appeal board shall act on the case of a registrant who is a member or the first cousin or closer relation, either by blood, marriage, or adoption, or who is an employer, employee, or fellow employee, or stands in the relationship of superior or subordinate in connection with any employment, or is a partner or close business associate of a member or employee of the appeal board.

(b) A member of a local board may disqualify himself in any matter in which he would be restricted in making an impartial decision by his family, business, or social relationship with the registrant or any member of the registrant's family.

(c) Whenever because of the provisions of paragraph (a) of this section or action taken pursuant to paragraph (b) of this section, an appeal board cannot act on the case of a registrant, and there is no panel of the appeal board to which the case may be transferred, the appeal board shall transmit such case to the State Director of Selective Service for transfer to another appeal board.

Section 1604.55 is amended to read as follows:

§ 1604.55 Disqualification.

(a) No local board shall act on the case of a registrant who is a member or the first cousin or closer relation, either by blood, marriage, or adoption, or who is a fellow employee or employer, or stands in the relation of superior or subordinate in connection with any employment, or is a partner or close business associate of a member or employee of the board.

(b) A member of a local board may disqualify himself in any matter in which he would be restricted in making an impartial decision by his family, business or social relationship with the registrant or any member of the registrant's family.

(c) Whenever because of the provisions of paragraph (a) of this section or action taken pursuant to paragraph (b) of this section, a local board cannot act on the case of a registrant, the local board shall request the State Director of Selective Service to designate another local board to which the registrant shall be transferred for action on his case.

PART 1613—REGISTRATION PROCEDURES

Section 1613.2 *Local board of jurisdiction*, is amended to read as follows:

§ 1613.2 Local board of jurisdiction.

The local board having jurisdiction over the place of residence of the registrant entered on the Registration Card (SSS Form 1) at the time of initial registration shall always have jurisdiction over the registrant, unless otherwise directed by the Director of Selective Service.

BYRON V. PEPITONE,
Acting Director.

FEBRUARY 26, 1973.

[FR Doc.73-3969 Filed 3-1-73;8:45 am]

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

LAKE STATES PROJECT OFFICE

Notice of Change of Address

The Lake States Project Office, Bureau of Land Management, 405 East Superior Street, Duluth, MN 55802, will move to the Federal Building, 515 West First Street. The Project Office will be open for business on February 21, 1973, in its new headquarters. The mailing address will be 125 Federal Building, Duluth, MN 55802.

Approved:

EDWIN ZAIDLICZ,
State Director.

[FR Doc.73-3948 Filed 3-1-73;8:45 am]

SIMULTANEOUS OIL AND GAS LEASE FILINGS

Revised Drawing Entry Card Required

FR Doc. 73-1116 published at 38 FR 1750 provided for the use of a revised drawing entry card (Form 3112-1) for simultaneous oil and gas lease filings beginning March 19, 1973. In view of the printing and distribution problems which have developed participants may use either the new revised entry card or the old blue card (Form 3120-20) for the March filings. The Blue card may not be used after the March 19, 1973, filings.

GEORGE L. TURCOTT,
Associate Director.

MARCH 1, 1973.

[FR Doc.73-4154 Filed 3-1-73;9:20 am]

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

BAKER LAKE WATERSHED PROJECT, MONT.

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental statement for the Baker Lake Watershed Project, Fallon County, Mont., USDA-SCS-ES-WS-(ADM)-73-30(D).

The environmental statement concerns a plan for watershed protection and flood prevention. The planned works of improvement include conservation land treatment and a floodwater retarding structure.

This draft environmental statement was transmitted to CEQ on February 23, 1973.

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

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue SW., Washington, D.C. 20250.

Soil Conservation Service, USDA, Room 474, Federal Building, Bozeman, Mont. 59715.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please use name and number of statement above when ordering. The estimated cost is $3.50.

Copies of the draft environmental statement have been sent for comment to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge of or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to A. B. Linford, State Conservationist, Soil Conservation Service, Post Office Box 970, Bozeman, MT 59715.

Comments must be received within 60 days of the date the statement was transmitted to CEQ in order to be considered in the preparation of the final environmental statement.

Dated: February 26, 1973.

WILLIAM B. DAVEY,
Deputy Administrator for Watersheds, Soil Conservation Service.

[FR Doc.73-4025 Filed 3-1-73;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-330]

RYE MARINE CORP.

Notice of Application

Notice is hereby given that application has been filed under the Merchant Marine Act, 1936, as amended, for operating-differential subsidy with respect to bulk cargo carrying service in the U.S. foreign trade, principally between the United States and the Union of Soviet Socialist Republics, to expire on June 30, 1973 (unless extended only for subsidized voyages in progress on that date). Inasmuch as the below-listed applicant, and/or related persons or firms, employ ships in the domestic intercoastal or coastwise service, written permission of the Maritime Administration under section 805(a) of the Merchant Marine Act, 1936, as amended, will be required for each such applicant if its application for operating-differential subsidy is granted.

The following applicant has requested permission involving the domestic intercoastal or coastwise services described below:

Name of applicant. Rye Marine Corp.

Description of domestic service and vessels. The applicant, Rye Marine Corp., owns the tanker *Thetis*, and has requested written permission for Rye Marine Corp. and affiliated companies to engage in the domestic service as well as the right to move any vessel from one domestic trade to another, and/or from a foreign trade(s) to a domestic trade(s).

Written permission is now required by Rye Marine Corp., notwithstanding that a voyage in the proposed service for which subsidy is sought would not be eligible for subsidy if the vessel carried domestic commerce of the United States on that voyage.

Interested parties may inspect this application in the Office of The Secretary, Maritime Administration, Department of Commerce Building, 14th and E Streets NW., Washington, D.C. 20235.

Any person, firm, or corporation having any interest (within the meaning of section 805(a)) in any application and desiring to be heard on issues pertinent to section 805(a) or desiring to submit comments or views concerning the application must, by close of business on March 13, 1973, file same with the Maritime Administration, in writing, in triplicate, together with petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing has been tentatively scheduled for March 19, 1973, in Room 4898, Department of Commerce Building, 14th and E Streets NW., Washington, D.C. 20235. The purpose of the hearing will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal services, or (b) would be prejudicial to the objects and policy of the Act.

By order of the Maritime Administration.

Dated: February 27, 1973.

AARON SILVERMAN,
Assistant Secretary.

[FR Doc.73-4035 Filed 3-1-73;8:45 am]

[Docket No. S-331]

RYE MARINE CORP.

Notice of Application

Notice is hereby given that Rye Marine Corp., has filed an application for an operating-differential subsidy contract to carry bulk cargoes to expire on June 30, 1973 (unless extended only for a subsidized voyage in progress on that date). The bulk cargo carrying vessel proposed to be subsidized, and the trade in which it proposes to engage is presented below:

Applicant's name and address	Type of ship	Name of ship
Rye Marine Corp., One World Trade Center, Suite 2023, New York, N.Y. 10048.	Tanker.....	S/T Thetis.

The application may be inspected in the Office of the Secretary, Maritime Subsidy Board, Maritime Administration, U.S. Department of Commerce, Washington, D.C., during regular working hours.

The vessel is to engage in the carriage of export bulk raw and processed agricultural commodities in the foreign commerce of the United States (U.S.) from ports in the United States to ports in the Union of Soviet Socialist Republics (U.S.S.R.), or other permissible ports of discharge. Liquid and dry bulk cargoes may be carried from U.S.S.R. and other foreign ports inbound to U.S. ports during voyages subsidized for carriage of export bulk raw and processed agricultural commodities to the U.S.S.R.

Full details concerning the U.S.-U.S.S.R. export bulk raw and processed agricultural commodities subsidy program, including terms, conditions, and restrictions upon both the subsidized operators and vessels, appear in the regulations published in the FEDERAL REGISTER on November 16, 1972 (37 FR 24349).

For purposes of section 605(c), Merchant Marine Act, 1936, as amended (Act), it should be assumed that the ST *Thetis* will engage in the trades described on a full-time basis through June 30, 1973 (with extension to termination of any approved subsidized voyage in progress on that date). Each voyage must be approved for subsidy before commencement of the voyage. The Maritime Subsidy Board (Board) will act on each request for a subsidized voyage as an administrative matter under the terms of the operating-differential subsidy contract for which there is no requirement for further notices under section 605(c) of the Act.

Any person having an interest in the granting of such application and who would contest a finding of the Board that the service now provided by vessels of U.S. registry for the carriage of cargoes as previously specified is inadequate, must, on or before March 13, 1973, notify the Board's Secretary, in writing, of his interest and of his position, and file a petition for leave to intervene in accordance with the Board's rules of practice and procedure (46 CFR Part 201). Each such statement of interest and petition to intervene shall state whether a hearing is requested under section 605(c) of the Act and with as much specificity as possible the facts that the intervenor would undertake to prove at such hearing.

In the event a hearing under section 605(c) of the Act is ordered to be held with respect to the application, the purpose of such hearing will be to receive evidence relevant to (1) whether the application hereinabove described is one with respect to the vessel to be operated in an essential service, served by citizens of the U.S. which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of U.S. registry is inadequate and (2) whether in the accomplishment of the purposes and policy of the Act an additional vessel should be operate thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Board will take such action as may be deemed appropriate.

Dated: February 27, 1973.

By order of the Maritime Subsidy Board.

AARON SILVERMAN,
Assistant Secretary.

[FR Doc.73-4036 Filed 3-1-73;8:45 am]

[Supplement 2]

U.S.S.R.-FLAG VESSELS ARRIVING AT CUBAN AND NORTH VIETNAM PORTS

Supplement to List

The Maritime Administration is making available Supplement No. 2 to the "List of U.S.S.R.-Flag Vessels Arriving at Cuban and North Vietnam Ports," as published in the FEDERAL REGISTER (38 FR 3417) to all interested parties, in keeping with the provisions of a memorandum on U.S. port procedures and other matters (referred to in a letter dated October 14, 1972, from the Secretary of Commerce to the Minister of Merchant Marine of the Union of Soviet Socialist Republics, in connection with the agreement signed that same date between the Government of the United States and the Government of the Union of Soviet Socialist Republics concerning certain maritime matters). This supplement includes new vessels arriving in Cuban ports through December 1972, certain additional vessels not previously included and some new name translations of vessels previously included.

Supplement No. 2 to the "List of U.S.S.R.-Flag Vessels Arriving at Cuban and North Vietnam Ports" during the periods specified by types of vessels: (1) Freighters, (2) tankers, (3) refrigerated, (4) bulk carrier, (5) combination passenger and cargo, (6) ore carrier, (7) LPG tankers, (8) colliers, and (9) timber carriers.

Name of vessel*	Gross Tonnage	Areas called (a) Cuba 1963—December 1972	Areas called (b) North Vietnam 1966—May 11, 1972
1. FREIGHTERS			
Akademik Yangel/or Akademik Jangel.[1]	9,547	X	
Eniseyles/or Eniselles[1]	4,896	X	
George Dimitrov/or Georgiy Dimitrov.[1]	10,380	X	
Valentin Khulostky/or Valentin Khutorskoy/or Valentin Khutorsky.[2]	9,500	X	
Yakov Alksnis/or Jakov Alksnis.[2]	5,353	X	
2. TANKERS			
Auskells[1]	3,670	X	
Nikolay Baratashvili[1]	15,551	X	
Pyat. Pobeda/or Proletarskaya Pobeda.[2]	14,163	X	

*The several spellings for the same vessel is caused by problems of translation.
[1] New vessels arriving Cuba November through December 1972.
[2] New translations.

By order of the Deputy Assistant Secretary for Maritime Affairs.

Dated: February 26, 1973.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.73-3932 Filed 3-1-73;8:45 am]

National Oceanic and Atmospheric Administration

[Docket No. B-555]

CHARLES W. CARPENTER

Notice of Loan Application

FEBRUARY 26, 1973.

Charles W. Carpenter, 9 Earles Court Road, Narragansett, R.I. 02882, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used wood vessel, about 49.6 feet in length, to engage in fishery for lobsters.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above-entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, on or before April 2, 1973. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

ROBERT W. SCHONING,
Acting Director.

[FR Doc.73-3972 Filed 3-1-73;8:45 am]

[Docket No. S-602]

GEORGE F. WOOD

Notice of Loan Application

FEBRUARY 26, 1973.

George F. Wood, 2730 34th Avenue South, Seattle, WA 98144, has applied for a loan from the Fisheries Loan Fund to aid in financing purchase of a used wood vessel, about 29 feet in length, to engage in the fishery for salmon and halibut in southeastern Alaska.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above-entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, on or before April 2, 1973. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

ROBERT W. SCHONING,
Acting Director.

[FR Doc.73-3971 Filed 3-1-73;8:45 am]

Office of Import Programs

U.S. PRODUCTION OF SOLUBLE COFFEE

Solicitation of Certified Information

In accordance with paragraph (d) of the Agreement Concerning Brazilian Exports of Soluble Coffee to the United States dated April 2, 1971 (TIAS 7118, 22 UST 654), the U.S. Government is soliciting information from U.S. manufacturers of soluble coffee about their domestic production of soluble coffee during calendar years 1971 and 1972. Under the agreement, the Brazilian Coffee Institute will allocate among U.S. manufacturers of soluble coffee the right to purchase specified quantities of green coffee free of the Brazilian export tax, on the basis of their average share of soluble coffee production in the United States for the 2 most recent years. U.S. manufacturers of soluble coffee wishing to share in the special allocation are requested to supply the following information for the calendar years 1971 and 1972, separately:

1. Pounds of green coffee roasted by the respondent for the production of soluble coffee in the United States.

2. Location of plant or plants at which the above coffee was roasted.

The accuracy of such information must be certified by an authorized officer of the respondent subject to the penalties provided in 18 U.S.C. 1001 for making any false statements or entries in any matter within the jurisdiction of any department or agency of the United States. Information so provided will be made available to the public for inspection and transmitted to the Government of Brazil as a basis for its allocations. In order that the information can be forwarded to the Government of Brazil as soon as possible, it must be received by certified mail no later than 15 working days from the date of publication of this notice in the FEDERAL REGISTER. Responses should be addressed to:

OIP/326, U.S. Department of Commerce, Washington, D.C. 20230, Attention: Coffee.

Dated: February 23, 1973.

B. BLANKENHEIMER,
Acting Deputy Assistant Secretary, and Director, Bureau of Resources and Trade Assistance, Department of Commerce.

[FR Doc.73-3934 Filed 3-1-73;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health

NATIONAL CANCER ADVISORY BOARD AD HOC ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the National Cancer Advisory Board ad hoc Advisory Committee for the Frederick Cancer Research Center (FCRC), March 2, 1973, at 9 a.m., Frederick Cancer Research Center, Fort Detrick, Frederick, Md., Conference Room, Building 426. This meeting will be open to the public from 9 a.m., March 2, 1973, to discuss certain programs at Frederick Cancer Research Center and closed to the public from 1 p.m., March 2, 1973, in accordance with the provisions set forth in section 10(d) of Public Law 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Md. 20014 (301—496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

William W. Payne, Executive Secretary, Building 560, Room 11-82, Frederick Cancer Research Center, Fort Detrick, Frederick, Md. 21701 (301—663-7305) will provide substantive program information.

Dated: February 26, 1973.

JOHN F. SHERMAN,
Acting Director, National Institutes of Health.

[FR Doc.73-4162 Filed 3-1-73;10:20 am]

Office of Education

LIBRARY TRAINING PROGRAM

Notice of Establishment of Closing Date for Receipt of Applications and/or Proposals for Grants

Title II-B of the Higher Education Act of 1965 (Public Law 89-329, as amended and as further amended by the Education Amendments of 1972 (Public Law 92-318) authorizes the U.S. Commissioner of Education to make grants to institutions of higher education and library organizations or agencies to assist them in training persons in librarianship. Such grants may be used to assist in covering the costs of providing fellowships, institutes, and traineeships.

Notice is hereby given that March 23, 1973, is established as the closing date upon which applications and/or proposals for training in librarianship under title II-B for the academic year 1973-74 may be filed with and received by the U.S. Commissioner of Education.

Application forms, instructions, and other pertinent information will be sent to institutions which have previously participated in the program. Other institutions of higher education and library organizations or agencies desiring to participate in the program may obtain such application forms, instruction, and other information from the Bureau of Libraries and Learning Resources, U.S. Office of Education, Washington, D.C. 20202, Attention: Frank A. Stevens, Program Manager, Library Training and Resources Program.

Dated: February 26, 1973.

JOHN OTTINA,
Acting U.S. Commissioner of Education.

[FR Doc.73-3910 Filed 3-1-73;8:45 am]

Office of the Secretary

FOOD AND DRUG ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority; Amendment

Part 6, (Food and Drug Administration) of the statement of organization, functions, and delegations of authority of the Department of Health, Education, and Welfare (35 FR 3685-92 dated February 25, 1970 as amended) is amended to reflect reorganization of the Bureau of Veterinary Medicine.

Section 6B is amended as follows:

SEC. 6B *Organization.*

* * * * *

(m) *Bureau of Veterinary Medicine.* Develops and recommends the veterinary medical policy of the Food and Drug Administration with respect to the safety and efficacy of veterinary preparations and devices. Evaluates proposed use of veterinary preparations for animal safety and efficacy.

Coordinates the veterinary medical aspects of the FDA inspection and investigational programs and provides veterinary medical opinion in drug hearings and court cases.

Plans, directs, and evaluates FDA's surveillance and compliance programs relating to veterinary drugs and other veterinary medical matters.

(m-1) *Immediate Office of the Director.* Directs overall Bureau activities and coordinates policy establishment in the areas of research, management, compliance, and surveillance.

Provides leadership and executive direction for all Bureau activities.

(m-2) *Office of the Assistant Director for Management.* Plans, evaluates, and provides systems for planning, programing, and budgeting, as well as general administrative support for the Bureau, including financial, personnel, facilities, and equipment management services. Identifies Bureau operational goals and develops program management and control systems for monitoring and evaluating program achievements. Provides systems analysis support for the maintenance and refinement of Bureau information and retrieval systems.

Plans and directs special Bureau projects and programs and coordinates the various Divisions' activities in support of special projects and programs.

(m-3) *Division of Veterinary Research.* Conducts studies to evaluate the validity of data supporting the safety and efficacy of veterinary drugs intended for the prevention or treatment of animal diseases. Conducts acute and chronic toxicity studies in large domestic animals following reports of animal feeds contamination, such as heavy metals, weed seeds, pesticides, etc.

Studies the therapeutic properties of specific products and substances and the experimental reproduction of various disease conditions. Cooperates with other components of FDA in the development of actual evidence based on animal experimentation to support legal action under the Federal Food, Drug, and Cosmetic Act.

Directs research to develop methods for studying the effects of therapeutic agents and various disease conditions.

Conducts experiments to develop information regarding food additive problems arising from the use of drugs in veterinary medicine. Maintains colonies of laboratory animals for experimental tests and studies.

(m-4) *Division of New Animal Drugs.* Evaluates for animal safety and efficacy proposed new therapeutic, reproductive, and prophylactic veterinary preparations. Reviews the use of such preparations in veterinary medical practice to determine the effects on animals (If the preparation is administered to food-producing animals, the use of the product is evaluated as it relates to safety in humans.)

Evaluates proposed labels to assure that they clearly indicate the use and limitations of the product.

Evaluates manufacturing facilities and procedures as described in the application to assure that such controls are adequate.

Recommends action to be taken on proposed new therapeutic, reproductive, and prophylactic veterinary preparations submitted for FDA review.

Determines data required to establish safety and efficacy and provides such information to investigators and manufacturers.

Recommends research projects to be conducted by the Division of Veterinary Research to gain further information on new drugs.

(m-5) *Division of Veterinary Medical Review.* Conducts continuing surveillance and evaluation of veterinary preparations and devices for safety, efficacy, and reliability and recommends action to correct significant hazards or potential dangers.

Evaluates drug experience reports, establishment inspection information, advertising, and other clinical or research data bearing on marketed veterinary preparations.

Evaluates and recommends action on medicated feed applications for those preparations that have been approved for marketing.

Recommends or supports regulatory and research activity.

Prepares veterinary medical reports for the U.S. Postal Service in support of postal laws and regulations.

Develops and carries out programs designed to encourage compliance by industry on a voluntary basis.

(m-6) *Division of Compliance.* Advises the Bureau Director and other FDA officials on problems concerning FDA's regulatory responsibilities for new animal drugs.

Directs, designs, and monitors studies necessary to determine medical policy and to support regulatory action on violative animal drugs.

Develops compliance and surveillance programs covering regulated industries in animal drugs and related areas.

Develops or coordinates the development of regulations and other standards for animal drug industry practices and fosters development of good manufacturing practices.

Provides support and guidance upon request to the Field/District Offices in the handling of legal actions and provides headquarters case development, coordination, and contested case assistance.

Develops and coordinates studies to measure degree of compliance by regulated industries with statutes and regulations enforced by the Bureau. Monitors and evaluates professional journal advertising, and promotional and related labeling to determine veracity of claims.

(m-7) *Division of Nutritional Sciences.* Evaluates for animal safety and efficacy proposed new nutritional drug substances, and other nondrug substances relating to feed efficiency and growth promotion. Reviews the use of such preparations in animal production and veterinary medical practice to determine the effect on animals. (If the preparation is administered to food-producing animals, the use of the product is also evaluated as it relates to safety in humans.)

Evaluates proposed labels to assure that they clearly indicate the use and limitations of the product.

Evaluates manufacturing facilities and procedures as described in the application to assure that such controls are adequate.

Recommends action to be taken on proposed new nutritional drug substances and other nondrug nutrient substances relating to feed efficiency and growth promotion submitted for FDA review.

Determines data required to establish safety and efficacy and provides such information to investigators and manufacturers.

Provides statistical evaluation of proposed scientific studies and of data collected by scientific studies.

Recommends research projects to gain further information on new nutritional drugs.

* * * * *

Dated: February 26, 1973.

WAYNE M. WILSON,
Acting Deputy Assistant Secretary for Management.

[FR Doc.73-4006 Filed 3-1-73;8:45 am]

Social Security Administration

ADVISORY COMMITTEE ON MEDICARE ADMINISTRATION, CONTRACTING, AND SUBCONTRACTING

Notice of Public Meeting

Notice is hereby given, pursuant to Public Law 92-463, that the Advisory Committee on Medicare Administration, Contracting, and Subcontracting, established pursuant to section 1114(f) of the Social Security Act, as amended, which advises the Secretary of Health, Education, and Welfare on Medicare matters, will meet on Friday, March 9, 1973, at 9 a.m., in Room 3131 of the Department of Health, Education, and Welfare, North Building, Third and C Streets, Washington, D.C. The meeting is open to the public. The Committee will consider matters relating to administration, contracting, and subcontracting.

Further information on the Committee may be obtained from Mr. Max Perlman, Executive Secretary of the Committee, Room 585, East Building, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, telephone 301—594-9134. Members of the public planning to attend should send written notice of intent to the Executive Secretary.

Dated: February 27, 1973.

MAX PERLMAN,
Executive Secretary, Advisory Committee on Medicare Administration, Contracting, and Subcontracting.

[FR Doc.73-4037 Filed 3-1-73;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-312]

SACRAMENTO MUNICIPAL UTILITY DISTRICT

Notice of Hearing on a Facility Operating License

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, Licensing of Production and Utilization Facilities, and Part 2, Rules of Practice, notice is hereby given that a hearing will be held at a time and place to be set in the future by an Atomic Safety and Licensing Board, to begin in or in the vicinity of

Sacramento, Calif., to consider the application filed under section 104(b) of the Act by the Sacramento Municipal Utility District (Applicant) for a facility operating license which would authorize the operation of a pressurized water nuclear reactor (the Facility), identified as the Rancho Seco Nuclear Generating Station, Unit 1, at steady state power levels not to exceed 2,772 megawatts thermal, at the Applicant's site in Sacramento County, Calif. The hearing will be conducted by an Atomic Safety and Licensing Board (Board) designated by the Chairman of the Atomic Safety and Licensing Board Panel, consisting of John B. Farmakides, Esq., Chairman, Dr. Clark Goodman, member, and Dr. J. V. Leeds, member. Dr. Paul W. Purdom has been designated a technically qualified alternate, and Hugh K. Clark, Esq., has been designated as an alternate qualified in the conduct of administrative proceedings.

Construction of the facility was authorized by Construction Permit No. CPPR-56 issued by the Atomic Energy Commission (Commission) on October 11, 1968.

On October 18, 1972, a notice of consideration of issuance of facility operating license and notice of opportunity for hearing in the above matter appeared in the FEDERAL REGISTER (37 FR 22012). The notice advised that, within 30 days from the date of publication, "any person whose interest may be affected by this proceeding may file a petition for leave to intervene with respect to the issuance of the facility operating license."

As set forth in a memorandum and order on this matter dated February 23, 1973, the Atomic Safety and Licensing Board designated to rule on petitions has determined that the petition filed by Dick Gregory, et al., satisfies the requirements of the Commission's regulations and that a hearing will be held.

A prehearing conference, or conferences, will be held by the Licensing Board, at date(s) and place(s) to be set by it, to consider pertinent matters, including specification of the issues to be considered at the evidentiary hearing, in accordance with the Commission's rules of practice 10 CFR Part 2. Notices as to the dates and places of the prehearing conference(s) and the evidentiary hearing will be published in the FEDERAL REGISTER.

The instant facility is subject to the provisions of section C.3. of Appendix D to 10 CFR Part 50, which sets forth procedures applicable to review of environmental considerations for production and utilization facilities for which construction permits were issued prior to January 1, 1970.

Depending on the resolution of the issues specified by the Licensing Board, authorization for issuance of the operating license may be granted or denied, or the license may be authorized as appropriately conditioned. An operating license would be issued only after appropriate findings are made by the Director of Regulation on the matters set forth below which are not embraced by the Board's decision (and upon compliance with the applicable provisions of Appendix D to 10 CFR Part 50 dealt with above):

1. Whether construction of the facility has been substantially completed in conformity with the construction permit and the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

2. Whether the facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

3. Whether there is reasonable assurance (i) that the activities authorized by the operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the regulations of the Commission.

4. Whether the applicant is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the regulations of the Commission.

5. Whether the applicable provisions of 10 CFR Part 150, Financial Protection Requirements and Indemnity Agreements, of the Commission's regulations have been satisfied.

6. Whether the issuance of the license will be inimical to the common defense and security or to the health and safety of the public.

Any person who wishes to make an oral or written statement in this proceeding but who has not filed a petition for leave to intervene as noted above, may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715 of the Commission's rules of practice. Limited appearances will be permitted at the time of the hearing in the discretion of the Licensing Board, within such limits and on such conditions as may be fixed by it. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, on or before April 2, 1973. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of 10 CFR 2.705 of the Commission's rules of practice, must be filed by the parties to this proceeding (other than the regulatory staff) on or before March 21, 1973.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

For further details pertinent to the matters under consideration, see the application for the facility operating license dated April 4, 1971, as amended, the Applicant's Environmental Report dated May 18, 1971, and supplements thereto, and the Commission's draft detailed statement on environmental considerations pursuant to 10 CFR Part 50 dated October 1972, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC and at the Sacramento City County Library, 828 I Street, Sacramento, CA 95814. As they become available, the following documents also will be available at the above locations: (1) The safety evaluation prepared by the Directorate of Licensing; (2) the Commission's final detailed statement on environmental considerations; (3) the report of the Advisory Committee on Reactor Safeguards on the application for facility operating licenses; (4) the proposed facility operating licenses; and (5) the proposed tchnical specifications, which will be attached to the proposed facility operating licenses. To the extent of supply, copies of items (1), (2), (3), and (4) will be furnished upon request to Deputy Director for Reactor Projects, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Pending further order of the Licensing Board, parties are required to file pursuant to the provisions of 10 CFR 2.708 of the Commission's rules of practice, an original and 20 conformed copies of each such paper with the Commission.

It is so ordered.

Issued at Washington, D.C., this 23d day of February 1973.

THE ATOMIC SAFETY AND LICENSING BOARD,
ELIZABETH S. BOWERS,
Chairman.

[FR Doc.73-3952 Filed 3-1-73;8:45 am]

CIVIL AERONAUTICS BOARD

AEROSPACE CORP.

Notice of Meeting

Notice is hereby given that a presentation regarding high density short-haul air transportation will be made by the above company on March 6, 1973, at 10 a.m. (local time) in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, DC.

Dated at Washington, D.C., February 28, 1973.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.73-4117 Filed 3-1-73;8:45 am]

[Docket No. 24963]

ALLEGHENY AIRLINES, INC.

Poughkeepsie Deletion Application; Postponement of Prehearing Conference

Counsel for the Bureau of Operating Rights has requested a 1-week postpone-

ment of the prehearing conference and the dates now set for submission of preconference materials in the above-captioned proceeding because of a conflict in procedural dates. Bureau Counsel advises that Allegheny Airlines, the Dutchess County Department of Aviation (Poughkeepsie), and the New York State Department of Transportation have been contacted and do not object to the proposed extension of dates.

Accordingly, notice is hereby given that the prehearing conference now scheduled for March 20, 1973 (38 FR 4685, February 20, 1973), is hereby postponed to March 27, 1973, at 10 a.m. (local time), in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Administrative Law Judge. The Bureau of Operating Rights will circulate its preconference material on, or before, March 13, 1973, and the other parties on, or before, March 20, 1973.

Dated at Washington, D.C., February 26, 1973.

[SEAL] ALEXANDER N. ARGERAKIS,
Administrative Law Judge.

[FR Doc.73-4027 Filed 3-1-73;8:45 am]

[Docket No. 23287]

AIR FREIGHT FORWARDERS' CHARTERS INVESTIGATION

Notice of Postponement of Hearing

Notice is hereby given that the hearing in the above-entitled proceeding previously scheduled for April 24, 1973 (38 FR 1373), is hereby postponed indefinitely.

Dated at Washington, D.C., February 23, 1973.

[SEAL] RICHARD M. HARTSOCK,
Administrative Law Judge.

[FR Doc.73-3912 Filed 3-1-73;8:45 am]

[Agreement CAB 5044-A146; Docket No. 25231]

AIR TRAFFIC CONFERENCE OF AMERICA

Notice of Proposed Approval

Notice is hereby given that the undersigned intends to issue the attached order under delegated authority pursuant to section 412(a) of the Federal Aviation Act of 1958, as amended. Interested persons are hereby afforded a period of 15 days from the date of this notice within which to file comments with respect to the action contemplated in the proposed order.

Dated at Washington, D.C., February 27, 1973.

A. M. ANDREWS,
Director,
Bureau of Operating Rights.

ORDER APPROVING AGREEMENT

The Air Traffic Conference of America (ATC), on behalf of its air carrier members, has filed with the Board under section 412 of the Federal Aviation Act of 1958, as amended (the Act), an agreement (Agreement CAB 5044-A146) proposing changes in the Air Traffic Conference Agency Resolution and the Air Traffic Conference Sales Agency Agreement.

The Agreement deals, in part, with the expansion of the definition of the term "authorized agency location" as set forth in section I of the ATC Agency Resolution, and such part of the Agreement is intended to become effective after approval by the Civil Aeronautics Board.[1]

At the present time, the term "authorized agency location" is defined as: "A place of business operated by an agent, which place of business is included on the ATC Agency List." While the foregoing language is retained in the revised definition of authorized agency location,[2] such definition is expanded to indicate that such agency location will be the home office if it owns and operates "additional authorized agency locations" as branches of that entity. In turn, the term "additional authorized agency" location is described, in part, as a branch office location included on the Agency List, wholly owned and operated as an integral part of the home office, and performing much of the same promotion and sales functions as the home office—including, for example, the making of reservations and the issuance of tickets, The Agreement indicates that the corporate structure or ownership of the home and branch offices must be absolute and all inclusive as a single entity, and the former must have legal and financial responsibility for, inter alia, the administration and the liability of the latter.

No comments concerning the above-described portion of the agreement have been received.

The proposed amendment to the definition of the term "authorized agency location" appears to provide added meaning and continuity to such term as it appears from time to time throughout the Agency Resolution and the Sales Agency Agreement. Furthermore, the inclusion of a definition of the term "additional authorized agency location" not only gives specific meaning to that term as it is used in the Agency Resolution but also eliminates any previous ambiguity as to what might have constituted such a location.[3] Thus, the air carrier members of ATC have indicated that additional authorized agency locations must be closely related to the home office with regard to both structure and responsibility. This action appears in accord with several provisions in the Agency Resolution concerning additional locations.

In light of the foregoing, it is concluded that it would be in the public interest to approve that portion of the Agreement discussed herein, subject to the proviso hereinafter stated.[4]

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is not found that the particular provision of the Agreement discussed herein is adverse to the public interest or in violation of the Act.

Accordingly, it is ordered that:

The portion of Agreement CAB 5044-A146 amending section I of ATC Resolution 80.10 (Air Traffic Conference Agency Resolution) be and it 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 from the date 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.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

APPENDIX

AMENDMENT TO AGREEMENT CAB 5044, AIR TRAFFIC CONFERENCE AGENCY RESOLUTION

I. Section 1.I., Resolution 80.10, is amended to read:

The term "authorized agency location" means a place of business operated by an agent, which place of business is included on the ATC Agency List. Such location will be the home office if it owns and operates "additional authorized agency locations" as branches of that entity. The term "additional authorized agency location" means a "branch office" location included on the ATC Agency List which is wholly owned and operated as an integral part of the home office and which performs substantially the same promotion and sales functions as the home office, which shall include, but not be limited to the following:

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[1] Other provisions of the Agreement dealing with various agency matters are being separately considered.

[2] The revised version is set forth in the appendix hereto.

[3] It is noted that the ATC Agency List currently specifies whether a particular location is a home or branch office. Thus, the Agreement also gives added meaning to these designations as used in the Agency List.

[4] There is currently before the Board, Docket 24696, an agreement (Agreement CAB 5044-A154) which, inter alia, proposes to amend the definition of the term Agent for the purposes of section VII (Defaults, Late Remittances, and Financial Irregularities by Agents) of the ATC Agency Resolution. According to ATC, under the proposal a late remittance charged to any specific agency location in the corporate family would become a late remittance charge against all agency locations in the corporate family—with the possible suspension of all such locations in the event of four late remittances; also, in the event of a financial irregularity by an agency location, ticket stock would be withdrawn not only from the particular agency location but from all other agency locations in the corporate family.

It is not apparent that Agreement CAB 5044-A154 and the instant agreement (CAB 5044-A146) are interrelated. However, to the extent that there is a relationship between the two agreements, it is to be noted that our action herein is not dispositive of any of the issues raised by CAB 5044-A154

(1) Quoting fares, rates, and/or schedules,
(2) Making reservations,
(3) Accepting payment for travel,
(4) Arranging for delivery of tickets or other transportation documents,
(5) Assisting clients with other travel arrangements,
(6) Arranging for the issuance of ticket or other travel documents,
(7) Issuing tickets or other travel documents.

The corporate structure or ownership of the home office and branch(es) must be absolute and all inclusive as a single entity and the home office shall have full legal and financial responsibility for the administration, staff, liability, maintenance, and operational expense of the branch office location.

[FR Doc.73-3913 Filed 3-1-73;8:45 am]

COST OF LIVING COUNCIL

FOOD ADVISORY COMMITTEE

Notice of Meetings

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given that the Food Advisory Committee created by section 7(b) Executive Order 11695 will meet—

(1) At 9:30 a.m., Tuesday, March 6, 1973, in the main Conference Room of the Cost of Living Council, 7th Floor, 2000 M Street NW., Washington, DC; and

(2) At 9:30 a.m., Monday, March 19, 1973, at 5725 East River Road, Chicago, IL.

The purpose of the meetings is to provide advice to the Cost of Living Council on the operation of the Economic Stabilization Program in the food industry and other matters related to food costs and prices.

The Director of the Cost of Living Council has determined that the meetings will consist of exchanges of opinions, that the discussions, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that it is essential to close the meetings to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

Issued in Washington, D.C., on February 26, 1973.

JAMES W. MCLANE,
Deputy Director,
Cost of Living Council.

[FR Doc.73-3974 Filed 3-1-73;8:45 am]

CIVIL SERVICE COMMISSION

NATIONAL ADVISORY BOARD OF THE FEDERAL EXECUTIVE INSTITUTE

Notice of Open Meeting

Pursuant to the provisions of section 10 of Public Law 92-463, effective January 5, 1973, notice is hereby given that the National Advisory Board of the Federal Executive Institute will hold an open meeting on March 16, 1973. The meeting will be in Reception Room 5H09, Conference Room 5A06A, U.S. Civil Service Commission Building, 1900 E Street NW., Washington, DC, beginning at 9:30 a.m. and ending at approximately 4 p.m.

The following agenda items are scheduled for discussion:

1. Report on Activities of the Institute;
2. Curriculum of the Institute;
3. Leadship Succession at the Institute;
4. Report on Financing.

Further information may be obtained by writing Dr. Patrick J. Conklin, Associate Director, Federal Executive Institute, Route 29 North, Charlottesville, VA 22903, or by calling 703—296-1295.

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

[FR Doc.73-4033 Filed 3-1-73;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Notice of Public Availability

Environmental impact statements received by the Council from February 20 through February 23, 1973.

NOTE: At the head of the listing of statements received from each agency is the name of an individual who can answer questions regarding those statements.

DEPARTMENT OF AGRICULTURE

Contact: Dr. T. C. Byerly, Office of the Secretary, Washington, D.C. 20250, 202—447-7803.

FOREST SERVICE

Draft, February 8

Burning of Big Sagebrush, Mont. County: Several. The statement refers to the proposed prescribed burning of 1,800 acres of sagebrush-covered land annually, during fiscal years 1973-75, in order to improve the range resource on national forest lands. National forests included are Beaverhead, Gallatin, and Deerlodge. Counties affected are Beaverhead, Jefferson, Madison, Silver Bow, and Gallatin. Existing plant communities will be altered from a grassland dominated by sagebrush to a grassland interspersed with sagebrush. Short-term erosion, water siltation, and air pollution will occur. (77 pages) (ELR Order No. 00219) (NTIS Order No. EIS 73 0219-D)

ATOMIC ENERGY COMMISSION

Contact: For Nonregulatory matters: Mr. Robert J. Catlin, Director, Division of Environmental Affairs, Washington, D.C. 20545, 202—973-5391.
For regulatory matters: Mr. A. Giambusso, Deputy Director for Reactor Projects, Directorate of Licensing, Washington, D.C. 20545, 202—973-7373.

Final, February 20

Forked River Nuclear Station, New Jersey, County: Ocean. The statement refers to the proposed issuance of a construction permit to the Jersey Central Power & Light Co. for a 3,410 MWt, 1,093 MWe, pressurized water reactor near Forked River. Cooling water would be obtained from Barnegate Bay through a canal, and circulated through a counterflow natural draft cooling tower. Aquatic organisms will be adversely affected by thermal, chemical, and mechanical shock. (The interaction of the Forked River Station with the nearby Oyster Creek Station was considered in the statement's evaluation of environmental impact.) (258 pages) Comments made by: USDA, COE, DOC, HEW, HUD, DOI, DOT, EPA, FPC, and State and local agencies. (ELR Order No. 00292) (NTIS Order No. EIS 73 0292-F)

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Department of Commerce, Washing, D.C. 20230, 202-967-4335.

Draft, February 8

Airport/Riverfront Industrial Park, County: Douglas. The statement refers to the proposed construction of a 264-acre industrial park adjacent to the city of Omaha and Eppley Airfield. The project, a segment of the planned 58.47-mile development along the Missouri River which is known as the Riverfront Development Project, will include dredging, filling, and grading of the area and construction of a sewage system, a riverbank stabilization system, railroad lead trackage and roads, and related utility systems. The area will be sold in industrial/commercial blocks of from 3 to 20 acres. As a result of the project, open space of potential recreational use will be eliminated; dredging activities will cause turbidity. (102 pages) (ELR Order No. 00217) (NTIS Order No. EIS 73 0217-D)

DEPARTMENT OF DEFENSE

AIR FORCE

Contact: Colonel Cliff M. Whitehead, Room 5E 425, The Pentagon, Washington, D.C. 20330, 202—OX 5-2889.

Draft, February 14

Pacific Cratering Experiments (PACE). The statement, a revised draft, refers to the proposed detonation of a series of high explosive chemical charges at the interface of selected islands of Enlwetok Atoll, Marshall Islands. The purpose of the testing is the approximation of the effects of nuclear bursts on hardened strategic systems. Craters will be caused by the blasts; chemical and/or radiochemical contaminants may enter the water. Those craters which are formed will be filled. (360 pages) (ELR Order No. 00263) (NTIS Order No. EIS 73 0263-D)

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attention: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, DC 20314, 202—693-7168.

Draft, February 12

St. Francis Basin Project, Missouri-Arkansas. The statement refers to the completion of a flood control and drainage improvement project which is presently 41 percent complete. Features of the project include a reservoir in southeast Missouri and channel works, levees, control structures, and pumping stations. That portion of the project remaining includes 475 miles of channel works and the acquisition of 34,000 acres (including 11,000 acres of woodland). There will be adverse impact to wildlife communities and possible damage to historic and archeological resources. (41 pages) (ELR Order No. 00242) (NTIS Order No. EIS 73 0242-D)

Draft, February 13

Thimble Shoal Channel, Virginia. The statement refers to the proposed maintenance dredging of the Thimble Shoal Channel which is located in the lower portion of the Chesapeake Bay Mouth between Hampton Roads and the Atlantic Ocean. The existing project provides for a channel 60,000 feet long, 1,000 feet wide, and 45 feet deep at mean low water, with auxiliary channels 450 feet wide and 32 feet deep at mean low water adjoining each side of the 1,000-foot channel. Spoil will be deposited in the Dam Neck disposal area. Adverse effects include the loss of benthic organisms and temporary turbidity and siltation. (12 pages) (ELR Order No. 00254) (NTIS Order No. EIS 73 0254–D)

Draft, February 6

Vancouver Lake, Wash., County: Clark. The statement refers to the proposed construction of 21 miles of levee and pumping plants, in order to provide flood protection to 5,700 acres lying between Vancouver Lake and the Columbia River. Protection of the land will stimulate changes from agricultural to industrial uses. (49 pages) (ELR Order No. 00185) (NTIS Order No. EIS 73 0185–D)

Draft, February 20

Little Goose Lock and Dam, Wash., Counties Whitman, Columbia, and Garfield. The statement refers to the proposed addition of three hydroelectric power generating units (totaling 405,000 kw.), at the existing project on mile 70.3 of the Snake River. The units would be used primarily for power peaking during periods of high power demand. The addition would increase the potential frequency of upstream and downstream fluctuations, with concurrent impact upon aquatic life. Of particular concern is the possible impact on anadromous fisheries. (75 pages) (ELR Order No. 00289) (NTIS Order No. EIS 73 0289–D)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630, Waterside Mall, Washington, D.C. 20460, 202—755–0940.

Final, February 20

Detroit Lakes, Minn., County: Becker. The statement considers the construction of sewage treatment works which will remove nutrient from wastes contributed to an existing secondary treatment plant by the population of Detroit Lakes and a Swift and Co. food processing plant. The action will prevent the eutrophication of Lake Sallie. Lake St. Clair will be used as an effluent retention basin. (77 pages) Comments made by: USDA, COE, DOI, DOT, and State agencies. (ELR Order No. 00284) (NTIS Order No. EIS 73 0284–F)

FEDERAL POWER COMMISSION

Contact: Dr. Richard F. Hill, Acting Adviser on Environmental Quality, 441 G Street NW., Washington, DC 20426, 202—386–6084.

Draft, February 13

Cornell Hydro Project 2639, Wisconsin, County: Chippewa. The statement refers to an application filed by the Northern States Power Co. for the proposed redevelopment of the existing Cornell Hydro Project located on the Chippewa River. The applicant proposes to raze and rebuild the existing concrete intake and powerhouse structure; remove the existing powerhouse and replace it with a new powerhouse containing three generating units with a total installed capacity of 30,000 kw.; construct a new gated spillway; and construct a single circuit, overhead, 115 kv. transmission line (12,000 feet). (2 vols., 368 pages) (ELR Order No. 00245) (NTIS Order No. EIS 73 0245–D)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Environmental and Land Use Planning Division, Washington, D.C. 20410, 202—755–6186.

Draft, February 12

Alamo Plaza Urban Renewal Project, Colorado. The statement refers to a conventional urban renewal effort in Colorado Springs to remove substandard structures and dwelling units from a four-block area in order to make the land available for development. Blighted and substandard structures will be replaced with a public parking garage, 350,000 feet of commercial space, housing of a type to be determined by market studies, a motor hotel, housing for the elderly, and open space. Approximately 129 businesses, 28 families and 17 individuals will be relocated from 84 structures. (63 pages) (ELR Order No. 00241) (NTIS Order No. EIS 73 0241–D)

Draft, February 20

Olympia Subdivision, Unit 1, Texas, County: Bexar. The statement refers to the proposed development of an 850-acre site, located approximately 2 miles northwest of Randolph Air Force Base, for residential purposes. The site will be developed in increments of 20 acres which will be subdivided into 80 single family residential lots. Houses on developed lots would sell for between $24,000 and $40,000. Possible adverse effects include noise pollution, flooding of natural creeks, and transformation of a wooded area into a residential-commercial development. (13 pages) (ELR Order No. 00290) (NTIS Order No. EIS 73 0290–D)

DEPARTMENT OF THE INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, 202—343–3891.

NATIONAL PARK SERVICE

Draft, February 20

Point Reyes National Seashore, Calif. The statement, a revised draft, proposes the legislative designation of 10,600 acres of the Point Reyes National Seashore as wilderness within the National Wilderness Preservation System. Various land and marine life systems will thereby be protected; there will be restrictions on certain consumptive types of visitor use. (47 pages) (ELR Order No. 00275) (NTIS Order No. EIS 73 0275–D)

Draft, February 13

Bandelier National Monument, New Mexico, Counties: Los Alamos and Sandoval. The statement refers to the proposed legislative designation of 21,110 acres of the monument as wilderness within the National Wilderness Preservation System. Management options for the monument will thereby be reduced. (83 pages) (ELR Order No. 00250) (NTIS Order No. EIS 73 0250–D)

The following statement was inadvertently left out of the FEDERAL REGISTER:

Draft, January 26

Nambe Falls Dam, N. Mex., County: Santa Fe. The statement refers to the construction of a concrete arch and earthfill dam on the Rio Nambe. The resulting reservoir, which will be utilized for irrigation, will inundate 56 acres. The project is located on the Nambe Indian Reservation. (83 pages) Comments made by: USDA, EPA, FPC, HEW, DOI, HUD, OEO, DOT, DOD, State, local and regional agencies, and concerned citizens. (ELR Order No. 00137) (NTIS Order No. EIS 73 0137–D)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Quality, 400 Seventh Street SW., Washington, DC 20590, 202—466–4357.

FEDERAL AVIATION ADMINISTRATION

Draft, February 12

Pocahontas Municipal Airport, Arkansas. The statement refers to a project to construct, mark, and light a 60' x 356' N/S runway extension; construct and mark two turnaround taxiways; construct a portion of perimeter fence; install a rotating beacon; and construct and entrance road and service drive. Increases in noise and air pollution will occur. (31 pages) (ELR Order No. 00234) (NTIS Order No. EIS 73 0234–D)

Los Angeles International Airport, California. The proposed project is to provide an approach area including a clear zone for the north runway complex at Los Angeles International Airport. One hundred and fifty-six acres will be acquired for the approach area and clear zone. The project will displace 831 families, one commercial property, and an elementary school. (73 pages) (ELR Order No. 00237) (NTIS Order No. EIS 73 0237–D)

Draft, February 14

Lawrence Municipal Airport, Kansas, County: Douglas. The purpose of the Airport Site Selection Study contained in this statement is to inventory the present airport conditions, to explore the probable airport usage by 1990, to develop the general requirements to satisfy the estimated 1990 use demands, and to determine a feasible site on which to construct these facilities. Six potential sites, including the present site, are inspected and evaluated in the study. Adverse impacts include possible exposure of new areas to aircraft sound and emissions. (79 pages) (ELR Order No. 00261) (NTIS Order No. EIS 73 0261–D)

Draft, February 12

Greater Portsmouth Regional Airport, Ohio, County: Scioto. The proposed project is designed to extend existing N/S Runway 800' x 100' to the north, install runway end identifier lights, expand apron (approximately 4,096 square yards), construct taxiways and new T-hangars, install medium intensity taxiway lights on existing taxiway B, and install a visual approach slope indicator system. Adverse impacts will be increased air and noise pollution and loss of wildlife habitat. (44 pages) (ELR Order No. 00230) (NTIS Order No. EIS 73 0230–D)

Final, February 20

Las Animas County Airport, Colorado, County: Las Animas. The statement refers to the proposed construction of a runway extension (of 2500 feet) and the installation of VASI, fencing, seeding, power lines, and related facilities. Approximately 213.7 acres will be committed to the action. An increase in noise levels from jet aircraft will result. (36 pages) Comments made by: USDA, COE, EPA, HUD, and DOT. (ELR Order No. 00291) (NTIS Order No. EIS 73 0291-F)

FEDERAL HIGHWAY ADMINISTRATION

Draft, February 14

St. Joe Road, Indiana, County: Allen. The propsed project involves the redesign of St. Joe Road, for a distance of 1.95 miles. One family will be displaced. A section 4(f) statement will be filed to obtain land from the Shoaff Park. Increases in noise and air pollution will occur. (28 pages) (ELR Order No. 00262) (NTIS Order No. EIS 73 0262-D)

Draft, February 15

U.S. 281 (Burlington Avenue) Nebraska, County: Adams. The statement refers to the proposed repaving and widening of a 0.85-mile section of Burlington Avenue (U.S. 281) beginning at Sixth Street and ending at 15th Street in Hastings. Included in the improvement are the reconstruction of Seventh Street and 12th Street for approximately two blocks east and west of Burlington Avenue. Adverse effects include adjustments to utilities and removal of 176 trees. (28 pages) (ELR Order No. 00269) (NTIS Order No. EIS 73 0269-D)

Draft, February 20

U.S. 17, 74, 76—Reconstruction North Carolina. County: Brunswick. The statement refers to the proposed construction of a four-lane, divided highway 1.76 miles long; a two-lane connector 1.03 miles long, a diamond interchange; and two bridges across the Brunswick River. The reconstruction project will extend from Alligator Creek to Belville. Adverse impacts include alteration of 48 acres of marsh and swamp forest that is optimum habitat for American Alligators (an endangered species) and other wildlife species; increased automotive emissions; deepening of the upper Brunswick River channel by dredging; displacement of 22 families and 13 businesses; and loss of juvenile marine species and benthic organisms through the dredge. (185 pages) (ELR Order No. 00287) (NTIS Order No. EIS 73 0287-D)

Final, February 8

FA Route 12 and 174. Illinois. County: Effingham. The proposed project provides for the improvement of FA Routes 12 and 174 (U.S. Route 4 and Illinois Routes 32 and 33) from the Penn-Central Railroad to the north side of the I-57 and 70 interchange, a total length of 1.75 miles. Five acres will be committed to right-of-way. Adverse effects include increased noise and air pollution and disruption during construction. (35 pages) Comments made by: EPA, HEW, HUD, DOI, and DOT State and local agencies (ELR Order No. 00197) (NTIS Order No. EIS 73 0197-F)

U.S. COAST GUARD

Draft, February 12

Dredging Project, Santa Rosa Station, Florida. The statement refers to the proposed redredging of the channel at the U.S. Coast Guard Station, Santa Rosa, located on the Pensacola Bay side of Santa Rosa Island. Dredged spoil will be deposited within retaining levees constructed along the eroded shoreline to restore the shoreline to its original condition. (3 pages) (ELR Order No. 00239) (NTIS Order No. EIS 73 0239-D)

TIMOTHY ATKESON,
General Counsel.

[FR Doc.73-3915 Filed 3-1-73;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

ADVISORY COMMITTEE ON THE REVISION AND APPLICATION OF DRINKING WATER STANDARDS

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given that a meeting of the Advisory Committee on the Revision and Application of Drinking Water Standards will be held at 8:30 a.m., March 26, 27, 28, 1973, in Meeting Room No. 10, The Jung Hotel, 1500 Canal Street, New Orleans, LA.

This is the sixth meeting of this Committee. The agenda includes the approval of the minutes of the fifth meeting and review of the appendix to the draft of the 1973 Drinking Water Standards.

The meeting will be open to the public. Any member of the public wishing to attend or participate in the meeting should contact Mr. William N. Long, Executive Secretary, Advisory Committee on the Revision and Application of Drinking Water Standards, 703—557-7390.

ROBERT W. FRI,
Acting Administrator.

FEBRUARY 26, 1973.

[FR Doc.73-3937 Filed 3-1-73;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

AMERICAN TELEPHONE & TELEGRAPH CO.

[Docket No. 19691; FCC 73-186]

Memorandum Opinion and Order Instituting Investigation

1. On November 13, 1972, revised tariff schedules were filed by A.T. & T. under Transmittal Letter No. 11610, dated November 13, 1972, to become effective February 15, 1973. These revised schedules apply to voice grade private line services which are not connected to the switched telephone networks, i.e. voice grade private line services not connected to local or toll central office lines or Wide Area Telephone Service (WATS) access lines (hereafter referred to as "unmixed" private line service).

2. More specifically, the revisions would permit the carrier to engage in certain new practices not now followed with respect to those cases where customers desire to provide their own customer-provided terminal equipment or communications systems and to connect such facilities by direct electrical connection to the voice grade private line facilities of the carrier. The new proposed practices are: Where such direct connections are made by the customers, the telephone company (a) will make the necessary arrangements on the customer's premises to protect against "hazardous voltages" and the "harmful effects of longitudinal imbalance" and (b) will make the necessary arrangements either at its central offices or on the customer's premises to protect against "signal power overload."

3. At the present time, and for many years past, the practices of the A.T. & T. have been to permit such direct connections to unmixed private line services without any specific arrangements being made by the carrier to protect against hazardous voltages, longitudinal imbalance or signal power overload. The practices have been different, however, with respect to "mixed" voice grade private line services (i.e. private line services that are connected to the switched toll and exchange network). In mixed private line services the practices are the same as in all switched services, including interstate message toll and WATS services, that is, all customer-provided facilities are required to be connected through one or more carrier-provided protective couplers for which extra installation and monthly charges are imposed on the customer by the carrier. In these revised tariffs for unmixed private line services A.T. & T. proposes to make no extra charge to customers for the protective "arrangements."

4. A.T. & T.'s basic justification for the revised tariffs is that all of its services, whether private line or switched, share in the use of common facilities in varying degrees such as local distribution cable, carrier systems, main frames in the central offices, and switching equipment and that, accordingly, all of its services, whether switched or private line and whether mixed or unmixed, have the same need for protection from the types of harm referred to above, that is, from hazardous voltages, line imbalance, and signal overload.

5. These revised tariff schedules are significant modifications of tariff proposals that were originally filed by A.T. & T. in March 1969 which never became effective and which were withdrawn in November 1972 in favor of the instant proposal. As first filed, A.T. & T. proposed to require separate "couplers" or "interfaces" in all cases of direct connection of customer facilities to unmixed private lines and to charge the customer for such couplers which could be supplied only by the telephone company. Late, in June 1971, A.T. & T. modified its original proposal and filed tariffs proposing that protective arrangements would be built into the "service terminal" of its unmixed private line facilities and that no extra charges would be imposed by A.T. & T. "at that time" for such protective facilities. Many protests were lodged against this latter proposal and informal meetings were conducted by the Commission with interested parties to determine whether differences among the parties could be resolved. The principal objections were that (a) there was no need for such protective arrangements in the light of the historic omission

thereof in the past and the alleged failure of the carriers to demonstrate any serious likelihood of harm from such direct connection; (b) building such arrangements into the "service terminal" facilities would seriously degrade and limit the customer's use of the service; (c) such degradation limitations would be anticompetitive in that, among other things, it would mean that no such degradation and limitation would be imposed upon customers who obtain their terminal devices or systems from the carrier and the effect would be to promote the sale of A.T. & T. facilities; (d) requiring such protective facilities in all cases was an unwarranted and unlawful a priori assumption of harm from each and every item of customer-provided equipment; (e) no provision was made for such protective arrangements to be supplied by any source other than the carrier, and (f) customers ultimately would be required to pay extra charges for these protective arrangements and that the imposition of such charges for an entrenched program would further aggravate the anticompetitive features of the proposal. A.T. & T. deferred the effective date of this particular proposal at our request until November 1972 when, as heretofore stated, A.T. & T. filed the tariff revisions before us.

6. Three of the eight parties that filed objections to the June 1971 proposal of A.T. & T. have filed statements with us concerning the revision. The Computer Time Sharing Service Section (CTSS) of the Association of Data Processing Service Organization (ADAPSO) and the Independent Data Communications Manufacturers Association, Inc. (IDCMA) have filed letters indicating in substance that the new revision reduces the burden on the customer who does not necessarily want or need to purchase equipment from A.T. & T. and that they will not oppose the revised tariff at this time. Both of these parties continue to express reservations about the need for the proposed protective arrangements and both state that the revised tariff is not a final solution to the alleged discrimination against users of nontelephone company equipment. Each indicates that the better solution is for technical criteria to be prescribed for such protective arrangements so that persons other than the telephone company may supply them, or that the carrier provide such protective arrangements in all of their private line services, irrespective of whether connected with telephone company or nontelpehone company equipment, so that all customers would then be furnished the same circuit facilities by the carrier.

7. However, on February 1, 1973, MCI filed a Petition for Rejection or Suspension of the new revised tariff and this petition is now before us for action. MCI requests that we either reject or suspend the tariff filing, or failing either of these actions, to rule that:

(a) The new filing does not apply to the interconnection of the systems of specialized carriers with the private lines of A.T. & T.; and

(b) Nothing in the Commission's action is intended to immunize A.T. & T. from possible liability under the antitrust laws.

8. MCI makes these principal allegations against the new filing: (a) A.T. & T. has still not demonstrated any need for the proposed protective arrangements; (b) A.T. & T. has still not disclosed full information as to the nature of the devices so that others can manufacture them or obviate the claimed need for them; (c) A.T. & T. still would impair fair competition; (d) A.T. & T. has not adequately explained the costs of its devices nor has it justified its failure to charge for them or its proposal to spread all costs thereof among all users; (e) A.T. & T. still refuses to take the proper course—that of specifying reasonable criteria to be met by those wishing to interconnect with the telephone system; and (f) the tariff does not clearly state that the new practices do not apply to interconnection with facilities of other carriers.

9. On February 9, 1973, A.T. & T. submitted its reply to MCI's petition and objects to the petition on both procedural and substantive grounds. A.T. & T. is correct in contending that MCI's petition violates § 1.44(a) of our rules by combining into a single pleading requests for action delegated to the Chief, Common Carrier Bureau (rejection) with action reserved to the Commission suspension), 47 CFR 1.44(a). We would be warranted, therefore, in refusing to consider MCI's petition because of the violation of our rules. However, we believe that certain questions discussed in MCI's petition and A.T. & T.'s reply[1] are of sufficient importance to be considered by us on our motion in the exercise of our discretion under the suspension powers given to us by section 204 of the Act. 47 U.S.C. 204.

10. We agree with MCI that A.T. & T. has not made a persuasive showing that there is a need for A.T. & T. to install protective equipment in all cases where customer equipment is connected directly to unmixed voice grade private line facilities. In its reply, A.T. & T. continues to assert that there is a need for protective equipment on private line services because all services share common facilities, such as local distribution cables, carrier systems, and main frames and all are subject to harmful voltages, line imbalance, and excessive signal levels; and that the National Academy of Sciences concluded that "uncontrolled interconnection" could cause these types of harm to private line as well as other services. However, as MCI points out, A.T. & T. proposes under its tariffs to install such protective equipment only with respect to services installed on and after February 15, 1973, and then only with respect to services for those customers who use nontelephone equipment. Thus, on and after February 15, 1973, A.T. & T. does not propose to install such protective facilities for customers who use telephone company equipment even though such terminal equipment may be similar to the equipment that the customer provides and equally likely to cause the same kinds of alleged harm to the carrier facilities. Moreover, A.T. & T. does not propose to install such protective equipment for any services provided to any customers that are in service on February 14, 1973, even though those services presumably could be subject to the same types of harm. It would appear that, if there is real danger of such harm, all services should be protected.

11. With respect to MCI's assertion that A.T. & T. has not deemed it necessary to install such protective equipment in the past for any customers connecting directly to unmixed voice grade private line facilities, A.T. & T.'s reply is that, although there has been "past interference" it cannot "be readily quantified or specifically identified and recorded," and that "past experience in this instance is not a reliable basis upon which to predicate the need for protection in the future." However, A.T. & T. makes no persuasive factual or other showing that experience is not a reliable basis for this purpose. In view of the foregoing, we believe that substantial questions are raised as to the reasonableness of A.T. & T.'s proposal to install protective equipment only with respect to some customers and not others as the new filing proposes to do.

12. As to MCI's claim that A.T. & T. should not be given a monopoly in the provision of the proposed "protective equipment," A.T. & T.'s reply is that these particular facilities are part of A.T. & T.'s basic service offerings and are not in the category of "terminal devices" open to competition. However, this assertion by A.T. & T. appears to be inconsistent with its proposal to install protective equipment only with respect to facilities provided to certain customers to the exclusion of many, if not most, other customers using unmixed voice grade facilities. We question, therefore, whether it is reasonable to consider such equipment as part of A.T. & T.'s "basic service offerings." Thus, a valid question is raised as to whether, in lieu of giving A.T. & T. a monopoly in this area, there should not be a standards program by which the customer or persons other than A.T. & T. could provide such protective arrangements to the extent that such equipment is needed to prevent harm.

13. As heretofore stated, MCI challenges the ratemaking decision of A.T. & T. (a) to provide these protective arrangements without extra or separate charges to the customers and (b) to spread the costs thereof among all users, including message toll users. This challenge is answered by A.T. & T. primarily on the grounds that the costs are likely to be de minimus but that, if it should develop that costs are substantial, A.T. & T. would probably file tariffs setting up separate charges therefor which A.T. & T. would appropriately

[1] We note that A.T. & T.'s reply, although not in violation of our rules, was not actually filed "within 3 days" after service of MCI's petition on A.T. & T. as contemplated by 47 CFR 1.773.

justify at that time. We believe that, at least in principle, MCI raises a valid question as to the propriety of A.T. & T.'s ratemaking principles applied in this case. As to MCI's request that it be made clear that the new tariff revision does not apply to MCI's own carrier-to-carrier interconnections with A.T. & T.'s loops, the reply of A.T. & T. contends that it is already clear that the new revision does not so apply and we agree.

14. In view of the foregoing discussion, we believe that substantial questions are raised as to the lawfulness of A.T. & T.'s tariff revisions that warrant our acting on our own motion and designating such revisions for hearing and suspending the effectiveness thereof for the maximum 3-month period provided for in section 204 of the Act.

15. Accordingly, in view of the foregoing considerations, *It is ordered*, That, pursuant to the provisions of sections 4(i), 4(j), 201, 202, 203, 204, 205, and 403 of the Communications Act of 1934, as amended, an investigation is instituted into the lawfulness of revisions in A.T. & T.'s Tariff FCC No. 260 submitted with Transmittal No. 11610 including cancellations, amendments, or reissues thereof;

16. *It is further ordered*, That, pursuant to the provisions of section 204 of the Communications Act, such revisions are hereby suspended until May 15, 1973, and A.T. & T. shall make no changes in said schedules of charges during the pendency of this proceeding without prior approval of the Commission;

17. *It is further ordered*, That, without in any way limiting the scope of the investigation, it shall include consideration of the following:

(1) Whether the classifications, practices, and regulations published in the aforesaid tariff revisions are or will be unjust and unreasonable within the meaning of section 201(b) of the Act;

(2) Whether such classifications, practices, and regulations will, or could be applied to, subject any person or class of persons to unjust or unreasonable discrimination or give any undue or unreasonable preference or prejudice to any person, class of persons, or locality, within the meaning of section 202(a) of the Act;

(3) If any of such classifications, practices, and regulations are found to be unlawful, whether the Commission should prescribe classifications, practices, and regulations for the service governed by the tariffs, and if so, what should be prescribed.

18. *It is further ordered*, That, a hearing be held in this proceeding at the Commission's offices in Washington, D.C., at a time to be specified; and that the Administrative Law Judge to be designated to preside at the hearing shall certify the record, without preparation of an initial or recommended decision, and the Chief of the Common Carrier Bureau shall thereafter issue a recommended decision which shall be subject to the submittal of exceptions and requests for oral argument as provided in 47 CFR 1.276 and 1.277, after which the Commission shall issue its decision as provided in 47 CFR 1.282; and

19. *It is further ordered*, That, A.T. & T. and the associated Bell System operating companies are made parties respondents and MCI is granted leave to intervene upon filing a notice of intention to appear and participate within 20 days of the release date of this order.

20. *It is further ordered*, That MCI's petition is dismissed.

Adopted: February 14, 1973.

Released: February 22, 1973.

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

[FR Doc.73-3924 Filed 3-1-73;8:45 am]

LAND MOBILE APPLICATIONS FILED IN CHICAGO

Notice of Availability

FEBRUARY 22, 1973.

Effective February 12, 1973, the FCC's Chicago Regional Spectrum Management Center will make available in its Public Reference Room a listing of the land mobile radio applications which have been accepted for filing in the Chicago Region. This list will not be distributed but it will be available for public inspection every working day between the hours of 8 a.m. and 4:30 p.m. at the Commission's office at 1550 Northwest Highway, Park Ridge, IL. A duplicate listing of the applications received in Chicago will also be made available for inspection at the offices of the Industrial and Public Safety Facilities Division of the Safety and Special Radio Services Bureau in Washington, D.C.

The list is comprised of the following information for each application:

(1) Applicant's name.
(2) Application number.
(3) Purpose of application.
(4) Filing date.
(5) Call sign (for existing stations).
(6) Transmitter location or mobile operating area.
(7) Frequency or frequencies.
(8) Manufacturer of base and/or mobile transmitters.

This list is being provided in lieu of a procedure whereby every application is automatically diverted to the Public Reference Room for a fixed period of time. The latter procedure can cause a needless delay in the processing of an application and the use of a list will be more efficient. Whenever a member of the public wishes to examine a particular application, the staff in Chicago will make it available upon request. Ordinarily, however, the information provided on the list will serve the same function as public display but without any delay in the processing of the application.

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

[FR Doc.73-3925 Filed 3-1-73;8:45 am]

[Docket No. 19684; FCC 73-144]

ITT WORLD COMMUNICATIONS INC.

Memorandum Opinion and Order Instituting Investigation Regarding Telex and Telegraph Services With Guam

1. The Commission has before it:

a. A petition filed by ITT World Communications Inc. (ITTWC) on March 29, 1972, requesting that the Commission, pursuant to Section 201(a) of the Communications Act of 1934, direct RCA Global Communications, Inc. (RCAGC) to cooperate with ITTWC in (i) establishing an electrical interconnection between RCAGC's telegraph message and telex systems on Guam and ITTWC's telegraph message and telex systems, (ii) establishing through routes and charges applicable thereto and the division of such charges, and (iii) establishing and providing facilities and regulations for operating such through routes;

b. A petition, filed by RCAGC on May 10, 1972, to discuss or deny the petition for interconnection; and

c. A reply, filed by ITTWC on May 31, 1972, to the petition to dismiss or deny.

2. Presently, RCAGC has exclusive authority to provide telex and telegraph message services at Guam. Prior to October 1964, RCAGC was the only carrier equipped and authorized to provide any communications services between Guam and overseas points. By Memorandum Opinion, Order and Certificate adopted October 21, 1964, FCC 64-943 (File No. T-C-1791), the Commission authorized ITTWC to provide at Guam leased circuits for alternate and simultaneous voice and nonvoice use by defense agencies of the U.S. Government and leased circuits for alternate voice-record use by other customers. We were unable, however, to find then that the public interest would be served by permitting an additional record carrier to compete with RCAGC at Guam in providing telegraph message, telex, and leased channel telegraph services.

3. In July 1967, ITTWC again applied for authority to provide all types of record telegraph services at Guam.[1] By Memorandum Opinion and Order adopted February 25, 1970, 21 FCC 2d 589 (File No. T-C-1791-7), we found that, in view of then current conditions, the public interest would be served by amending former limitations on ITTWC (as well as on Western Union International, another international record carrier) to permit competition in leased

[2] Commissioners Robert E. Lee, Johnson, and Wiley concurring in the result, Commissioner Reid absent.

[1] In 1965, the Telegraph Committee had denied a request of ITTWC to provide leased channel telegraph service at Guam, FCC 65 M-1484 (File No. T-C-1791, 1965).

telegraph channel services on Guam, but we were unable to make such a finding with respect to message telegraph and telex.

4. In its present petition, ITTWC alleges that, in view of RCAGC's refusal to a midpoint interconnection with ITTWC's telex services offered in the Continental United States, Hawaii, Puerto Rico, and the Virgin Islands, its own telex subscribers are unable to directly communicate with those of RCAGC at Guam. ITTWC recognizes that its subscribers could communicate with Guam were they to subscribe to the RCAGC telex system or, with respect to the mainland, the Western Union Telegraph Co.'s (WUT) Telex or TWX systems through which a connection with the RCAGC telex system could be made.

5. However, ITTWC asserts, it has about 2,000 telex subscribers in New York City who do not also subscribe to the RCAGC system. Moreover, if they were to subscribe to WUT's domestic system they would be dependent on a less efficient routing than if they were able to reach Guam directly via ITTWC. ITTWC states that the situation is particularly acute at Hawaii where it has 213 exclusive telex subscribers who have no telex access to Guam. This is considered by ITTWC to be significant in view of Guam's growth and the expansion of Honolulu firms to Guam.

6. According to ITTWC, the inability of its customers to reach Guam has inhibited it in competing for new subscribers, is causing losses in existing subscribers, and may affect its ability to attract users of leased channel services with Guam. In addition, ITTWC points out, it is unable to compete for the transit handling of telex traffic between Guam and points other than the mainland and Hawaii. Insofar as telegraph message traffic is concerned, ITTWC believes that the lack of interconnection with RCAGC at Guam has relegated it to the role of a domestic carrier, since it must exchange such messages with RCAGC for overseas transmission. ITTWC proposes that interconnection initially involve three 50-band circuits, one for message use and two for telex use.

7. ITTWC stresses that it does not seek to disturb the status quo or to establish new facilities and offer additional services on Guam. It is endeavoring to extend communications services that it offers in Hawaii, San Francisco, New York, Washington, D.C., Puerto Rico, and the Virgin Islands to include telegraph message and telex to and from Guam and thus achieve an equal footing with RCAGC in competing to meet the communications needs on Guam. A normal partnership arrangement (similar to the many both ITTWC and RCAGC have with foreign entities), where operations are on a direct circuit basis and where each entity provides channel facilities to the theoretical midpoint, would satisfy that objective.

8. In its opposition to the ITTWC petition, RCAGC argues that ITTWC has failed to demonstrate that there has been any significant change in circumstances since our former decisions in the matter. According to RCAGC, ITTWC has not shown that its proposal is economically feasible or that RCAGC's current telex and telegraph message operations at Guam are inadequate.

9. Regarding the inability of some ITTWC subscribers to reach Guam, RCAGC asserts that this fact was well known to the Commission at the time of its earlier decisions and presumably was taken into consideration. In addition, RCAGC argues that the loss of customers due to the limitation placed on ITTWC's operations is unlikely since only about 10 percent of telex customers do not also subscribe to the telex service of another carrier.

10. RCAGC concludes that the real objective of ITTWC in the instant petition is to divide the telex business at Guam. Such a division, according to RCAGC, would render its Guam telex and telegraph message services, now operating at a loss, more unprofitable and ultimately degraded. While RCAGC agrees that there is evidence of an increase in telex traffic at Guam, it claims that its investments and costs in providing telex and telegraph message services have also risen.

DISCUSSION

11. We think that the points raised by ITTWC have sufficient merit to warrant an investigation and shall therefore, pursuant to section 201(a) of the Communications Act of 1934, order a hearing into the matter. While it is true that heretofore we have not been able to make a public interest finding enabling ITTWC to operate its telex and message services at Guam, the issue now before us is whether RCAGC, as the sole carrier authorized to provide such services at Guam, should interconnect with ITTWC telex and message services offered at other points rather than connecting only with its own telex and message services at such points and so maintain a virtual monopoly position with respect to transmission of telex traffic and message traffic between Guam and other United States points. There is nothing in our previous orders on the matter that furnishes a basis for concluding that we have already determined this latter point in RCAGC's favor. Our previous remarks with respect to feasibility of competition at Guam were directed to operations only at Guam, not to total operations between Guam and other points in RCAGC's system.

12. *Accordingly, it is ordered*, Pursuant to sections 4(i), 201(a), and 403 of the Communications Act of 1934, that an investigation is hereby instituted into establishing an interconnection between RCAGC's telegraph message and telex system on Guam and ITTWC's telegraph message and telex system.

13. *It is further ordered*, That without in any way limiting the scope of the proceeding, it shall include inquiry into the following matters:

(1) Whether it is necessary or desirable in the public interest to require RCAGC to interconnect its telegraph message and telex facilities with facilities of ITTWC for the provision of service to and from Guam:

(a) The effect, financial and other, on ITTWC and RCAGC telex and message services, and the public, were no interconnection to be established; and

(b) The manner in which ITTWC customers are able to send or receive messages to and from Guam in the absence of interconnection.

(2) The point at which interconnection, if any, should be established, and the financial and other effects on the ITTWC and RCAGC telex and message services and the public:

(a) The through routes and charges to be established;

(b) The facilities and regulations appropriate to the operation of such routes;

(c) The charges and the classifications, regulations, and practices affecting such charges; and

(d) The appropriate division of such charges.

14. *It is further ordered*, That a hearing shall be held in the proceeding at the Commission's offices at Washington, D.C. at a time to be specified in a subsequent order and that the Administrative Law Judge designated to preside at the hearing shall certify the record to the Commission without preparing either a recommended or initial decision and that the Chief, Common Carrier Bureau shall prepare and issue a recommended decision which shall be subject to the submittal of exceptions and request for oral argument as provided in 47 CFR 1.276 and 1.277, after which the Commission shall issue its decision as provided in 47 CFR 1.282.

15. *It is further ordered*, That ITTWC and RCAGC are hereby made parties respondent to the proceeding.

Adopted: February 7, 1973.

Released: February 20, 1973.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[FR Doc.73-4010 Filed 3-1-73;8:45 am]

[Dockets Nos. 19686, 19687; FCC 73-174]

QUINNIPIAC VALLEY SERVICE, INC., AND RADIO RIDGEFIELD, INC.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Quinnipiac Valley Service, Inc., Wallingford, Conn., Docket No. 19686, File No. BP-14832, Requests: 860 kHz, 500 w., DA, Day; Radio Ridgefield, Inc., Ridgefield, Conn., Docket No. 19687, File No. BP-18494, Requests: 850 kHz, 1 kw., DA, Day, for construction permits.

1. The Commission has before it for consideration (1) the above-captioned applications which are mutually exclusive in that operation by both applicants would entail contour overlap prohibited

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[1] Commissioner Johnson concurring in the result; Commissioner H. Rex Lee absent.

by § 73.37 of the Commission's rules; (ii) a Quinnipac Valley Service, Inc. (Quinnipiac), petition for reconsideration of its dismissal by the Commission filed February 12, 1971; (iii) an opposition filed by Meriden-Wallingford Radio, Inc. (Meriden-Wallingford), then licensee of WMMW, Meriden, Conn.;[1] (iv) the applicant's reply; (v) a supplement to the petition filed December 14, 1972; (vi) a petition to deny filed against Quinnipiac by WSBS—The Berkshires, Inc., licensee of WSBS, Great Barrington, Mass., on March 4, 1964; (vii) a petition to deny filed by Columbia Broadcasting System, Inc. (CBS), licensee of WCBS, New York, N.Y., on March 16, 1964; (viii) a petition to deny by Meriden-Wallingford filed February 27, 1969; and (ix) pleadings in response filed by Quinnipiac and replies submitted by CBS and Meriden-Wallingford. Also before us are requests for waivers of various rules by both applicants.

2. In an Order adopted January 13, 1971, the Commission denied Quinnipiac Valley Service, Inc., a waiver of the multiple-ownership rule (§ 73.35) and dismissed its application for noncompliance with the duopoly portion of the rule, 27 FCC 2d 66, 20 RR 2d 1081.[1a] John T. Parsons, president and 50 percent owner of the applicant, was also president and 45 percent owner of station WOWW, Naugatuck, Conn., about 12 miles away. Grant of the application would have resulted in overlap of the respective 1 mv./m. contours. Quinnipiac filed a petition for reconsideration, eleciting opposition from Meriden-Wallingford. When Parsons recently severed his connection with WOWW (effective October 1, 1972), he cured the cause for dismissal and mooted the pleadings directed toward the above issue. Accordingly, the petition for reconsideration will be dismissed and the application reinstated on our own motion.

3. Reinstatement of Quinnipiac's proposal, however, necessarily revives previous objections directed against the application which had been mooted by the Commission's aforementioned dismissal. Allegations included charges of objectionable interference and prohibited overlap filed by the Columbia Broadcasting System, licensee of WCBS, New York, N.Y., ascertainment, financial and interference allegations made by Meriden-Wallingford, and an interference claim by WSBS—The Berkshires, Inc., licensee of WSBS, Great Barrington, Mass.

4. The competing application filed by Radio Ridgefield proposes a standard broadcast facility in Ridgefield, Conn. Radio Ridgefield tendered its application for filing on February 27, 1969, the cutoff date assigned the Quinnipiac application. However, the Ridgefield application also indirectly conflicted with an application filed by Wayne County Broadcasting Corp. for Honesdale, Pa., which had a cutoff date of June 18, 1968.[2] Thus, Radio Ridgefield was considered to have filed too late, and its application was not accepted. The applicant petitioned for acceptance arguing that the mutual exclusivity between the Wayne County proposal and one of the connecting applications (that of Peter L. Pratt for Honesdale) did not exist, and hence, it was not tied to the 1968 cutoff date. At the same time, it petitioned alternatively for a waiver of the cutoff rules based on charges that it has been unfairly tied to the earlier cutoff date by the filing of applications in abuse of the Commission's processes. Since it appears that the filing of the Pratt and General Broadcasting proposals did involve abuse of our processes (Wayne County Broadcasting Corp., 26 FCC 2d 52 (1970)), we believe that under the unique circumstances presented, a waiver of the cutoff rules is warranted.[3]

5. The Quinnipiac and Ridgefield proposals involve prohibited overlap of contours with a frequency separation of 10 kHz.[4] Since they are, then, mutually exclusive, they will be designated for hearing in a consolidated proceeding on the issues specified below. Although § 1.580 (b) of the Commission's rules provides that no application will be acted upon less than 30 days following issuance of public notice of the acceptance of the application, the Commission will, on its own motion, waive § 1.580(b) with respect to Radio Ridgefield so that the applications herein may proceed to hearing without further delay.

6. CBS alleges that the Quinnipiac operation would cause objectionable interference within the WCBS 0.5 mv./m. contour in contravention of § 73.182(w) of the rules, and that there would be prohibited overlap of the 2 mv./m. and 25 mv./m. contours of stations 20 kHz removed in violation of § 73.37. Section 73.182(w) was amended July 1, 1964 (Docket No. 15084, 2 RR 2d 1658), to eliminate the provision concerning interference based on a 1:30 ratio, and hence, poses no bar to the applicant. But, according to Quinnipiac's own studies, the proposed operation would involve 2 mv./m. and 25 mv./m. overlap with WCBS. The applicant contends the overlap should not be considered objectionable because (i) it is due to a long salt-water path, and (ii) its application was filed prior to adoption of the prohibited overlap provisions of § 73.37. With regard to the first contention, we note that our rules do not sanction such overlap merely because it may be due to a high conductivity path. And concerning the latter, at the date of filing (May 3, 1961), § 3.37[5] was in effect and clearly prohibited overlap of the 25 mv./m. and 2 mv./m. groundwave contours for stations operating on frequencies 20 kHz removed. Moreover, in this instance, the question of whether a waiver should be granted is more fit for resolution in an evidentiary hearing, and not by summary decision based on pleadings alone.[6]

7. The Commission also finds that the 2 mv./m. contour of WRYM, New Britain, Connecticut (another station 20 kHz removed), would be separated from Quinnipiac's proposed 25 mv./m. contour by only about 0.6 mile based on Figure M-3 conductivities. Since no measurement data are available to establish the extent of the WRYM 2 mv./m. contour and since Figure M-3 is not intended to accurately depict conductivity over such short paths (approximately 15 miles), we conclude that a substantial question exists as to whether prohibited overlap of the 2 mv./m. and 25 mv./m. contours would result with WRYM. Appropriate issues will be specified with respect to the overlap with WCBS, and the possible overlap with WRYM. Columbia Broadcasting System, Inc., and Hartford County Broadcasting Corp., licensees of the respective stations, will be made parties to the proceeding.

8. WSBS—The Berkshires, Inc., licensee of WSBS, Great Barrington, Mass., filed a petition to deny alleging the proposed operation would cause interference to WSBS. Quinnipiac subsequently amended its application (October 20, 1969) and the Commission now finds that objectionable interference would not be caused WSBS. Accordingly, the WSBS petition to deny will be dismissed.

9. Meriden-Wallinford claimed standing as a party in interest based on the allegation that Quinnipiac's operation

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[1] Subsequent to the filing of the petition, the license for WMMW was assigned to WMMW, Inc. The new licensee recently informed the Commission that it wished to adopt Meriden-Wallingford's pleadings. The ordering clause in paragraph 26, infra (designating parties to the proceeding ordered herein), makes provision for the assignment.

[1a] Prior Commission actions affecting the Quinnipiac application include Orders released July 9, 1964 (FCC 64-631) (holding a drop-out agreement with Radio Wallingford, Inc., a former competing applicant, in abeyance); and October 16, 1964 (FCC 64-937) (giving formal approval to the drop-out agreement).

[2] Radio Ridgefield's proposal conflicted with an application by the General Broadcasting Corp. for Yorktown Heights, N.Y. (BP-18219), which was mutually exclusive with an application by Peter L. Pratt for Honesdale, Pa. (BP-18233), which was, in turn, mutually exclusive with the Wayne County Broadcasting Corp. application for Honesdale (BP-18018).

[3] Moreover, we note that the chain connecting Radio Ridgefield to Wayne County's application was broken by dismissal of the General Broadcasting Corp. application on Oct. 7, 1970.

[4] Section 73.37(a) of the Commission's rules.

[5] § 3.37 *Minimum separation between stations.* A license will not be granted for a station on a frequency of ±30 kc. from that of another station if the area enclosed by the 25 mv./m. groundwave contours of the two stations overlap, nor will a license be granted for the operation of a station on a frequency ±20 kc. or ±10 kc. from the frequency of another station if the area enclosed by the 25 mv./m. groundwave contour of either one overlaps the area enclosed by the 2 mv./m. groundwave contour of the other.

[6] Since the application was filed prior to adoption of section 73.37 (the "go-no-go" rules) (July 1, 1964) it can be accepted for filing. Compare § 3.37, with § 73.37(a).

would be within its service area and compete with it for advertising revenue. The Commission finds that Meriden-Wallingford had the requisite standing as a party in interest within the purview of section 309(d)(1) of the Communications Act of 1934, as amended, and § 1.580(i) of the Commission's rules. FCC v. Sanders Bros. Radio Station, 309 U.S. 470, 9 RR 2008 (1940).

10. Meriden-Wallingford charged in its initial pleading that 11.3 percent of the population within Quinnipiac's normally protected contour would receive interference from WSBS, WRYM, and WTEL, Philadelphia, Pa. While this exceeded the "10-percent rule" allowed for applications filed before July 13, 1964, Quinnipiac's engineering amendment of October 20, 1969, reduced proposed power to 500 w. and the segment of the population that would receive interference to 3.74 percent. There appears, then, to be no violation of § 73.28 (d)(3).[7]

11. Meriden-Wallingford also faults the application for lack of a community survey and for an inadequate financial showing. Although the applicant has since supplied an ascertainment of community needs, its survey is defective. Quinnipiac indicates that 19 persons of below-average income were contacted either in person or by telephone, and that the remaining 32 people interviewed were all in the community leader category. Yet, there is no showing that any of these leaders was representative of the below-average income group. (See questions 13(a) and 16 of the Primer on Ascertainment of Community Problems by Broadcast Applicants, 36 FR 4092, 4105 (March 3, 1971).) Furthermore, Quinnipiac's public service proposals are too indefinite for us to conclude that they will be responsive to Wallingford's problems. For example, drug abuse is cited as a problem, but the applicant makes no programing response; a daily student show is mentioned, but no specifics offered; tape-recorded playback of town council meetings is proposed, but no time slot or duration suggested; and, if Quinnipiac fails to locate the announcer-host for its telephone talk show (as it suggests might happen), then this applicant will utterly lack any regularly scheduled programing for the discussion of community problems. See question 29 of the Primer, supra. Thus, substantial questions exist as to the adequacy of the applicant's ascertainment of its community's needs and its response to those needs. Therefore, a Suburban[8] issue will be specified.

12. The applicant has updated its financial data several times since the initial filing, but it appears inadequate. First, its most recent financial data is now 2 years old. Second, even using the applicant's 1970 figures, costs of construction and operating expenses for the first year exceed available assets. According to its estimates, costs total $125,000, broken down as follows: Down payment on equipment, $11,920; first-year's payments on equipment with interest, $11,580; building, $3,000; land, $1,000; miscellaneous, $7,500; and 1-year's working capital, $90,000. Assets included existing capital, $1,000; new capital, $9,000; stockholder loan obligations, $31,000; and a bank loan commitment of $30,000, for a total of $71,000. The stockholder loan agreement fails to specify the terms upon which the principals will loan the $31,000 to the applicant corporation and, apart from the current obsolescence of both principals' financial statements, that of John T. Parsons was inadequate when submitted. Thus, anticipated expenditures exceeded available assets by at least $54,000. Issues will be specified in order to permit a determination of the current financial status of Quinnipiac's principals and whether sufficient funds are available to meet the cost of construction and 1 year's operation.

13. Finally, Meriden-Wallingford claims that the "drop-out" agreement between Quinnipiac and Radio Wallingford, Inc. (a former competing applicant for a Wallingford license) (hereafter Radio Wallingford), is contrary to the public interest. The petition to deny is, in this respect, a petition for reconsideration of our previous order approving the agreement,[9] and is in obvious noncompliance with section 405 of the Communications Act of 1934, as amended, and § 1.106 (f) of our rules. Its petition was filed over 4 years after approval by the Commission, whereas the act requires such filings within 30 days. But, inasmuch as the pleading was timely filed as a petition to deny,[10] we will address ourselves to petitioner's contentions.

14. In return for Radio Wallingford's agreement to suffer dismissal, Quinnipiac has extended the former applicant the option of reimbursement in cash of $3,500, or assignment of 50 percent of Quinnipiac's stock, contingent upon a grant of the latter's application. Meriden-Wallingford asserts that by the terms of the option, Quinnipiac is committed to transferring 50 percent of its stock to a company which, several years after the agreement's approval, may be unqualified, and that the agreement fails to extract any continuing financial support from Radio Wallingford in return for receipt of Quinnipiac stock.

15. The petitioner's concern is groundless. First of all, the Commission has already approved this agreement once. Second, even if circumstances have since changed, Quinnipiac is not committed to conveying its stock to a perhaps now-unqualified Radio Wallingford since our approval must also be secured prior to consummation to effect a lawful transfer of control. And that sanction is based on a reappraisal of the prospective part-owner's qualifications, as well as the terms of the agreement. The petitioner's vague, unsupported conclusions fail to raise substantial and material questions of fact warranting designation of an issue.

16. Radio Ridgefield is in violation of § 1.569(b)(2)(i) of the rules in that the proposed transmitter site lies beyond a 500-mile extension of the 0.5 mv./m. 50 percent nighttime skywave contour of class I–A station WBAP, Fort Worth, Tex., on 820 kHz (a "frozen" channel 30 kHz removed from the proposed frequency). The applicant requests a waiver of this section and the Commission grants it since this is in keeping with past policy holding that proposals 30 kHz removed from class I–A channels do not materially prejudice future consideration of those channels. See, e.g., Peter L. Pratt, 16 FCC 2d 967, 15 R.R. 2d 933 (1969).

17. Radio Ridgefield will be given the opportunity to correct deficiencies in its financial showing at hearing. First, the applicant's cost figures are now nearly 3 years old and must be updated. Second, the applicant relies almost exclusively on a $100,000 loan from its president, Bartholomew T. Salerno, to demonstrate its financial qualifications. But Mr. Salerno's financial statement fails to establish that the real estate values cited were based on appraisal by an independent real estate agent. Also, the letter evidencing willingness to make the loan fails to state whether any security is required, as prescribed by paragraph 4(a), section III, FCC Form 301.[11] The appropriate issues are designated.

18. Radio Ridgefield has been faulted for failure to provide a 5-mv./m. signal over the entire political subdivision known as Ridgefield Township (see § 73.188(b)(2)). On February 9, 1971, Radio Ridgefield amended its application and now proposes to serve primarily the unincorporated population center of the township.[12] This amendment shows that the proposed 25-mv./m. contour encompasses all of the business area, and the 5-mv./m. contour more than covers all of the population center of Ridgefield, both in conformity with § 73.188(b) of the rules. Accordingly, the applicant's proposal will be construed as specifying

[7] Meriden-Wallingford also contends that the Quinnipiac proposal involves prohibited overlap with WCBS and WRYM. As explained in paragraphs 6 and 7, supra, issues are being specified in this regard.

[8] Suburban Broadcasters, 20 R.R. 951 (1961).

[9] Tentative approval was given July 8, 1964 (FCC 64–631, 2 R.R. 2d 1005) and, after compliance with the publication requirements of § 1.525(b) of the rules, final approval on Oct. 14, 1964 (FCC 64–937).

[10] The petition to deny was filed on Feb. 27, 1969, the cutoff date for Quinnipiac, in accordance with sec. 309(d)(1) of the act.

[11] Mr. Salerno is not the sole stockholder of the applicant corporation. Mr. Paul A. Christo, vice-president of the applicant, owns 10 percent of the stock.

[12] Sec. 73.30(a) sanctions the grant of licenses to stations assigned to unincorporated communities. North Atlanta Broadcasting Co., 1 R.R. 2d 275 (Review Board 1963).

Ridgefield center as the community of license.[33]

19. However, the Ridgefield proposal also clearly projects the 5-mv./m. contour as penetrating the Danbury corporate limits, to which the 1970 census assigns a population of 50,781,[34] a figure more than twice the population of Ridgefield center.[35] These facts raise a presumption that Radio Ridgefield's operation is intended to serve the community of Danbury, rather than the community of Ridgefield center.[36] An appropriate section 307(b) suburban community issue will be designated to give the applicant an opportunity to rebut this presumption.

20. From the information before the Commission it appears that, except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, for the reasons indicated above, they must be designated for hearing in a consolidated proceeding on the issues set forth below.

21. *Accordingly, it is ordered,* That the application of Quinnipiac Valley Service, Inc., is reinstated on our own motion; that the application of Radio Ridgefield, Inc., is hereby accepted for filing; that, on the Commission's own motion, § 1.580(b) of the Commission's rules is waived; and that, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

(1) To determine the areas and populations which would receive primary service from the proposed operations and the availability of other primary aural (1 mv./m. or greater in the case of FM) service to such areas and populations.

(2) To determine whether overlap of the 2 and 25 mv./m. contours would occur between the Quinnipiac proposal and WCBS, New York, N.Y., in contravention of § 73.37 of the Commission's rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

(3) To determine whether overlap of the 2 and 25 mv./m. contours would occur between the Quinnipiac proposal and WRYM, New Britain, Conn., in contravention of section 73.37 of the Commission's rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

(4) To determine the efforts made by Quinnipiac Valley Service, Inc., to ascertain the community problems of the area to be served and the means by which the applicant proposes to meet those problems.

(5) To determine, with respect to the application of Quinnipiac Valley Service, Inc.:

(a) Whether John T. Parsons and James W. Miller have sufficient net liquid and current assets to meet their respective loan commitments;

(b) Whether sufficient additional funds are available to meet construction costs and operating expenses for the first year;

(c) The current basis for the applicant's estimated construction costs and operating expenses for the first year; and

(d) In light of the evidence adduced pursuant to (a), (b), and (c), above, whether the applicant is financially qualified.

(6) To determine whether the proposal of Radio Ridgefield, Inc., will realistically provide a local transmission facility for its specified station location, or for another larger community, in light of all the relevant evidence, including, but not necessarily limited to the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programing needs;

(b) The extent to which the needs of the specified station location are being met by existing aural broadcast stations;

(c) The extent to which the applicant's program proposal will meet the specific unsatisfied programing needs of its specified station location; and

(d) The extent to which the projected sources of the applicant's advertising revenues within its specified station location are adequate to support its proposal, as compared with its projected sources from all other areas.

(7) To determine, in the event that it is concluded pursuant to the foregoing issue that the proposal will not realistically provide a local transmission service for its specified station location, whether such proposal meets all of the technical provisions of the rules for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will realistically provide a local transmission service; namely, Danbury, Conn.

(8) To determine, with respect to the application of Radio Ridgefield, Inc.:

(a) Whether Bartholomew T. Salerno has sufficient net current and liquid assets to lend $100,000 to the applicant, and what, if any, security will be required;

(b) The current basis of the applicant's estimated construction costs and operating expenses for the first year; and

(c) In light of the evidence adduced pursuant to (a) and (b), above, whether the applicant is financially qualified.

(9) To determine, in light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

(10) To determine, in light of the evidence adduced pursuant to the foregoing issues, which, if either, of the applications should be granted.

22. *It is further ordered,* That, the memorandum opinion and order of January 13, 1971, 27 FCC 2d 66, dismissing the application of Quinnipiac Valley Service, Inc., is set aside and that the petition for reconsideration, and supplement, filed by Quinnipiac Valley Service, Inc., are dismissed as moot.

23. *It is further ordered,* That, the request of Radio Ridgefield, Inc., for waiver of § 1.569(b)(2)(i) of the rules is granted; that, the request for waiver of §§ 1.571(c) and 1.227(b)(1), (4) is granted.

24. *It is further ordered,* That the petition to deny the application of Quinnipiac Valley Service, Inc., filed by WSBS—The Berkshires, Inc., is hereby dismissed.

25. *It is further ordered,* That the petitions of the Columbia Broadcasting System, Inc., and of Meriden-Wallingford Radio, Inc., directed against the application of Quinnipiac Valley Service, Inc., are granted to the extent indicated above and are denied in all other respects.

26. *It is further ordered,* That the Columbia Broadcasting System, Inc., Hartford County Broadcasting Corp., and WMMW, Inc., are made parties to the proceeding.

27. *It is further ordered,* That, to avail themselves of the opportunity to be heard, the applicants and parties respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

28. *It is further ordered,* That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: February 14, 1973.

Released: February 23, 1973.

FEDERAL COMMUNICATIONS COMMISSION,[37]

[SEAL] BEN F. WAPLE, *Secretary.*

[FR Doc.73-4011 Filed 3-1-73;8:45 am]

[33] Were this applicant to designate the whole of Ridgefield Township as the community of license, serious § 73.37(b) problems would be raised since prohibited overlap would exist with cochannel stations WHDH, Boston, Mass., and WEEU, Reading, Pa., and since the 1970 U.S. census shows a northern portion of the township as embraced in the Danbury urbanized area with the township population remaining below 25,000.

[34] Danbury city has been treated as coextensive with the town of Danbury since 1960, for Bureau of Census purposes, and the same population reported for both.

[35] The Bureau of the Census reports the 1970 population of Ridgefield center as 5,878 and that of Ridgefield Township as 18,188.

[36] Policy statement on sec. 307(b) considerations for standard broadcast facilities involving suburban communities, 2 FCC 2d 190, 6 R.R. 2d 1901 (1965).

[37] Commissioner Reid absent.

[Docket Nos. 19468, etc.; FCC 73R-79]

WIOO, INC., ET AL.

Memorandum Opinion and Order Enlarging Issues

In re applications of WIOO, Inc., Carlisle, Pa., Docket No. 19468, File No. BPH-6572; Howard J. Hilton, John E. McGowan, and John E. Hilton, doing business as Hilton, McGowan & Hilton, Carlisle, Pa., Docket No. 19469, File No. BPH-6631; Alexander Contract and Sylvia Contract, doing business as Cumberland Broadcasting Co., Carlisle, Pa., Docket No. 19471, File No. BPH-7404; for construction permits.

1. Before the Review Board is a petition to enlarge issues, filed October 6, 1972, by WIOO, Inc. (WIOO), requesting the addition of the following three issues against Cumberland Broadcasting Co. (Cumberland): (a) to determine the basis of Cumberland's representations that land would be available to it on the basis of an annual lease of $500; (b) to determine whether Cumberland had been guilty of misrepresentation and concealment in connection with the costs involved in its use of the land proposed for its transmitter site; (c) to determine whether Cumberland has correctly represented all of the facts and circumstances surrounding the proposed loan from Donald C. Hartman in its application as originally filed, and in its pleadings submitted in response to petitions to enlarge issues filed by WIOO.[1] [2]

2. In support of requested issues (a) and (b), WIOO alleges that Cumberland is guilty of misrepresentation and concealment in connection with the cost of the land necessary for its proposed transmitter site. WIOO points out that the Cumberland application as originally filed represented that the land necessary for the transmitter site was available to it on the basis of an annual lease of $500 and this representation was repeated in a subsequent amendment. However, petitioner asserts that the only arrangement for use of the land was a cash purchase in the amount of $9,000 for a 5-acre plot.[3] Petitioner claims that if the actual cost of the land had been disclosed in the original application, a serious question would have arisen concerning Cumberland's financial qualifications.[4] Next, in support of its requested issue (c), WIOO alleges that Cumberland misrepresented its relationship with Hartman in the original filing. Petitioner contends that Alexander Contract had promised Hartman an ownership interest in Cumberland and the position of manager of the proposed station in return for Hartman's promise to lend Cumberland $20,000 and that Cumberland's application should have disclosed this interest. In support, WIOO submits an affidavit from Hartman indicating that it was in late 1970 when he was offered the position of manager and the ownership interest in consideration of his loan commitment. Petitioner also submits a telegram dated October 6, 1972, in which Hartman states that he made the loan agreement solely because of this offer of ownership and employment.[5] Petitioner further requests the Review Board to review its previous ruling and enlarge the issues to permit a full inquiry with respect to all of Cumberland's past and present proposals to finance its construction and operation.[6] The Broadcast Bureau supports addition of the requested issues.

3. In opposition, Cumberland claims that the mistake in regard to the transmitter site was an honest human error and disclaims any intent to mislead the Commission. In an affidavit attached to the opposition, Contract posits as a possible explanation for the mistake the fact that he had discussed with his attorneys a proposed leasing arrangement for another site, which never came to pass.[7] With respect to the Hartman loan, Cumberland maintains that the possible ownership interest of Hartman was a thing of the past at the time the Cumberland application was filed and denies any hidden ownership or other misrepresentation on the part of Cumberland. Submitted in support of its contention is a telegram from Hartman, dated October 18, 1972, to the effect that he had no ownership interest or promise of ownership interest in Cumberland after the application was filed.[8] As to the requested issues concerning Cumberland's proposals for financing its construction and operation, the applicant maintains that the Review Board has already ruled on these issues and is precluded from reconsidering its interlocutory rulings by §§ 1.102 (b) (2) and 1.106(a).

4. The Review Board will add requested issues (a) and (b). We believe that a substantial question has been raised with respect to whether Cumberland has misrepresented and concealed facts in connection with the costs involved in its use of the land proposed for its transmitter site. In our view, Cumberland has not successfully negated the allegation of willful misrepresentation, especially in view of the fact that a substantial question as to Cumberland's financial qualifications would have been raised if the actual cost of the land had been disclosed in the original application. Furthermore, the alleged misrepresentation was repeated in an amended financial statement submitted on June 13, 1972. Therefore, the Board will add an appropriate issue to permit a full inquiry of this matter at the hearing. The Board is of the opinion, however, that addition of requested issue (c) relating to the Hartman loan is not warranted. We have no reason to doubt the statement of Hartman, affirming the affidavit of Contract, that he had no ownership interest or promise of ownership interest in Cumberland after the application was filed. Therefore, Cumberland has, to our satisfaction, adequately answered the petitioner's allegation that Cumberland misrepresented its relationship with

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[1] Also before the Review Board are the following related pleadings: (a) Motion to file supplement, and supplement to petition to enlarge issues, filed Oct. 13, 1972, by WIOO; (b) Broadcast Bureau's comments on (a) filed Oct. 18, 1972; (c) opposition, filed Oct. 19, 1972, by Cumberland; (d) Broadcast Bureau's comemnts, filed Oct. 26, 1972; (e) reply, filed Oct. 30, 1972, by WIOO; and (f) petition for leave to file, and supplement to opposition, filed Nov. 28, 1972, by Cumberland.

[2] The Board is of the view that petitioner has not shown good cause for the late filing of its motion to enlarge. The Board will, however, consider the request on the merits since the allegations raise serious questions regarding Cumberland's basic qualifications and since the petition to enlarge was filed within 4 days after Mr. Swidler received the option agreement. See Note 3, infra. The Edgefield-Saluda Radio Co. (WJES), 5 FCC 2d 148, 8 RR 611 (1966).

[3] Submitted in support of its allegation is an affidavit from Harold Swidler which states that Thomas Boylan indicated to Swidler that in March of 1971, he and his wife entered into an agrement with Alexander and Sylvia Contract pertaining to the said property. In addition, petitioner submitted a copy of the option agreement between the Contracts and Mr. Boylan.

[4] WIOO asserts that Cumberland relied in its original filing on total available resources in the amount of $128,445 and its total first year's cash requirements were $127,315, leaving a cushion of slightly more than $1,000; therefore, an expenditure of $9,000 for 5 acres of land would have resulted in a deficit of approximately $7,870.

[5] On Otcober 13, 1972, WIOO filed a supplement to its petition to enlarge issues containing an affidavit of Hartman substantiating the facts set forth in his telegram. The Board agrees with the Bureau that the supplement does not violate the Board's notice of October 11, 1972, regarding "the filing of successive supplements long after the initial interlocutory pleading was filed", and therefore will accept the supplement.

[6] WIOO has previously requested issues inquiring into the three loan commitments originally relied upon by Cumberland but the Review Board in a Memorandum Opinion and Order, FCC 72R-255, 37 FCC 2d 342, released September 20, 1972, denied the requested issues. One of the requested issues concerned the circumstances surrounding the proposed loan from Donald C. Hartman. The Board has recently, however, specified an issue to determine whether Cumberland misrepresented the terms and conditions of a loan commitment from James Line (FCC 73R-69, —— FCC 2d ——, released February 9, 1973).

[7] Cumberland's petition for leave to file a supplement to its opposition will be denied. The Board stated in its Public Notice No. 90836, released October 11, 1972, (Filing of Supplemental Pleading Before the Review Board), that it would closely scrutinize all alleged justifications for the filing of supplemental pleadings. Cumberland's request to supplement its opposition comes more than a month after the filing of its initial opposition and Cumberland has not satisfactorily explained the delay nor why it did not include this material in its initial opposition.

[8] Hartman's telegram corroborates the affidavit of Contract attached to the opposition.

Hartman in the original filing. Furthermore, we do not believe that the statements contained in the affidavits and telegrams from Hartman are conflicting. Hartman originally stated that in late 1970 he made the loan agreement solely because of the offer of ownership and employment but circumstances changed and by March 1971, when the application was filed, Hartman no longer had any interest in participating in the business in any capacity. Petitioner's belief that the loan is "simply incredible" is conjecture and not supported by sufficient allegations of fact to permit a full inquiry concerning the circumstances surrounding the proposed loan from Hartman.[9] The requested issue concerning the Hartman loan will therefore be denied

5. *Accordingly it is ordered,* That the motion to file supplement to petition to enlarge issues, filed October 13, 1972, by WIOO, Inc., is granted, and the supplement is accepted; and

6. *It is further order,* That the petition for leave to file, filed November 28, 1972, by Cumberland, is denied; and

7. *It is further ordered,* That the petition to enlarge issues, filed October 6, 1972, by WIOO, Inc., is granted to the extent herein indicated, and is denied in all other respects; and

8. *It is further ordered,* That the issues in this proceeding are enlarged by the addition of the following issues:

(a) To determine the basis of Cumberland's representations in its application and amendments thereto that land would be available to it on the basis of an annual lease of $500.

(b) To determine whether Cumberland had misrepresented or concealed facts in connection with the costs involved in its use of the land proposed for its transmitter site.

9. *It is further ordered,* That the burden of proceeding with the introduction of evidence under the issues added herein shall be on WIOO, Inc., and the burden of proof thereunder shall be on Cumberland Broadcasting Company.

Adopted: February 14, 1973.

Released: February 22, 1973.

FEDERAL COMMUNICATIONS COMMISION,[10]
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.73-4012 Filed 3-1-73;8:45 am]

[9] Moreover, the Review Board has already considered and denied such a requested issue. See Memorandum Opinion and Order, FCC 72R-255, supra. The Board will also deny the requested issues inquiring into Cumberland's past and present proposals to finance its construction and operation, since no allegations sufficient to warrant such an issue have been presented. However, see note 6, supra.

[10] Board Member Berkemeyer absent.

FEDERAL MARITIME COMMISSION

COASTAL BARGE LINES, INC. AND PACIFIC WESTERN LINES

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015, or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before March 22, 1973. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Leonard H. Gross, Coastal Barge Lines, Inc., 840 West Nickerson No. 2, Seattle, WA 98119.

DC-58 is an agreement filed for approval under section 15 of the Shipping Act, 1916, between Coastal Barge Lines, Inc., and Alaska Aggregate Corp., doing business as Pacific Western Lines. Under the agreement, each carrier may forward cargo booked by it on vessels of the other so as to minimize the operational costs of each and to insure for the benefit of the general public, a continuous scheduled service, maintain its own tariff, rate all cargoes solicited on its own bill of lading and be liable to the public in accordance with existing laws.

Charges between carriers are to be determined in accordance with the service performed on each shipment or commodity as scheduled. The agreement also contains provisions relating to loss or damage to shipments, actual or hidden, and to termination of the arrangement.

By order of the Federal Maritime Commission.

Dated: February 23, 1973.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-3945 Filed 3-1-73;8:45 am]

[Independent Ocean Freight Forwarder License 359]

JOHN A. HICKEY & CO., INC.

Order of Revocation

On January 31, 1973, John A. Hickey & Co., Inc., 42 Broadway, New York, NY 10004 voluntarily surrendered its Independent Ocean Freight Forwarder License No. 359 for revocation.

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

It is ordered, That Independent Ocean Freight Forwarder License No. 359 of John A. Hickey & Co., Inc., be and is hereby revoked effective January 31, 1973, without prejudice to reapply for a license at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon John A. Hickey & Co., Inc.

AARON W. REESE,
Managing Director.

[FR Doc.73-3943 Filed 3-1-73;8:45 am]

[Independent Ocean Freight Forwarder License 1290-R]

MONITOR INTERNATIONAL FORWARDING CORP.

Order of Revocation

On February 12, 1973, Monitor International Forwarding Corp., San Francisco, Calif., voluntarily surrendered its Independent Ocean Freight Forwarder License No. 1290-R for revocation.

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

It is ordered, That Independent Ocean Freight Forwarder License No. 1290-R of Monitor International Forwarding Corp. be and is hereby revoked effective February 12, 1973, without prejudice to reapply for a license at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Monitor International Forwarding Corp.

AARON W. REESE,
Managing Director.

[FR Doc. 73-3944 Filed 3-1-73; 8:45 am]

PORT OF PORTLAND AND PACIFIC MOLASSES CO.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015, or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before March 22, 1973. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Brian J. Freeman, Esq., Port of Portland, Box 3529, Portland, OR 97208.

Agreement No. T-2744, between the Port of Portland (Port) and Pacific Molasses Co. (PM), provides for the lease to PM of the entire bulk liquid and storage plant and land situated at the Port's Municipal Terminal No. 4. The "public facilities" portion of the premises are to be used primarily for public purposes in the movement of tallow, vegetable oils, and other products; the "industrial lands" portion of the premises are to be utilized for industrial purposes by PM and include an office, warehouse, molasses pump, molasses lines, truck scales, and all appurtenances thereof. The term of the lease of the "public facilities" portion extends to June 30, 1983 (with a 10-year renewal option), and the term for the "industrial lands" extends to June 30, 1993. Compensation to the Port will be as set forth in the agreement. In shipping its own tallow and other products through the facility, only wharfage will be applied against PM under certain cases. Otherwise, all Port tariff charges will be assessed against PM and other users of the facility.

By order of the Federal Maritime Commission.

Dated: February 22, 1973.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-3946 Filed 3-1-73;8:45 am]

FEDERAL POWER COMMISSION

[Projects 821, 1577—Alaska]

ALASKA POWER SURVEY

Order Vacating Land Withdrawals

FEBRUARY 23, 1973.

The Alaska Power Administration, Department of the Interior, has requested that the land withdrawals for Project Nos. 821 and 1577 be vacated in their entirety. The withdrawn lands are described below.

Project No. 821, comprising approximately 81 acres on Cascade and Rosa Creeks, Gravina Island, Alaska, contemplated the storage of 100 acre-feet of water at Upper and Lower Lakes on Rosa Creek and the diversion of flows from Rosa Creek to Cascade Creek and from Cascade Creek to a 60-horsepower water wheel connected to a generator in a fish cannery on the shore of Tongass Narrows. The license for Project No. 821 was issued September 18, 1928, and was terminated June 8, 1932, because the Licensee failed to begin construction. This site has no significant power potential since its drainage area is less than 2 square miles.

Project No. 1577, comprising approximately 36.5 acres on Kodiak Island, Alaska, was to consist of a small reservoir on Chip Creek and a diversion to a powerhouse with an installed capacity of 100 horsepower. The license for project No. 1577 was issued October 1, 1940, and surrendered effective December 31, 1945. The site for project No. 1577 is now occupied by a reservoir and pipeline under authority of a Bureau of Land Management right-of-way issued to CWC Fisheries, Inc. In its application for the right-of-way CWC Fisheries advised the Bureau of Land Management that the reservoir and pipeline would not be used for hydroelectric development. This site has no significant power potential since its drainage area is only about three square miles.

The Commission finds:

The land withdrawals for projects Nos. 821 and 1577 no longer serve a useful purpose and should be vacated in their entirety.

The Commission orders:

The land withdrawals for projects Nos. 821 and 1577 are hereby vacated in their entirety.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

1. Project No. 821

CASCADE AND ROSA CREEKS, GRAVINA ISLAND, ALASKA

All lands within the project boundaries described in revised "Exhibit C" of the project application entitled "Field Notes and Description of the Final Location of the Project Boundary," and as shown on a map of two sheets, designated "Exhibit 'F' " and "Exhibit 'F1' " respectively, and entitled "Map Showing Project Boundary Accompanying Application for License (Minor Project) of Libby, McNeill, & Libby, Situated on Cascade and Rosa Creeks, northeast shore of Gravina Island, 6 nautical miles northwest of Ketchikan, Alaska," and filed in the office of the Federal Power Commission on June 9, 1928. (Approximately 81 acres.)

2. Project No. 1577

KODIAK ISLAND, ALASKA

All lands of the United States situated near the west shore of Chip Cove, Moser Bay, an arm of Alitak Bay, within the portion of the project boundaries included in a strip of land 200 feet in width embracing the proposed ditch, flume, pipeline, powerhouse, and transmission line locations, between the outlet of Lake Suryan and the boundary of U.S. Survey No. 2371; also all lands lying within the project boundary surrounding the shore line of Lake Suryan; all as shown on a map designated "Exhibit 'F' " and entitled "Map Accompanying Application of the Far North Packing & Shipping Co., Inc., for license for water power project on Chip Creek and Lake Suryan on Moser Bay, Kodiak Island—Territory of Alaska," and filed in the office of the Federal Power Commission on April 7, 1939; also all U.S. lands lying within the project boundary shown on said map as revised January 3, 1940. (Approximately 36.5 acres.)

[FR Doc.73-3893 Filed 3-1-73;8:45 am]

[Docket No. E-7775]

APPALACHIAN POWER CO.

Further Extension of Procedural Dates

FEBRUARY 23, 1973.

On February 15, 1973, the Commission Staff filed a motion for an extension of the service dates in the above matter as established by the order issued October 20, 1972, and modified by a notice issued on January 16, 1973. The motion states that all parties concur in the request.

Upon consideration, notice is hereby given that the procedural dates in the above matter are further modified as follows:

Staff's evidence service date, March 27, 1973.
Interveners' service date, April 17, 1973.
Prehearing Conference, April 24, 1973.
Company rebuttal service date, May 1, 1973.
Hearing, May 15, 1973.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3902 Filed 3-1-73;8:45 am]

[Docket No. G-5236]

CABOT CORP.

Petition To Amend

FEBRUARY 22, 1973.

Take notice that on February 10, 1973, Cabot Corp. (Petitioner), Post Office Box 1473, Charleston, W. Va. 25325, filed in Docket No. G-5236 a petition to amend the order issuing a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act by authorizing the establishment of an additional point for delivery of natural gas to Consolidated Gas Supply Corp. (Consolidated) and the delivery of natural gas to Consolidated at that point for transportation and exchange, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Petitioner presently exchanges natural gas with Consolidated under the terms of Petitioner's FPC Gas Rate

Schedule No. 6 and now proposes to deliver gas to Consolidated for exchange and for transportation at an additional delivery point in Wyoming County, W. Va. The gas would be returned to Petitioner at a point in Kanawha County, W. Va. Petitioner proposes to deliver up to 7,000 Mcf of gas per day in Wyoming County for transportation by Consolidated to Kanawha County for redelivery, less 16 percent of the volume as a transportation charge. Petitioner also intends to deliver exchange volumes to Consolidated at the Wyoming County point to balance deliveries under their exchange agreement. The first volumes delivered each day at the Wyoming County point will be deemed exchange gas being returned to Consolidated.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before March 13, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3897 Filed 3-1-73;8:45 am]

[Docket No. E-7829, etc.]

CERTAIN COMPANIES

Filing of Applications

FEBRUARY 22, 1973.

Take notice that each of the applicants listed herein has made a filing pursuant to section 205 of the Federal Power Act and Part 35 of the regulations promulgated thereunder.

Any person desiring to be heard or to make any protest with reference to said filing should on or before March 12, 1973, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The applications are on file with the Commission and available for public inspection.

Docket No.	Date filed	Name of applicant	Action
E-7829	11-13-72	Minnesota Power & Light Co.	Filing of municipal interchange agreement dated Aug. 16, 1972, between the city of Tow Harbors and Minnesota Power & Light Co. This agreement supersedes Federal Power Commission Rate Schedule No. 87. It is requested that this agreement become effective as soon as possible.
E-7981	6-17-71	New Bedford Gas & Edison Light Co.	Filing of transmission agreement dated Mar. 29, 1968, by and among Boston Edison Co., Montaup Electric Co., New England Power Co., New Bedford Gas & Edison Light Co. The company states that it reserves the right to contest its jurisdictional status as a public utility and the filing of this transmission agreement is reserved to the question of jurisdiction.
E-7974	1-10-73	Monteray Utilities Corp.	The company filed an executed amendment dated Nov. 4, 1972, to the purchase agreement dated Feb. 15, 1972, between Monteray Utilities Corp. and Bath-Alleganey Rockbridge County's Cooperative, which amendment substitutes a fuel clause conforming to the fuel clause contained in Monteray Utility Corp.'s wholesale purchase agreement with Monongahela Power Co. (Monongahela Power Co., Supplement No. 1 to Rate Schedule FPC No. 4). The company states the energy charge has been modified by adding the fuel cost differential between $0.18 per million B.t.u. and $0.287 per million B.t.u. to the energy charge contained in the rate schedule originally submitted. This change was to equalize cost of service as of Apr. 1, 1972, the proposed effective date of the amended fuel cost adjustment clause.
E-7969	1-19-73	Philadelphia Electric Co.	Philadelphia Electric Co. filed cancellation of rate schedule FPC No. 24 to become effective Mar. 20, 1973.
E-7991	1-22-73	Kansas City Power & Light Co.	Filing of initial rate schedule designated as municipal wholesale power contract dated Jan. 3, 1973, between Kansas City Power & Light Co. (Company) and city of Pomona, Kansas (City). The rate schedule is a company standard schedule of rates and charges for municipal wholesale power service (schedule NWP-1) currently in effect and on file with the Commission. The proposed effective date of Feb. 15, 1973, is requested. Waiver of the 30-day filing requirement is requested so that the filing may become effective Feb. 15, 1973.
E-7995	1-22-73	Saint Joseph Light & Power Co.	Filing of notice of cancellation of rate Schedule FPC No. 8. The Company states that the town of Easton discontinued electric service purchases on Nov. 29, 1968.
E-8004	1-29-73	Arizona Public Service Co.	Filing of billing for the months of October, November, and December 1972 under FPC Rate Schedule No. 3.
E-8006	1-29-73	Northern States Power Co.	Filing of firm power service resale agreement, dated Aug. 1, 1973 between Northern States Power Co. and the village of Kasson. The agreement to precede the resale contract, dated Nov. 13, 1962, and the letter agreement dated June 22, 1966, designated as Northern States Power Co. (Minnesota) Rate Schedule FPC No. 180 and Supplement No. 2 to Rate Schedule FPC No. 180.
E-8007	1-29-73	Northern States Power Co.	Filing of firm power service resale agreement, Nov. 20, 1972, between Northern States Power Co., and the city of Arlington. The agreement supersedes the resale contract, dated Jan. 7, 1963, and the letter agreement, dated June 22, 1966, designated as Northern States Power Co. (Minnesota) Rate Schedule FPC No. 173 and Supplement No. 2 to Rate Schedule FPC No. 173.
E-7992	1-22-73	Public Service Co. of of Oklahoma.	Filing of information concerning the company's request for a change in rates of the Markham ferry coordinating agreement, Rate Schedule FPC No. 162 for the calendar year 1973. Company states that the request for change is based upon the terms and conditions of the Aug. 1957 Markham ferry coordinating agreement between Grand River Dam Authority and Public Service Co. of Oklahoma provides for changes in rates when certain specific costs are above or below the cost of the base year. The company proposes the following rate schedules be applicable for sales upon acceptance of the above identified filing by the Commission. Capacity sold under the rate will be purchased under the J rate will be 3.10 mills per kilowatt hour rate change from rate 1972 of 2.83 mills per kilowatt hour. Capacity sold under the H rate 1973 the rate will be 4.77 mills ber kilowatt hour which is a change from 4.35 mills per kilowatt hour in 1972. Capacity sold under the K contract will be at a rate of 3.10 mills per kilowatt hour in 1973 which is a change from 2.83 mills per kilowatt hour in 1973. Electric power delivered to the Eastern State Hospital and the General Headquarters Building in Venleta, Okla., will remain the same as in 1972, $0.0081 per kilowatt hour per month. For emergency power transactions the proposed rates do not change the date of demand changed for kilowatt hour for $0.0462 cents nor does it change the rate for emergency service for more than 24 hours from the existing maximum of $1.20 per kilowatt hour during any calendar month. Purchasing parties shall pay 3.72 mills per kilowatt hour for emergency energy which is a change from the 1972 price of 3.42 mills per kilowatt hour. Company requests waiver of the Commission's notice requirements so that the proposed rates may become effective Jan. 1, 1973.
E-8002	12-11-72	Duke Power Co.	Filing of a supplement to the company's electric power contract with the city of Greer. This contract is on file with the Commission as been designated Duke Power Co. Rate Schedule FPC No. 236. The company states that the customer has requested increase capacity at two delivery points of 8,000 kilowatts at 4,160/2,400 volts and 12,000 kilowatts at 12,470/7,200 volts. The supplement filed above reflects the actual facilities cost and charge to provide for the increased power requirements amounts to $462.23 per month.

Docket No.	Date filed	Name of applicant	Action
E-7758	12-11-72	Northern Indiana Public Service Co.	Company filed FPC Electric Service Tariff, First Revised Volume No. 1 (superseding Original Volume No. 1) containing rate schedules VA-1 and VA-11 of the company. The company states that the tariff is issued under the provisions of the order of the Federal Power Commission of Dec. 5, 1972, in FPC Docket No. E-7758 in which the Commission approved a rate settlement agreement.
E-8015	2- 5-73	Commonwealth Edison	Company filed an agreement dated Jan. 29, 1973, supplementing the interconnection agreement between Edison and Wisconsin Electric Power Co. dated Feb. 9, 1961, and effective Apr. 1, 1961 (the interconnection agreement is designated as Edison Rate Schedule FPC No. 3). The letter agreement provides for the purchase by Wisconsin Electric of specified amounts of power from Edison for the 1-month period beginning Jan. 22, 1973, and ending Feb. 18, 1973. The company requests waiver of the Commission's notice requirements so that the letter agreement may be made effective Jan. 22, 1973
E-8016	2- 5-73	Southern California Edison.	Company filed a change in rate schedule in agreement with the city of Glendale which is entitled: Amendment No. 2. to the Glendale-Edison 1971-72 transmission service agreement dated Jan. 5, 1973. The company states that the 1971-72 transmission service agreement and amendment No. 1 thereto are on file with the Commission and are designated as Southern California Edison Co. Rate Schedule FPC No. 58 and Supplement No. 1 to Rate Schedule FPC No. 58. Amendment No. 2 filed herein amends the 1971-72 agreement and amendment No. 1 which terminated by its own terms on Dec. 31, 1972. The company requests waiver of the Commission's notice requirements so that the filing may be made effective as of Jan. 1, 1973.
E-8018	2- 5-73	Electric Energy, Inc.	Company filed as a rate schedule supplement to Rate Schedule FPC No. 4 a statement of charges and supporting detail under section 4.06 of the rate schedule. The company states that the filed letter is intended to constitute notice that the company proposed to invoke section 4.06 as to the reimbursement of the allocated net cost promptly replaces for the year 1972. The company states that section 4.06 will be upon receipt of the Commission's acceptance of filing.
E-8019	2- 5-73	Arizona Public Service	Filing under Arizona Public Service Co.'s FPC Rate Schedule No. 50 with Citizens Utility Co. of date of for the billing months September, October, November, and December 1972. The company requests waiver of the Commission's notice requirements so that the escalation under FPC Rate Schedule No. 50 may be made effective at the beginning of the aforementioned billing months.
E-8020	10-27-72	Wisconsin Power & Light Co.	Company filed appendix H to the master interconnection agreement dated Jan. 5, 1966, between the company and Wisconsin Public Service Corp. covering the Carolina interconnection. The company states that appendix X becomes effective Jan. 1, 1973, at which time the existing agreement of Mar. 25, 1963, covering the Carolina interconnection shall be canceled.
E-8021	2- 5-73	Niagara Mohawk Power Corp.	Company filed a letter agreement dated Dec. 18, 1972, between the Power Authority of the State of New York (PASNY), Niagara Mohawk Power Corp. (Niagara Mohawk), and New York State Electric & Gas Corp. (NYSEG) as Supplement No. 3 to Niagara Mohawk's Rate Schedule FPC No. 45 and NYSEG Rate Schedule FPC No. 36. The company states that the annual increase to Niagara Mohawk would be $69,868.75 and for NYSEG would be $17,531.25. The company requests that the rate schedule supplement be allowed to become effective as of the date of initiation of service by PASNY to Allegheny Electric Cooperative, Inc.
E-8023	2- 5-73	Arizona Public Service Co.	Company filed bills for November and December 1972 under Arizona Public Service Co. Supplement No. 5 to Rate Schedule FPC No. 32 (TG&E company). The company requests waiver of the Commission's notice regulations so that the filing may become effective at the beginning of the captioned billing months.
E-8024	2- 5-73	South Carolina Electric & Gas Co.	Company filed an agreement between South Carolina Electric & Gas Co. (Company) and South Carolina Public Service Authority (Authority), dated Aug. 9, 1972. The Company states that service is expected to commence Mar. 1, 1973, and the Company requests waiver of the Commission's notice requirements to permit an effective date of Mar. 1, 1973 be designated.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3894 Filed 3-1-73;8:45 am]

[Docket No. E-8027, etc.]

CERTAIN COMPANIES

Filing of Applications

FEBRUARY 23, 1973.

Take notice that each of the applicants listed herein has made a filing pursuant to section 205 of the Federal Power Act and Part 35 of the regulations promulgated thereunder.

Any person desiring to be heard or to make protest with reference to said filing should on or before March 9, 1973, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The applications are on file with the Commission and available for public inspection.

Docket No.	Date filed	Name of applicant	Action
E-8027	5- 9-73	Pennsylvania Electric Co.	The company filed along with Metropolitan Edison Co. an amendment dated Sept. 1, 1972, to a Wheeling supplemental power agreement dated July 22, 1965, between the Allegheny Electric Cooperative, Inc. Pennsylvania Electric Co. and an amendment dated Sept. 1, 1972, to a Wheeling and supplemental power agreement dated July 22, 1965, between Allegheny and Metropolitan Edison Co. Two Wheeling and supplemental power agreements are on file with the Commission and have been designated Pennelec (Rate Schedule FPC No. 46) and Met-Ed (Rate Schedule FPC No. 26). The company states that these amendments were executed in contemplation of the possibility that the Power Authority of the State of New York (PASNY) would increase the energy and power deliveries by PASNY to Allegheny so that the PASNY allotment to Allegheny would be available to Allegheny on a year round basis. The company requests that the Commission's notice regulations be waived so that the amendments be permitted to go into effect Feb. 20, 1973.
E-8032	4-12-72	American Electric Power Service Corp.	Filing on behalf of Appalachian Power Co. (Appalachian) in modification of No. 3 dated Mar. 1, 1972, to the Interconnection Agreement dated Feb. 7, 1957, between Appalachian and Carolina Power & Light Co. designated Appalachian Rate Schedule FPC No. 24. Also filed is a copy of Carolina Power & Light Co.'s certificate of concurrence. The company requests waiver of the Commission's 30-day filing requirements so that the filing may become effective May 1, 1972.

Docket No.	Date filed	Name of applicant	Action
E-8028	2- 9-73	Puget Sound Power &	Company filed an agreement dated Sept. 1, 1972, between Montana Power Co., The Washington Water Power Co., and Puget Sound Power & Light Co. The company states that agreement provides for the exchange of capacity energy between the parties. The payment specified in the agreement is a negotiated figure based on economic factors presently existing in the Northwest region. The company requests waiver of the Commission's notice requirements so that the agreement may be made effective Sept. 1, 1972.
E-8029	2- 9-73	Duke Power Co	Company files a supplement to the company's Electric Power Contract with the city of Rock Hill. The underlying contract is on file with the Commission and has been designated Duke Power Co. Rate Schedule FPC No. 228. The company requests an effective date of Mar. 21, 1973.
E-8030	2- 12-73	Wisconsin Electric	Company filed a copy of a letter agreement dated Jan. 29, 1973, between Wisconsin Electric Power Co., and Wisconsin Power & Light Co. This agreement is in respect to power and light purchasing 20 megawatts of power from Wisconsin Electric for a period of 2 weeks beginning Jan. 29, 1973, and ending Feb. 11, 1973. Company requests waiver of the Commission's 30-day notice requirement in order that the agreement may become effective Jan. 29, 1973.
E-8031	2-12-73	Alabama Power Co	Company filed an agreement dated Oct. 18, 1972, with the Black Warrior Electric Membership Corp., Demopolis, Ala., pursuant to the company's filed tariff rate schedule REA-1 filed with the Commission Nov. 1, 1971. Company states that all parties are in agreement with the rate schedule as filed.
E-8035	2-14-73	Interstate Power Co.	Company filed an electric service agreement and a transmission services agreement between Interstate Power Co. and the city of Worthington, Minn., both dated Jan. 10, 1973. The Company states that the electric service agreement supersedes and cancels the previous electric service agreement dated Apr. 2, 1962, which has been designated as Interstate Power Co. Rate Schedule FPC No. 39. The company requests waiver of the Commission's regulations so that an effective date of Feb. 20, 1973, may be designated.
E-8036	2-14-73	Wisconsin Electric Power Co.	Company filed a letter agreement dated Jan. 29, 1973, between Wisconsin Electric Power Co. and Northern States Power Co. This agreement is in respect to Northern States purchasing 50 megawatts of power from Wisconsin Electric for a period of 1 week beginning Jan. 22, 1973, ending Jan. 28, 1973. The Company states that due to Northern States need for capacity energy for a shortage of fuel and maintenance of generating facilities and the short notice of available capacity from another system the transaction was finalized without benefit of prior approval of the Commission. Accordingly, the company requests waiver of the Commission's 30-day notice requirement to allow the agreement to become effective Jan. 22, 1973.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3900 Filed 3-1-73;8:45 am]

[Docket No. RP71-106]

CITIES SERVICE GAS CO.

Order Suspending Proposed Increased Rates, Providing for Hearing and Permitting Interventions

FEBRUARY 22, 1973.

On January 2, 1973, Cities Service Gas Co. (Cities Service) filed Fourth Revised Sheet No. PGA-1 to its FPC Gas Tariff, Second Revised Volume No. 1,[1] proposing a jurisdictional rate increase of $0.0059 per Mcf, or $2,089,098 annually based on sales for the 12 months ended November 22, 1972, to become effective on February 23, 1973, and to remain in effect for a period of 3 years. The filing is made pursuant to section 3 of Article X of the Stipulation and Agreement approved by Commission order issued March 1, 1972, in this proceeding, and is designed for the limited purpose of recovering a total amount of $5,620,092, the jurisdictional portion of a payment, together with accrued interest, made by Cities Service to Western Natural Gas Co. (Western) in satisfaction of a final and nonappealable judgment in Western's action against Cities Service in the Oklahoma County District Court, Okla., Case No. 175,435.[2] Section 3 of Article X of the agreement permits Cities Service to file for an increase in jurisdictional rates to reflect payments it makes to Western as result of that action. Upon recoupment of said amount plus simple interest at 7 percent, Cities Service proposes to eliminate the $0.0059 per Mcf from its then effective jurisdictional rates.

Cities Service proposes to maintain a special memorandum account showing the principal amount of $5,620,092 to be recovered and credits against such account equal to revenues received periodically as a result of the increase less accumulated interest at 7 percent on the unamortized balance. Cities Service also proposes to file semiannual reports with the Commission with respect to said memorandum account and serve copies thereof upon its jurisdictional customers, affected State Commission, and parties to this proceeding.

Protests to the filing and petitions to intervene were filed jointly by Midwest Industrial and Commercial Gas Users Association and Armco Steel Corp., the City Group Defense Association and the State Corporation Commission of the State of Kansas. A protest and petition for declaratory order was filed by the Kansas Municipal Intervenors Group (MIG). A petition to intervene was filed by the Gas Service Co.

MIG requests that the Commission issue a declaratory order finding that the payment of money damages by Cities Service to Western in the circumstances of this proceeding is not a legitimate cost of service item and rejecting the company's proposed tariff sheet. MIG contends that the Oklahoma court found that Cities Service had made bad faith representation to this Commission which obstructed Western's abandonment application and that Cities Service was thus liable for breach of contract. MIG urges that Cities Service's proposed rate increase is an unlawful attempt to require its customers to absorb a cost resulting from Cities Service's own wrongdoing and that this is a risk to be borne by the company's shareholders.

The matters set forth in the filing and MIG's pleading raise issues which require development in an evidentiary proceeding. Accordingly we shall provide for hearing herein and shall suspend the proposed increased rates for 1 day. The proposed increased rates and charges have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Cities Service's FPC Gas Tariff, as proposed to be amended herein, and that the proposed increased rates tendered on January 2, 1973, be suspended and the use thereof be deferred as herein provided.

(2) The participation of the aforesaid Petitioners may be in the public interest.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Chapter I) a public hearing be held commencing with a prehearing conference on April 10, 1973, at 10 a.m., e.s.t.,

[1] The company tendered two Fourth Revised Sheets No. PGA-1, both reflecting the $0.0059 per Mcf increase. The sheet contained in Appendix A of the filing reflects the $0.0148 per Mcf adjustment also tendered on Jan. 2. The alternate sheet contained in appendix C reflects the $0.0129 adjustment tendered as an alternate to the $0.0148 adjustment and accepted by the Commission.

[2] The judgment, which amounts to $6,843,097 in total, arose out of action on a contract dated Sept. 29, 1949, covering the sale of gas from the Kansas-Hugoton Field for a period of 10 years from the date of initial delivery, Apr. 1, 1950.

in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, concerning the lawfulness of the rates, charges, classifications and services contained in Cities Service's FPC Gas Tariff, as proposed to be amended herein.

(B) Pending such hearing and decision thereon, Cities Service's Fourth Revised Tariff Sheet No. PGA–1 in appendix C of the filing is hereby suspended and the use thereof deferred until February 24, 1973, and shall become effective on that date, subject to refund in accordance with the provisions of the Natural Gas Act and the regulations thereunder, and subject to the following conditions:

(1) Cities Service shall maintain a special memorandum account showing the principal amount to be recovered and shall credit such account with amounts equal to revenues received from time to time under the rate increase herein permitted to become effective less accumulated interest at 7 percent annually on the unamortized balance of the principal amount to be recovered; and shall semiannually report to the Commission the entries made to such account and shall serve copies thereof on each of its jurisdictional customers, each affected State commission and each party to this proceeding.

(2) Upon recovery of the total principal to be recovered from jurisdictional customers, Cities Service shall file revised tariff sheets reducing its rates by $0.0059 per Mcf from the rate levels then in force and effect, including such rates, if any, which Cities Service at that time may have under suspension.

(C) At the hearing on April 10, 1973, Cities Service's prepared testimony and exhibits shall be admitted to the record.

(D) Following admission of the evidence of Cities Service the parties shall proceed to effectuate the intent and purpose of § 2.59 of the Commission's rules of practice and procedure.

(E) On or before March 30, 1973, Cities Service shall serve its prepared testimony and exhibits. The Commission staff shall serve its prepared testimony and exhibits on or before April 20, 1973. The prepared testimony and exhibits of any and all interveners shall be served on or before May 4, 1973. Any rebuttal evidence by Cities Service shall be served on or before May 18, 1973. Cross-examination of the evidence shall commence on May 30, 1973.

(F) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (see Delegation of Authority, 18 CFR 3.5 (d)) shall preside at and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

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

(H) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3901 Filed 3-1-73;8:45 am]

[Docket No. E-8029]

DUKE POWER CO.

Proposed Changes in Rates and Charges

FEBRUARY 22, 1973.

Take notice that Duke Power Co. (Duke) on February 9, 1973, tendered for filing a proposed supplement to its electric power contract with the city of Rock Hill. The proposed changes would decrease energy deliveries at Delivery Point No. 3 from 45,000 kw. to 35,000 kw. It would also create a new Delivery Point No. 3. Duke proposes an effective date of March 21, 1973, for the proposed changes.

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 March 8, 1973. 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 proceeding. 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 public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3896 Filed 3-1-73;8:45 am]

[Docket No. RP73-17]

GRANITE STATE GAS TRANSMISSION, INC.

Proposed Rate Changes

FEBRUARY 22, 1973.

Take notice that Granite State Gas Transmission, Inc. on February 9, 1973, tendered for filing changes in its FPC Gas Tariff, Original Volume No. 1 to be effective March 1, 1973. The proposed changes would decrease revenues from jurisdictional sales by approximately $225,365 annually, based on deliveries for the 12 months ended December 31, 1972. The instant filing is made pursuant to a purchased gas adjustment provision, previously approved by the Commission, on December 14, 1972, in Docket No. RP73-17.

Copies of the filing were served upon the Company's jurisdictional customers and affected State regulatory commissions.

Any person desiring to be heard or to protest said filing 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 Commision's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 5, 1973. 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 proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3895 Filed 3-1-73;8:45 am]

[Docket No. E-7791]

JAMES E. SMITH AND SOUTH CAROLINA ELECTRIC & GAS CO.

Filing of Complaint Against Licensee

FEBRUARY 23, 1973.

Public notice is hereby given pursuant to § 2.1 of Part 2, Statements of General Policy and Interpretations, Subchapter A, Chapter I of Title 18 of the Code of Federal Regulations, that a complaint was filed on October 9, 1972 (amended December 4, 1972) by James E. Smith alleging that South Carolina Electric & Gas Co., licensee for Saluda Project No. 516, located on the Saluda River in the Counties of Lexington, Newberry, Richland, and Saluda, S.C., has allowed and plans to allow in the future certain individuals to pollute the waters of Lake Murray, the reservoir formed by the project.

Complainant states that it is impossible to name all of the sources of pollution; that "every farm, residence, industry, place of recreation, or any other establishment or place used by human beings is suspect and must by necessity, be named as a class, as being among those who are polluting the waters of Lake Murray."

Complainant states that section 10a of the Federal Power Act (16 U.S.C. 803a) [1] which establishes the standards

[1] SEC. 10. All licenses issued under this part shall be on the following conditions:

(a) That the project adopted, including the maps, plans, and specifications, shall be such as in the judgment of the Commission will be best adopted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of waterpower development, and for other beneficial public uses, including recreational purposes; and if necessary in order to secure such plan the Commission shall have authority to require the modification of any project and of the plans and specifications of the project works before approval.

under which a license is granted requires a licensee to insure that the lake remain suitable for recreational purposes. Complainant further states that "It seems incumbent upon the Federal Power Commission and upon the South Carolina Electric & Gas Co. to do everything possible to explore with us * * * this complaint and formulate plans whereby a close control can be effected in order that Lake Murray will not be threatened by pollution."

Any person desiring to be heard or to make protest with reference to said complaint should on or before April 5, 1973, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3903 Filed 3-1-73;8:45 am]

[Docket No. E-7812]

MAINE PUBLIC SERVICE CO.

Filing of Initial Rate Schedule

FEBRUARY 22, 1973.

Take notice that on November 3, 1972, Maine Public Service Co. (Main Public) filed an initial rate schedule described as a power purchase agreement between Maine Public Service Co. and Consolidated Edison Company of New York (Con Edison) dated March 1, 1972. Maine Public states that it is one of the 11 initial purchasers of Maine Yankee. By its power purchase agreement with Con Edison, Maine Public states that it agrees to sell, and Con Edison agrees to purchase, Maine Public's entitlements in the power output of the Maine Yankee plant for a period commencing with the commercial operation date of Maine Yankee and ending on October 31, 1976. Maine Public requests that since the commercial operation date is indeterminable the filing be accepted for filing by the Commission at this time and that it become effective as a rate schedule on December 15, 1972, or such earlier date at which the commercial operation date at a Maine Yankee plant is obtained. Maine Public states that the conditions of the power purchase agreement have been obtained or are reasonably expected to be obtained prior to the requested effective date.

The service to be furnished under the rates schedule is the sale of 5 percent of the capacity and output of the Maine Yankee unit delivered at 345 kv. from the Maine Yankee station transformer. It is estimated that during the first year of operation the quantity of electricity to be sold under this rate schedule will be 198,450 MWH and that the associated cost will be $2,000,385.

Maine Public states that it will make no sale of capacity or energy other than those under the rates being filed.

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 March 5, 1973. 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 proceeding. 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 public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3898 Filed 3-1-73;8:45 am]

[Docket No. E-7723]

POTOMAC EDISON CO.

Motion for Approval of Settlement Offer

FEBRUARY 23, 1973.

Take notice that the Potomac Edison Co. (PE) tendered for filing on February 1, 1973, as supplemented on February 20, 1973, a motion for approval of an attached settlement offer which is intended to resolve all issues in the above captioned proceeding. PE also requests the Commission amend its order of December 6, 1972, to postpone all procedural dates until 60 days after the Commission has acted upon the proposed settlement offer. PE proposes an effective date of December 11, 1972, the date in which the rates proposed in this docket become effective subject to refund.

PE states that the proposed rates would produce rates of return varying from a low of 5.49 percent to a high of 7.08 percent, and would place into effect a fuel cost adjustment clause which recognizes the fuel cost of energy generated by PE and in energy purchased by PE from other companies in the Allegheny Power System, but does not recognize increases or decreases in fuel cost of energy purchased from others than those which are members of the Allegheny Power System. PE states further that the proposed rates are not objected to by its customers to be served thereunder.

Copies of this filing are on file with the Commission and are available for public inspection. Any person desiring to comment upon the offer of settlement should file such comments with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, on or before March 9, 1973.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3904 Filed 3-1-73;8:45 am]

[Docket No. E-7723]

POTOMAC EDISON CO.

Further Extension of Procedural Dates

FEBRUARY 23, 1973.

On February 1, 1973, The Potomac Edison Co., filed a motion for approval of settlement offer and to extend time to file updated cost evidence and exhibits as required by the order issued July 11, 1972, and amended by notices issued November 8 and December 6, 1972.

Upon consideration, notice is hereby given that the procedural dates are further modified as follows:

Company's case in chief	March 15, 1973.
Testimony and exhibits of staff.	June 15, 1973.
Prehearing conference	June 28, 1973 (10 a.m., e.d.t.).
Rebuttal evidence, if any, The Potomac Edison Co.	July 19, 1973.
Cross-examination	August 9, 1973 (10 a.m., e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3905 Filed 3-1-73;8:45 am]

[Docket No. CI72-680]

TEXAS GAS EXPLORATION CORP.

Order Modifying Temporary Certificate on Rehearing

FEBRUARY 23, 1973.

The Commission by letter order issued December 7, 1972, granted temporary certificate authorization in the above-entitled proceeding to Texas Gas Exploration Corp. (Texas Gas) to sell natural gas to Columbia Gas Transmission Corp. (Columbia) from the Garden City Field, St. Mary Parish, La., under its FPC Gas Rate Schedule No. 32 at a rate of $0.21375 per Mcf. An application for rehearing and reconsideration of said letter order was filed by Texas Gas on December 18, 1972.

Texas Gas in its application for rehearing avers that two specific issues were prejudged by the aforesaid letter order: (1) Whether Texas Gas' gas was dedicated prior to its March 2, 1972, contract, with Columbia, and (2) whether the subject gas is entitled to the area rate for new gas.[1]

Pending resolution of the issues in this proceeding, we believe it appropriate to modify the subject temporary certificate, as follows:

(1) The second paragraph of page 1 of the letter order relating to dedication should be deleted.

[1] An order granting rehearing was issued on Jan. 17, 1973, for the purpose of further consideration of the issues raised by Texas Gas.

(2) Condition (1) on page 2 of the letter order should be deleted and replaced by the following condition:

(1) The total price for the proposed service shall be $0.26 per Mcf at $0.15025 p.s.i.a. subject to the quality adjustment prescribed in Opinion No. 598 and seven-eighths of the additional Louisiana State severance tax subject, however, to your refunding to the buyer with interest at 7 percent per annum, any amounts collected in excess of the rate finally determined to be required by the public convenience and necessity in the subject docket.

In all other respect, the terms and conditions previously set forth in the temporary certificate issued in Docket No. CI72-680 shall remain in full force and effect.

The interest of Texas Gas in gas produced from the acreage dedicated under its March 2, 1972, contract with Columbia was previously sold under the provisions of a June 28, 1963, contract between Isaac Arnold et al. and Columbia (to which Texas Gas was not a signatory party) pursuant to an operating agreement between Texas Gas and the operator of the properties. The basic question involved here is whether in these circumstances Texas Gas is entitled to the new gas or flowing gas ceiling under Opinion No. 598. In order to resolve the issues in this proceeding and to expedite the formal hearing provided herein, we shall also provide for a prehearing conference.

The Commission orders:

(A) The application for rehearing filed by Texas Gas in Docket No. CI72-680 is granted, the second paragraph on page 1 of the December 7, 1972, letter order is deleted and the following condition is substituted for condition (1) on page 2 of the December 7, 1972, letter order:

(1) The total price for the proposed service shall be $0.260 per Mcf at $0.15025 p.s.i.a. subject to the quality adjustment prescribed in Opinion No. 598 and seven-eighths of the additional Louisiana State severance tax subject, however, to your refunding to the buyer with interest at 7 percent per annum, any amounts collected in excess of the rate finally determined to be required by the public convenience and necessity in the subject docket.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 7, and 16 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act, a public hearing shall be held concerning the issues in Docket No. CI72-680, pursuant to the procedures prescribed herein.

(C) In order to resolve the issues in this proceeding and to expedite the hearing provided for in ordering paragraph (B), supra, a prehearing conference shall be held in accordance with § 1.18(c) of the rules of practice and procedure, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, on March 27, 1973, at 10 a.m., e.s.t., concerning such issues.

(D) A Presiding Administrative Law Judge, to be designated by the Chief Administrative Law Judge for that purpose (see Delegation of Authority, 18 CFR 3.5(d)), shall convene the prehearing conference in this proceeding.

(E) After convening the prehearing conference provided for herein, the Administrative Law Judge may recess the same to provide the parties an opportunity for the submission and consideration of facts, arguments, offers of settlement, or proposals of adjustment for settlement of the issues in this proceeding.

(F) The Administrative Law Judge may in his discretion grant recesses from time to time if he deems settlement or submission of the issues upon stipulated facts to be possible. If no settlement or stipulation can be reached by the parties hereto after reasonable time and provision has been made for the same, the procedural dates for service of prepared testimony and exhibits, and for hearings on the issues herein shall be fixed by the Administrative Law Judge.

(G) Notices of intervention or petitions seeking leave to intervene in this proceeding shall be filed with the Federal Power Commission, Washington, D.C. 20426 in accordance with the rules of practice and procedure, 18 CFR 1.8 and 1.37(f), on or before March 16, 1973.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-3899 Filed 3-1-73;8:45 am]

[Dockets Nos. CP71-68, CP71-289]

COLUMBIA LNG CORP. AND CONSOLIDATED SYSTEM LNG CO.

Order on Petition To Amend Project and Motion for Summary Order and Public Conference

FEBRUARY 23, 1973.

On June 28, 1972, the Commission issued Opinion No. 622, which inter alia issued certificates of public convenience and necessity, subject to certain conditions, under section 7(c) of the Natural Gas Act, to Columbia LNG Corp. (Columbia) and Consolidated System LNG Co. (Consolidated) for the construction and operation of facilities at Cove Point, Md., to receive, regasify, and transport liquefied natural gas (LNG). In our rehearing order, Opinion No. 622-A, issued October 5, 1972, we modified certain conditions of those certificates, none of which conditions affect the scope of this order. Petitions for review of Opinions Nos. 622 and 622-A were thereafter filed by El Paso Algeria Corp. (El Paso), Sierra Club et al., Southern Natural Gas Co., Columbia, Potomac Basin Federation, and Consolidated, which petitions for review were consolidated in the U.S. Court of Appeals for the Fifth Circuit. El Paso Algeria Corp. v. FPC, No. 72-3122, et al.

On December 8, 1972, Columbia and Consolidated filed a petition to amend Opinions Nos. 622 and 622-A, so as to eliminate a trestle and substitute a tunnel to connect the proposed docking facilities with the land-based facilities at Cove Point and certain related changes in the unloading facilities. In that petition, it is stated that "Intervenors [Sierra Club and Maryland Conservation Council] have agreed to withdraw their appeal upon approval by the Commission of the amendments herein proposed." (P. 2.)

On January 2, 1973, the U.S. Court of Appeals for the Fifth Circuit granted a motion of El Paso, Columbia, and Consolidated, and issued an order for the limited purposes of (1) granting Columbia and Consolidated leave to file the petition to amend, (2) authorizing the Commission to act upon said petition to amend, and (3) remanding the record and granting leave to proceed before the Commission on the petition to amend.

On February 16, 1973, Columbia, Consolidated, and El Paso filed a motion requesting (1) a summary order that the petition to amend does not involve a major Federal action significantly affecting the quality of the human environment, and (2) a public conference of Commissioners, Commission staff, executives of Columbia, Consolidated, and El Paso, and all other parties.

By letters of December 14, 1972, and February 2, 1973, our staff requested information from Columbia and Consolidated concerning the substitution of a tunnel for the trestle at Cove Point to "assist Staff in evaluating the environmental impact" of the petition to amend. Columbia indicated that preparation of the answers to the February 2, 1973, letter would require until March 31, 1973, (motion, Appendix A, p. 7). We will defer action on the petition to amend and motion for summary order pending Columbia's response to the February 2 letter, with the exception of Question No. 43, to which no response is required at this time. Such response will enable the Commission to determine if the petition to amend constitutes a major Federal action significantly affecting the quality of the human environment so as to require preparation and circulation of an environmental statement under section 102(2)(C) of the National Environmental Policy Act and the Commission's rules, § 2.80, et seq. We would urge Columbia to complete its response earlier than March 31, 1973, so as to expedite ultimate resolution by the Commission of the issues in the remanded proceeding.

In addition to the questions in the February 2, 1973, letter, Columbia should also answer the following:

44. Discuss in detail the technical feasibility of the proposed tunnel at Cove Point and technical alternatives to the proposed tunnel at Cove Point.

We deny the motion for a public conference inasmuch as if the evidence required by the Commission to meet its responsibilities to serve the public interest is furnished as requested herein, no useful purpose would be served by such a public conference.

The Commission orders that:

(A) Commission action on the petition to amend filed December 8, 1972, and

that portion of the February 16, 1973, motion for summary order determining the amendment involves no major Federal action significantly affecting the quality of the human environment is deferred.

(B) The February 16, 1973, motion for a public conference of Commissioners, Commission staff, and parties is denied.

(C) Columbia shall respond to staff's letter of February 2, 1973 (except Question No. 43) and Question No. 44, as indicated in the above order, and is encouraged to make a complete response before March 31, 1973.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-3994 Filed 3-1-73;8:45 am]

[Docket No. RP73-72]

CONSOLIDATED GAS SUPPLY CORP.

Order Instituting Proceeding and Granting Intervention

FEBRUARY 21, 1973.

On January 5, 1973, Consolidated Gas Supply Corp. (Consolidated) tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1, in purported compliance with section 4 of the Natural Gas Act. The filing, consisting of Original Sheet No. 52-E, Second Revised Sheet No. 53, and First Revised Sheet No. 53-A, proposes a transportation adjustment clause which would permit Consolidated to adjust its rates without having to make a general rate increase filing, to reflect increases in its costs of transportation service by others. The rate adjusting authority requested is limited to transportation service authorized by the Commission in Dockets Nos. CP72-183 et al., on August 23, 1972.

Consolidated states that in order to replace curtailed volumes and to maintain its gas supply situation, it has expanded its production activities in the Louisiana Gulf Coast Area and in other gas-producing Southern States. However, Consolidated has no transportation facilities from these southern fields and thus must contract for transportation by other pipelines to its system. The cost of such additional gas supplies are reflected in Consolidated's rate pursuant to the provision of its Purchase Gas Adjustment (PGA) clause. Consolidated contends that such costs, excluding transportation costs, will always be less than the average cost of its traditional gas supply. As a result, under its PGA clause, Consolidated states that it will be forced to reflect decreases in the average cost of purchased gas, to the extent that it acquires new gas supplies in the gulf coast, despite the fact that at the same time it will be experiencing an overall increase in its gas supply costs due to the excluded transportation costs. Thus, without the proposed clause, Consolidated states that it may be required to make repetitive rate filings each time the level of transported volumes change or each time the transportation service rates change. Consolidated requests that if the Commission suspends the proposed tariff changes, the suspension period be for 1 day and that the matter be set promptly for hearing.

The filing was noticed on January 18, 1973, with the period for protests or petitions to intervene ending on January 25, 1973. Rochester Gas and Electric Corp. timely filed a petition to intervene. Letters in support of Consolidated's proposed clause were received from three of its customers: Corning Natural Gas Corp., New York State Electric and Gas Corp., and the Pavilion Natural Gas Co.

Section 154.38(d)(3) of the regulations under the Natural Gas Act specifically prohibits automatic rate adjustments through the use of clauses similar to the one contained in this filing. Moreover, there may be other costs which decrease or perhaps offset the effect of the increased costs in transportation. Such costs have traditionally been considered only in the context of a general rate increase filing. Accordingly, Consolidated's proposed inclusion of a transportation charge adjustment clause in its FPC Gas Tariff is improperly filed pursuant to Section 4 of the Act and our regulations thereunder.

However, assuming arguendo that Consolidated's statement of facts is correct, policy questions of first impression as well as questions of fact are raised which may require development in an evidentiary hearing. We have from time to time encouraged pipelines to take all reasonable steps to augment their supply of gas from conventional sources for the interstate market. We have also taken the initiative to resolve difficulties facing all companies under our jurisdiction consistent with our responsibility to the public interest. For example, in Orders Nos. 452 and 452-A we revised our Regulations to permit PGA clauses which were necessitated by the impact of rapidly rising costs in order to meet our responsibility of assuring an adequate and dependable supply of natural gas. There, the problem was not unique to any particular pipeline but rather was one facing the pipeline industry as a whole and therefore required revisions in our regulations. In the instant filing, Consolidated faces a set of alleged circumstances unique unto itself. Accordingly, consideration of Consolidated's problem will not be made in the context of an exception or revision in our existing regulations. Our practice has been to limit relief sought by individual companies that can demonstrate recurring cost increases which would require repetitive general rate increase filing. In those cases we have permitted limited term tracking of the cost but have not allowed, consistent with § 154.38(d)(3) of the regulations, an automatic adjustment clause in the Company's FPC Gas Tariff. Accordingly, we will upon our own motion set the issues raised by Consolidated's statement of facts for hearing. Further, if relief is justified it shall be limited to tracking authority for a specified period and shall only apply to the transportation service authorized by the Commission in Docket Nos. CP72-183, et al.

The Commission finds:

(1) Consolidated's proposed transportation charge adjustment clause is improperly filed under section 4 of the Natural Gas Act and the regulations thereunder.

(2) The issues raised in Consolidated's filing warrant, however, the institution of an investigation and hearing under section 5 of the Natural Gas Act.

(3) Participation in this proceeding of the above-named petitioners to intervene may be in the public interest.

(4) The disposition of this proceeding shall be expedited in accordance with the procedure set forth below.

The Commission orders:

(A) Consolidated's filing, containing original sheet No. 52-E, second revised sheet No. 53, and first revised sheet No. 53-A, is rejected.

(B) By our own motion we hereby order an investigation and hearing under section 5 of the Natural Gas Act to determine the propriety of granting Consolidated limited term tracking authority of transportation costs associated with the transportation service authorized in Docket Nos. CP72-183 et al.

(C) Pursuant to the authority of the Natural Gas Act, particularly section 5 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Chapter I), a public hearing shall be held, commencing with a prehearing conference on May 9, 1973, at 10 a.m., e.d.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, concerning the propriety of granting Consolidated limited term tracking authority of transportation costs associated with the transportation service authorized in Docket Nos. CP72-183 et al.

(D) At the prehearing conference on May 9, 1973, Consolidated's prepared testimony together with its entire filing shall be admitted to the record as its complete case-in-chief subject to appropriate motions, if any, by parties to the proceeding. All parties will be expected to come to this conference prepared to effectuate the provisions of §§ 1.18 and 2.59 of the Commission"s rules of practice.

(E) On or before April 6, 1973, the Commission Staff shall serve its prepared testimony and exhibits. The prepared testimony and exhibits of any or all intervenors shall be served on or before April 20, 1973. Any rebuttal evidence by Consolidated shall be served on or before May 4, 1973. Cross-examination of the evidence filed will commence on May 15, 1973.

(F) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control the proceeding in accordance with the policies expressed in

§ 2.59 of the Commission's rules of practice and procedure.

(G) Rochester Gas and Electric is hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenor shall be limited to matters affecting rights and interests specifically set forth in its petition to intervene; and *Provided, further,* That the admission of such intervenor shall not be construed as recognition by the Commission that the petitioners might be aggrieved because of any order or orders issued by the Commission in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-3995 Filed 3-1-73;8:45 am]

[Docket No. CI73-543]

DUER WAGNER & CO. ET AL.

Notice of Application

FEBRUARY 26, 1973.

Take notice that on February 16, 1973, Duer Wagner & Co. (Operator), et al. (Applicants), 909 Fort Worth National Bank Building, Fort Worth, Tex. 76102, filed in Docket No. CI73-543 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to United Gas Pipe Line Co. from the Addie Bell Reed Lease, South Cabeza Creek Field, Goliad County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants state that they commenced the sale of natural gas on February 2, 1973, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and that they propose to continue said sale for 1 year from the end of the 60-day emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicants propose to sell approximately 18,000 Mcf of gas per month at $0.35 per Mcf at 14.65 p.s.i.a., including all adjustments and tax reimbursement.

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 March 12, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-3983 Filed 3-1-73;8:45 am]

[Docket No. CP73-220]

EL PASO NATURAL GAS CO.

Notice of Application

FEBRUARY 26, 1973.

Take notice that on February 16, 1973, El Paso Natural Gas Co. filed in Docket No. CP73-220 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain pipeline facilities and the delivery of natural gas to Northern Natural Gas Co. (Northern) for exchange, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it is currently authorized to exchange gas with Northern pursuant to an exchange agreement dated August 17, 1962, as amended, and that such agreement provides for the daily delivery of up to 575,000 Mcf of gas by Northern to Applicant at Applicant's Plains Compressor Station, Yoakum County, Tex., in exchange for a concurrent delivery of an equivalent amount of gas by Applicant to Northern at delivery points in the vicinity of Applicant's Dumas Compressor Station, Moore County, Tex., and various points of interconnection between Applicant's and Northern's gathering systems in Beaver County, Okla., and Ochiltree County, Tex. Applicant also states that it recently completed the successful drilling of 15 wells on its leasehold acreage in the Northwest Quinlan Field, Woodward County, Okla., and tests indicate the total proven recoverable reserves underlying that portion of Applicant's leasehold acreage are estimated to be 26.4 million Mcf, with an estimated maximum day deliverability of 8,470 Mcf of natural gas.

Applicant proposes to deliver on an exchange basis to Northern quantities of natural gas produced from its new supplies of gas in the Northwest Quinlan Field pursuant to the heretofore mentioned exchange agreement between Applicant and Northern under Applicant's currently effective Z-1 Rate Schedule. It is stated that Applicant and Northern have amended their August 17, 1962, exchange agreement, as amended, providing, inter alia, for an additional delivery point at the point of interconnection of Applicant's proposed 6⅝-inch O. D. pipeline and Northern's existing pipeline in Woodward County, Okla. Deliveries made to Northern at said facilities will not be subject to the 2 cents per Mcf facility rental charge collected by Applicant under Rate Schedule Z-1 for the delivery of certain volumes of gas and such delivery may, upon further agreement by the parties, be used for delivery of gas by Northern to Applicant. It is stated also that pursuant to said amendment, a portion of the authorized exchange quantities of gas, not to exceed 10,000 Mcf per day, will be delivered to Northern at the proposed facilities in Woodward County, Okla.

It is also stated that Applicant proposes to construct approximately 29.2 miles of 6⅝-inch O. D. pipeline from the proposed Quinlan Dehydration Plant to Northern's existing 16-inch O. D. pipeline, a river crossing of the proposed 6⅝-inch pipeline, crossing the North Canadian River, in Woodward County, Okla., and metering facilities at the point of interconnection between Northern's 16-inch O. D. pipeline and Applicant's proposed 6⅝-inch pipeline, all in Woodward County, Okla.

Applicant estimates that the total cost of the project will be $1,840,064, to be financed initially by working funds, and supplemented, as necessary, by short-term borrowings.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 19, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission

on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3996 Filed 3-1-73;8:45 am]

[Docket No. CI73-539]

GETTY OIL CO.

Notice of Application

FEBRUARY 26, 1973.

Take notice that on February 15, 1973, Getty Oil Co. (Applicant), Post Office Box 1404, Houston, TX 77001, filed in Docket No. CI73-539 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Texas Eastern Transmission Corp. from the Houston central plant, Colorado 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 approximately 55,800 Mcf of gas per month for 1 year at $0.45 per Mcf at 14.65 p.s.i.a., subject to upward and downward B.t.u. adjustment, 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 March 12, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3985 Filed 3-1-73;8:45 am]

[Docket No. CI73-549]

JAMES M. FORGOTSON, SR.

Notice of Application

FEBRUARY 26, 1973.

Take notice that on February 20, 1973, James M. Forgotson, Sr. (Applicant), 409 Beck Building, Shreveport, LA 71101, filed in Docket No. CI73-549 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to United Gas Pipe Line Co. from the Anse La Butte Field, St. Martin Parish, La., 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 10,000 Mcf of gas per day for 1 year at $0.40 per Mcf at 15.025 p.s.i.a., subject to upward and downward B.t.u. adjustment, plus reimbursement for all taxes, 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 March 12, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 73-3984 Filed 3-1-73; 8:45 am]

[Docket No. CI73-548]

KERR-McGEE CORP.

Notice of Application

FEBRUARY 26, 1973.

Take notice that on February 20, 1973, Kerr-McGee Corp. (Applicant), Kerr-McGee Building, Oklahoma City, OK 73102, filed in Docket No. CI73-548 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to El Paso Natural Gas Company from the Hemphill Granite Wash (South) Field, Hemphill 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 approximately 30,000 Mcf of gas per month for the period commencing on the date of initial delivery under the requested authorization and ending July 1, 1974, at $0.40 per Mcf at 14.65 p.s.i.a., subject to upward and downward B.t.u. adjustment, 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 March 12, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice, That, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3986 Filed 3-1-73;8:45 am]

NATIONAL GAS SURVEY EXECUTIVE ADVISORY COMMITTEE

Order Accepting Resignation of Member

FEBRUARY 23, 1973.

The Federal Power Commission by Order issued April 6, 1971, established an Executive Advisory Committee of the National Gas Survey.

1. Membership. Hon. George A. Lincoln, former Director of the Office of Emergency Preparedness, has resigned his membership on the Executive Advisory Committee upon his retirement from Federal service. His resignation as a member to the Executive Advisory Committee is accepted by the Chairman of the Commission with the approval of the Commission.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.73-4000 Filed 3-1-73;8:45 am]

NATIONAL GAS SURVEY EXECUTIVE ADVISORY COMMITTEE

Order Designating Member

FEBRUARY 23, 1973.

The Federal Power Commission by Orders issued April 6, 1971, established an Executive Advisory Committee of the National Gas Survey.

1. Membership. Hon. James R. Schlesinger has resigned his membership on the Executive Advisory Committee. A new member to the Executive Advisory Committee, as selected by the Chairman of the Commission with the approval of the Commission, is as follows:

Honorable Dixy Lee Ray, Chairman, Atomic Energy Commission.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3998 Filed 3-1-73;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT

Agenda of Fifth Meeting

Meeting to be held at the Federal Power Commission Offices, 441 G Street NW., Washington, DC, at 8:30 a.m. on March 8, 1973, Room 2043.

1. Meeting called to order by FPC Coordinating Representative.

2. Objectives and purposes of meeting:

A. Approval of minutes of February 9 meeting.

B. Reports of task force meetings.

C. Report on near term R. & D. to meet the fossil fuel resource crisis.

D. Further discussion/identification of key electric power research issues on which the Committee might offer recommendations.

E. Further discussion of possible Committee study of industry manpower requirements.

F. OST Energy R. & D. recommendations.

G. Other business.

H. Dates of future meetings.

3. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3993 Filed 3-1-73;8:45 am]

NATIONAL POWER SURVEY EXECUTIVE ADVISORY COMMITTEE

Order Accepting Resignation of Member

FEBRUARY 23, 1973.

The Federal Power Commission, by order issued August 11, 1972, established the Executive Advisory Committee of the National Power Survey.

1. Membership. Hon. George A. Lincoln, former Director of the Office of Emergency Preparedness, has resigned his membership on the Executive Advisory Committee upon his retirement from Federal service. His resignation as a member of the Executive Advisory Committee is accepted by the Chairman of the Commission, with the approval of the Commission.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.73-4001 Filed 3-1-73;8:45 am]

NATIONAL POWER SURVEY EXECUTIVE ADVISORY COMMITTEE

Order Designating Member

FEBRUARY 23, 1973.

The Federal Power Commission, by order issued August 11, 1972, established the Executive Advisory Committee of the National Power Survey.

1. Membership. Hon. James R. Schlesinger has resigned his membership on the Executive Advisory Committee. A new member to the Executive Advisory Committee, as selected by the Chairman of the Commission, with the approval of the Commission, is as follows:

Honorable Dixy Lee Ray, Chairman, Atomic Energy Commission

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3999 Filed 3-1-73;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT—TASK FORCE ON ENERGY CONVERSION RESEARCH

Agenda of Meeting

Meeting to be held at the Federal Power Commission Offices, 441 G Street NW., Washington, DC, at 1 p.m., March 7, 1973, Room 2043.

1. Meeting called to order by FPC Coordinating Representative.

2. Approval of minutes of previous meeting.

3. Objectives and purposes of meeting.

A. Discussion of adequacy of list of technologies and possible additional work asignments.

B. Discussion and review of the progress on evaluation of the various technologies.

C. Discussion of interfaces with other technical advisory committees and other task forces.

D. Criteria for providing support of energy conversion R. & D. by manufacturing industry, the utilities, and the government.

E. Other business.

F. Dates for future meetings.

4. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3989 Filed 3-1-73;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT TASK FORCE—ENERGY DISTRIBUTION RESEARCH

Agenda of Meeting

Meeting to be held at the Federal Power Commission Offices, 441 G Street NW., Washington, DC, 10 a.m., March 7, 1973, Room 4008.

1. Meeting called to order by FPC Coordinating Representative.

2. Objectives and purposes of meeting.

A. Approve minutes of January 8, 1973, meeting.

B. Review previous work.

C. Report on task force project assignments.

D. Other business.

E. Schedule date of next meeting.

3. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the Task Force.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3990 Filed 3-1-73;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT—TASK FORCE ON ENERGY SOURCES RESEARCH

Agenda of Third Meeting

Meeting to be held at the Federal Power Commission Offices, 441 G Street NW., Washington, DC, 9:30 a.m., March 7, 1973, Room 2043.

1. Meeting called to order by FPC Coordinating Representative.
2. Objectives and purpose of meeting.
a. Evaluation of the reports on current research and research not being done and suggested funding with regard to:
1. Nuclear fuels.
2. Fossil fuels.
3. Geothermal.
4. Solar.
5. Liquid and solid waste as fuels.
6. Reproducible fuels.
b. Other business.
c. Schedule of future meetings.
3. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3991 Filed 3-1-73;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT—TASK FORCE ON ENVIRONMENTAL RESEARCH

Agenda of Third Meeting

Meeting to be held at the Federal Power Commission Offices, 441 G Street NW., Washington, DC, 9 a.m., March 7, 1973, Room 4535.

1. Meeting called to order by FPC Coordinating Representative.
2. Approval of minutes of previous meeting.
3. Objectives and purposes of meeting.
A. Reviews of Material developed since last meeting:
1. Impacts of Alternative Energy Systems by Warren Morrison.
2. Supply Scenarios to the year 2000, and related background material by Dr. Yeager and Warren Morrison.
3. Long Term Scenarios by Dr. Craig.
4. Emission residuals by Dr. Yeager.
5. Effects of emission residuals on receptors by Frederick Warren, Dr. Galler, and Dr. Savits.
6. Land Use and Regional Planning by Dr. Attaway.
7. Demand modification by Lawrence Ruff.
B. Assignments for finalizing drafts of subjects 1-7.
C. Other business.
D. Date of next meeting.
4. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3992 Filed 3-1-73;8:45 am]

[Docket No. E-7690]

NEPOOL POWER POOL AGREEMENT

Further Extension of Procedural Dates

FEBRUARY 23, 1973.

On February 20, 1973, the New England Power Pool Executive Committee filed a motion for a further extension of the procedural dates established by the order issued September 21, 1972, as amended by notices issued October 27 and December 13, 1972, in the above matter. The motion states the intervenors have no objection to the requested extension. On February 23, 1973, Commission Staff Counsel filed a response to the above motion.

Upon consideration, notice is hereby given that the procedural dates are modified as follows:

Prepared testimony and exhibits by Applicant—March 29, 1973.
Testimony by Staff—April 19, 1973.
Rebuttal testimony—May 11, 1973.
Prehearing conference—May 22, 1973 (10 a.m. (e.d.t.)).
Cross-examination on all evidence—May 31, 1973 (10 a.m. (e.d.t.)).

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3997 Filed 3-1-73;8:45 am]

[Project 2149]

PUBLIC UTILITY DISTRICT NO. 1, DOUGLAS COUNTY, WASH.

Availability of Staff Draft Environmental Impact Statement

FEBRUARY 27, 1973.

Notice is hereby given in the captioned project, that on March 2, 1973, as required by § 2.81(b) of Commission Order No. 415-C, a draft environmental statement prepared by the Staff of the Federal Power Commission was made available for comments. This statement deals with the environmental impact in the proceeding presently before the Commission, involving the Public Utility District No. 1 of Douglas County (Licensee) and the Washington State Department of Game, regarding a determination of the extent of wildlife losses directly attributable to the Wells Hydroelectric Project No. 2149, and mitigation measures as required in accordance with Articles 41 and 43 of the license issued pursuant to the Federal Power Act. This statement has been circulated for comments to Federal, State, and local agencies, has been placed in the public files of the Commission, and is available for public inspection in both the Commission's Office of Public Information, Room 2523, General Accounting Office Building, 441 G Street NW., Washington, DC, and at its San Francisco Regional Office, 555 Battery Street, San Francisco, CA 94111.

The Wells Project is situated on the Columbia River in the State of Washington and the reservoir waters affect parts of Chelan, Douglas, and Okanogan Counties. Wildlife mitigation measures have been proposed by all parties in the proceedings and would affect project lands.

Any person who wishes to do so may file comments on the Staff Draft Statement for the Commission's consideration. All comments must be filed on or before April 23, 1973.

Any person who wishes to present evidence regarding environmental matters in this proceeding must file with the Federal Power Commission a petition to intervene pursuant to § 1.8 of the Commission's rules of practice and procedure. Petitioners must also file timely comments on the draft statement in accordance with § 2.81(c) of Order No. 415-C.

All petitions to intervene must be filed on or before April 23, 1973.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3982 Filed 3-1-73;8:45 am]

[Docket No. CI73-545]

TEXACO INC.

Notice of Application

FEBRUARY 26, 1973.

Take notice that on February 16, 1973, Texaco Inc. (Applicant), Post Office Box 430, Bellaire, TX 77401, filed in docket No. CI73-538 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to United Gas Pipe Line Co. from the 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 states that it commenced the sale of natural gas on February 9, 1973, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and that it proposes to continue said sale for 2 years from the end of the 60-day emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell approximately 30,000 Mcf of gas per month at $0.45 per Mcf at 14.65 p.s.i.a., including all adjustments and tax reimbursement.

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 March 12, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-3987 Filed 3-1-73;8:45 am]

[Docket No. CI73-338]

TRANSWESTERN GAS SUPPLY CO.

Further Notice of Application

FEBRUARY 27, 1973.

Take notice that on November 8, 1972, Transwestern Gas Supply Company (Applicant), 921 Main Street, Houston, TX 77002, filed in Docket No. CI73-338 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Transwestern Pipeline Co. (Transwestern) from the South Vici Field, Dewey County, Okla., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes pursuant to paragraph 12 of the Commission's notice issued July 17, 1970, in Docket No. R-389A to sell natural gas to Transwestern, an affiliated company, at the initial rate of $0.38 per Mcf at 14.65 p.s.i.a. subject to upward and downward Btu adjustment. In that notice the Commission said that it would consider applications by producers for sales of natural gas notwithstanding that the proposed price may be in excess of the area ceiling or guideline rates.

Applicant alleges that the instant price is justified by the high cost trends in the costs of finding, developing and producing natural gas and in the cost of capital. Applicant also asserts that the decrease in value of the dollar plus the increasing costs, including potentially higher royalty costs, requires it to collect the instant contract rates in order to obtain its revenue requirements and in order to provide the incentive to explore for and develop new gas.

Inasmuch as the subject application has already been noticed in the FEDERAL REGISTER on December 27, 1972 (37 FR 28555), 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 March 9, 1973, 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. Persons who have heretofore filed petitions to intervene need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-4048 Filed 3-1-73;8:45 am]

FEDERAL RESERVE SYSTEM

CHARTER NEW YORK CORP.

Acquisition of Bank

Charter New York Corp., New York, N.Y., has applied for the Board's approval under section (a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of The Bank of Lake Placid, Lake Placid, N.Y. 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 New York. 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 March 22, 1973.

Board of Governors of the Federal Reserve System, February 23, 1973.

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

[FR Doc.73-3976 Filed 3-1-73;8:45 am]

FIRST ALABAMA BANCSHARES, INC.

Acquisition of Bank

First Alabama Bancshares, Inc., Birmingham, Ala., 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 80 percent of the voting shares of First National Bank of Bay Minette, Bay Minette, Ala. 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 Atlanta. 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 March 22, 1973.

Board of Governors of the Federal Reserve System, February 23, 1973.

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

[FR Doc.73-3977 Filed 3-1-73;8:45 am]

FIRST WISCONSIN BANKSHARES CORP.

Order Approving Acquisition of Bank

First Wisconsin Bankshares Corp., Milwaukee, Wis., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of First Wisconsin Bank of Waukesha, Waukesha, Wis., a proposed new bank (Bank).

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842 (c)).

Applicant controls 17 banks with aggregate deposits of $1.7 billion, representing 16 percent of the total deposits held by commercial banks in Wisconsin, and is the largest banking organization in the State. (All banking data are as of December 31, 1971, and reflect acquisitions and formations approved by the Board through July 25, 1972.) Bank is a proposed new bank and its acquisition by applicant would not increase the concentration of banking resources nor have any significant adverse effect on any competing bank in the relevant areas.

The proposed bank is to be located in the city of Waukesha in the Milwaukee banking market wherein applicant holds

32.4 percent of total deposits as the largest of 43 banking organizations represented in this market. However, applicant is not presently represented in the city of Waukesha which has a population of approximately 40,000, and under the State's branching laws its subsidiaries are not permitted to branch into the area of the proposed bank's location.

The 1970 census indicates that Waukesha is the third fastest growing city in Wisconsin with over 40,000 population. Its 1960–70 increase in population of 34.2 percent represented a growth in population almost three times that of the State as a whole. Waukesha County had a population growth during this same period of 46.2 percent. The population to banking offices within the Waukesha area is 8,000 as compared with 5,000 for the State. In view of the rapidly increasing population, and economic expansion taking place within the Waukesha area, it appears that the area can support other financial institutions.

Applicant's nearest subsidiary banking offices are located 9 miles northeast and 10 miles southeast of Bank. Since Bank is a proposed new bank, no present competition would be eliminated by consummation of this proposal, nor does it appear likely that competition would develop in the future. Competitive considerations are consistent with approval of the application.

The financial condition of applicant and its subsidiary banks are considered to be generally satisfactory especially in view of applicant's plan for the capital augmentation of its subsidiary banks. The managerial resources of applicant and its group of banks are also considered to be generally satisfactory and prospects for the group appear favorable. Bank, as a proposed new bank, has no operating history but projected earnings and growth for the new bank under applicant's control appear favorable. Banking factors are consistent with approval of the application.

The primary banking needs of the Waukesha area appear to be satisfactorily served at the present time. However, applicant proposes to enable the new bank to offer a number of more sophisticated services to include investment counseling and portfolio analysis, international banking, municipal finance, lease financing, and data processing. Applicant also points to the need for convenient banking services in the southern sector of the city since all present banking offices are located in the downtown and extreme northeast sections of Waukesha. Considerations relating to the convenience and needs of the communities to be served are consistent with and lend some support toward approval of the application.

Objections to the proposed acquisition of Bank have been raised by financial institutions in the area. They argue there is no present requirement for the establishment of a bank in the area to serve public conveniences, and further that applicant's dominant position and large resources enable it to operate Bank at a loss for a longer period of time in order to preempt a position in the market. It is the opinion of the Board, however, that the Waukesha area is capable of supporting the proposed new bank and that the consummation of this proposal should not be regarded as the preemption of a bank site by applicant in the Waukesha area. Additionally, the record indicates that there are no other proposals pending at the present time to establish a bank in the area. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order, or (b) later than 3 months after that date, and (c) First Wisconsin Bank of Waukesha, Waukesha, Wis., shall be opened for business not later than 6 months after the effective date of this order. Each of the periods described in (b) and (c) may be extended for good cause by the Board, or by the Federal Reserve Bank of Chicago, pursuant to delegated authority.

By order of the Board of Governors,[1] effective February 22, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-3979 Filed 3-1-73;8:45 am]

FOURTH FINANCIAL CORP.

Order Approving Retention of Fourth Financial Insurance Company

Fourth Financial Corp., Wichita, Kans., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 255.4(b)(2) of the Board's Regulation Y, to retain the voting shares of Fourth Financial Insurance Company, Phoenix, Ariz. (Company), a company that engages in the underwriting, as reinsurer, of credit life and disability insurance in connection with extensions of credit by applicant's' subsidiary bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, was duly published (37 FR 2542). The time for filing comments and views has expired and all received have been considered, including those presented orally and in writing in connection with a Board hearing on March 24, 1972, pertaining to the underwriting of credit life and accident and health insurance in general, and this application in particular.

Effective December 11, 1972, the Board amended § 225.4 of Regulation Y to add the activity of "acting as underwriter for credit life insurance and credit accident and health insurance which is directly related to extensions of credit by the bank holding company system" to the list of activities the Board has determined to be closely related to banking.

Applicant owns 100 percent (less directors' qualifying shares) of Fourth National Bank & Trust Co., Wichita, Kans. (Bank), the largest bank in the Wichita market with total deposits of $279.3 million representing 31.6 percent of market deposits. Bank also ranks as the largest bank in Kansas with 4.9 percent of the State's commerical bank deposits. (All banking data are as of June 30, 1972, unless otherwise noted.)

Company, an Arizona corporation, is a limited capital stock life insurance company which first began business in September 1970. Company acts as reinsurer of credit life and disability insurance policies made available by Bank in connection with its extensions of credit. Credit life and disability insurance is generally made available by banks and other lenders and such insurance is designed to assure repayment of a loan in the event of death or disability of the borrower.

Prior to Company's organization, Bank sold credit life and disability insurance policies in connection with its extensions of credit and received a commission from the insurer on the sale of each policy. After Company was organized, Bank continued to sell such policies, but no longer received commission income. Rather, the insurer "ceded" or "assigned" such policies to Company with certain larger policies "retroceded" or "reassigned" in part back to the insurer so as to avoid Company being exposed to liabilities in excess of those permitted by Arizona law.[1] As of December 31, 1971, Company had total assets of $143,000 and for the year ending that same date, Company received gross premiums of $130,000: During 1971, the total amount of insurance risk retroceded was approximately $4,000.

Because of Company's growth, applicant now proposes that it become a fully qualified underwriter authorized to write insurance in Kansas. Approval of applicant's proposed retention does not appear to eliminate any competition in the underwriting of credit life and disability insurance.

In connection with its addition of credit life underwriting to the list of permissible activities for bank holding companies, the Board stated that:

> To assure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected to be in the public interest, the Board will only approve applications in which an applicant demonstrates that approval will benefit the consumer or result in other public benefits. Normally such a showing would be made by a projected reduction in rates or increase in policy benefits due to bank holding company performance of this service.

[1] Voting for this action: Chairman Burns and Governors Mitchell, Daane, Brimmer, Sheehan, and Bucher. Voting against this action: Governor Robertson. Dissenting statement by Governor Robertson filed as part of the original document.

[1] The maximum amounts which may be insured by a limited capital stock life insurance company under Arizona law are $3,000 on any one life and $5,000 on any total disability claim.

In the subject application, applicant has stated that Company and the direct insurer which issues the credit life and disability policies made available by Bank will reduce the rates charged for credit life and disability insurance by 15 percent. Such rate reduction is expected to go into effect within 30 days of the approval of the application and applicant states that such rates would be 15 percent below the prevailing rates in the Wichita area. In addition, applicant claims other less demonstrable benefits, such as improved claims handling, will result from approval of its application. The Board believes that the reduced cost of such insurance coverage is procompetitive and in the public interest. The Board concludes that such benefits outweigh any possible adverse effects of approval of the application.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,[3] effective February 22, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-3978 Filed 3-1-73;8:45 am]

KEYSTONE CONSOLIDATED INDUSTRIES, INC.

Determination Regarding "Grandfather" Privileges Under Bank Holding Company Act

Section 4 of the Bank Holding Company Act (12 U.S.C. 1843) provides certain privileges ("grandfather" privileges) with respect to nonbanking activities of a company that, by virtue of the 1970 Amendments to the Bank Holding Company Act, became subject to the Bank Holding Company Act. Pursuant to section 4(a)(2) of the Act, a "company covered in 1970" may continue to engage, either directly or through a subsidiary, in nonbanking activities that such a company was lawfully engaged in on June 30, 1968 (or on a date subsequent to June 30, 1968, in the case of activities carried on as a result of the acquisition by such company or subsidiary, pursuant to a binding written contract entered into on or before June 30, 1968, of another company engaged in such activities at the time of the acquisition), and has been continuously engaged in since June 30, 1968 (or such subsequent date).

Section 4(a)(2) of the Act provides, inter alia, that the Board of Governors of the Federal Reserve System may terminate such grandfather privileges if, having due regard to the purposes of the Act, the Board determines that such action is necessary to prevent undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices. With respect to a company that controls a bank with assets in excess of $60 million on or after December 31, 1970, the Board is required to make such a determination within a 2 year period.

Notice of the Board's proposed review of the grandfather privileges of the Keystone Consolidated Industries, Inc., Peoria, Ill., and an opportunity for interested persons to submit comments and views or request a hearing, has been given (37 FR 22414). The time for filing comments, views, and requests has expired, and all those received have been considered by the Board in light of the factors set forth in section 4(a)(2) of the Act.

On the evidence before it, the Board makes the following findings. Keystone Consolidated Industries, Inc., Peoria, Ill. (Registrant), became a bank holding company on December 31, 1970, as a result of the 1970 Amendments to the Act, by virtue of Registrant's ownership of 50 percent of the voting shares of Jefferson Trust and Savings Bank of Peoria (Bank) (assets of approximately $90 million, as of December 31, 1970). Bank, control of which was acquired by Registrant in December 1947, had total deposits of approximately $85 million, as of December 31, 1971, ranks second among 43 banks located in the Peoria, Ill., SMSA, and controls 11 percent of the total deposits in commercial banks in the area. The larger bank in the area is almost two and one-half times as large as Bank. Bank's management, financial condition and prospects are regarded as generally satisfactory and the Board has found no evidence of unsound banking practices.

Registrant (assets of $191 million, as of June 30, 1972) is an integrated steel company engaged in operations in the United States, Canada, Mexico, and the United Kingdom. Registrant engages directly in the production of low and high carbon steel and the conversion of it into billets, bars, rods, and wire products, the manufacture of cabinet hardware, automotive and appliance hardware, locks, locksets, casters, and household and office furniture, and the production of fasteners such as screws, bolts, nuts, and cold headed parts. It appears that all of these direct nonbanking activities were commenced by Registrant[1] before June 30, 1968, and have been engaged in continuously thereafter. In addition, Registrant has acquired several nonbanking subsidiaries (going concerns) engaged in the same activities, namely, Waterloo Metal Stampings, Ltd., Kitchener, Ontario, Canada (Waterloo), Hillcrest Engineering Ltd., Birmingham, England (Hillcrest), Tornillos Especiales de Mexico, Naucalpan de Juarez, Mexico (Tornillos), and Keysteel International Ltd., Toronto, Ontario, Canada (Keysteel). Broderick & Bascom Rope Co., Overland, Mo. (Broderick), another subsidiary of Registrant, manufactures steel and wire rope. Broderick (acquired in July 1968), Waterloo (acquired in March 1969), and Hillcrest[2] (acquired in March 1969), are not entitled to grandfather benefits.[3] Keysteel, acquired June 2, 1964, is inactive and therefore has no grandfather benefits. Tornillos, which was acquired in April 1965, manufactures screws, nuts, and bolts for Mexican markets and qualifies under the grandfather provision in section 4(a)(2) of the Act.

Registrant's 1969 purchase of the Chicago Heights plant of the Inland Steel Co. apparently constituted a product extension; on this basis, no grandfather privileges accrue under the proviso in section 4(a)(2) of the Act.[4] Registrant's 20 percent interest in Weld-Loc (a company apparently engaged in a product line in which Registrant did not engage on June 30, 1968), an interest that was acquired after June 30, 1968, is not entitled to grandfather privileges.[5]

Registrant conducts business throughout the United States (26 plants located variously in 13 States) and is a company listed on the New York Stock Exchange. However, Registrant is not regarded as a dominant force in its product market, where it competes with a large number of companies of various sizes, including a number of companies larger than Registrant. Registrant (with about 2 percent of the aggregate work force in the Peoria area) is not the dominant employer in the Peoria area nor does Registrant derive a significant portion of its business from that area (less than 1 percent of Registrant's total sales). It appears that the combination of Registrant's banking and nonbanking activities has not served to eliminate any significant actual or

[3] Voting for this action: Vice Chairman Robertson and Governors Mitchell, Brimmer, Sheehan, and Bucher. Absent and not voting: Chairman Burns and Governor Daane.

[1] Registrant states it was incorporated in Delaware in 1958 to effect a re-incorporation of Keystone Steel and Wire Co., an Illinois corporation whose earlier predecessor was established in 1889; and that Registrant's charter was amended in 1968 changing the company's name to Keystone Consolidated Industries, Inc.

[2] Carridine & Miles Ltd., Birmingham, England (50 percent of the shares are owned by Registrant), serves only as a holding company for Hillcrest.

[3] On this basis, Registrant would be required to divest itself of its interests (over 5 percent) in these companies by Jan. 1, 1981, or cease to be a bank holding company.

[4] On these facts and under § 4(a)(2) of the Act, Registrant is required to divest such product extension activity by Jan. 1, 1981, or cease to be a bank holding company.

[5] On these facts and under § 4(a)(2) of the Act, Registrant is required to divest its interest (over 5 percent) in Weld-Loc by Jan. 1, 1981, or cease to be a bank holding company.

potential competition; nor is there evidence of a current undue concentration of resources, decreased or unfair competition or conflicts of interest.

On the basis of the foregoing and all the facts before the Board, it appears that the volume, scope, and nature of the activities of Registrant and its subsidiaries do not demonstrate an undue concentration of resources, decreased or unfair competition, conflicts of interest nor unsound banking practices.

There appears to be no reason to require Registrant to terminate its grandfathered interests. It is the Board's judgment that, at this time, termination of the grandfather privileges of Registrant is not necessary in order to prevent an undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices. However, this determination is not authority to enter into any activity or product extension that was not engaged in on June 30, 1968, and continuously thereafter, or any activity that is not the subject of this determination.

Although the Board regards the resources now subject to Registrant's control as not constituting an undue concentration of resources such as requires a termination of grandfathered activities, the Board is concerned with the size and scope of Registrant's nonbanking activities. A significant alteration in the nature or extension of Registrant's activities or a change in location thereof (significantly different from any described in this determination) will be cause for a reevaluation by the Board of Registrant's activities under the provisions of section 4(a)(2) of the Act, that is, whenever the alteration or change is such that the Board finds that a termination of the grandfather privileges is necessary to prevent an undue concentration of resources or any of the other evils at which the Act is directed. No merger, consolidation, acquisition of assets other than in the ordinary course of business, nor acquisition of any interest in a going concern, to which the Registrant or any nonbank subsidiary thereof is a party, may be consummated without prior approval of the Board. Further, the provision of any credit, property, or service by the Registrant or any subsidiary thereof shall not be subject to any condition which, if imposed by a bank, would constitute an unlawful tie-in arrangement under section 106 of the Bank Holding Company Act Amendments of 1970.

The determination herein does not preclude a later review, by the Board, of Registrant's nonbank activities and a future determination by the Board in favor of termination of grandfather benefits of Registrant. The determination herein is subject to the Board's authority to require modification or termination of the activities of Registrant or any of its nonbanking subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By determination of the Board of Governors,[4] effective February 23, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-3980 Filed 3-1-73;8:45 am]

U.N. BANCSHARES, INC.

Order Approving Entry De Novo in Mortgage Banking

U.N. Bancshares, Inc., Springfield, Mo. (Bancshares), a bank holding company within the meaning of the Bank Holding Company Act of 1956, has proposed under section 4(c)(8) of the Act and § 225.4(b)(1) of the Board's Regulation Y to engage de novo in the activity of mortgage banking through a newly formed subsidiary, Missouri Mortgage & Investment Co., Springfield, Mo. Notice of the proposal, affording opportunity for interested persons to express comments and views, was duly published in newspapers of general circulation in Springfield, Mo., in accordance with the regulatory provision. The only opposition to the proposal was received from Central Mortgage Co., Inc., Springfield, Mo. (Central), which itself is a registered bank holding company.[1]

The Federal Reserve Bank of St. Louis determined that Central's comments were not of such nature as to warrant advising Bancshares not to consummate the proposal. Central was advised, however, that it could seek Board review of this decision in accordance with the provisions of § 265.3 of the Board's rules regarding delegation of authority (12 CFR 265.3). Thereafter, Central petitioned the Board for such a review. In accordance with the procedures set forth in § 265.3, review by the Board was authorized and Bancshares was notified not to consummate its proposal. The proposal has now been reviewed by the Board and its findings and decision are set forth hereinafter.

Bancshares controls three banks, including The Union National Bank of Springfield (Union Bank), and Springfield National Bank (Springfield Bank), both located in Sprinfield, Mo.,[2] Union Bank and Springfield Bank hold combined deposits of approximately $120 million,[3] representing 36 percent of the total commercial deposits of the eight banks located in Springfield.

Central's opposition to Bancshares' proposal is based principally on allegations of unfair competition and on undue concentration of resources. In support of its charge of unfair competition, Central claims that Bancshares, through its subsidiary, Union Bank, hired Central's key employee in each of its major areas of operation—real estate and commercial loans—and was now offering other officers of Central positions with the new mortgage company. In addition, it is claimed that Bancshares acquired confidential information pertaining to Central through its banking subsidiary's computer services operation, including, among other things; The names of those investors interested in investing money in the Springfield area; the aggregate dollar amount of each investor's loans as well as the number of loans that Central services for each of such investors; the service fee rate paid to Central on such loans and the type of loans which are most profitable. In essence, Central claims that Bancshares, by obtaining this information through the banking operations of a subsidiary and by hiring key personnel of Central, is guilty of unfair competition which, if permitted, may eventually eliminate Central as a competitive mortgage banker. Finally, Central's protest is founded on a claim that there is no need for another mortgage company in Springfield, and to allow Bancshares to consummate its proposal will result in an undue concentration of financial resources in the Springfield area.

The question as to whether Bancshares has, indeed, engaged in unfair competition turns on whether Bancshares conspired with and induced Central's employees to terminate their employment in order to join its own organization. The mere fact that an employee took employment with an actual or potential competitor is not sufficient to justify a finding of unfair competition. As noted by the Missouri Supreme Court in "National Rejectors, Inc., v. Trieman," 409 S.W. 2d 1 (1966), two conflicting public policies must be considered in each case: One policy seeks to protect the public from unfair competition—the other favors free competition in the economic sphere. As the court explained:

> It is necessary that there be a balancing of the equities between these two rights, for if the former is carried to its extreme it will deprive a man of his right to earn a living; while conversely, the latter right if unchecked, would probably make a mockery of the fiduciary concept, with its concomitants of loyalty and fair play. Id. at 39.

Further, a per se violation of section 1 of the Sherman Act has been found where key employees were induced to leave their employment to join a new corporation that was established to compete with their former employer. "Atlantic Heel Co. v. Allied Heel Co.," 284 F. 2d 879 (1960). Nonetheless, in "Metal Lubricants Co. v. Engineered Lubricant Co.," 411 F. 2d 426 (1969), the court stated:

> The mere fact that the defendants decided to leave their employ and enter into competition with their employer is not sufficient evidence to establish unfair and inequitable dealings so as to sustain a claim of unfair competition under the Sherman Act.

In the situation before the Board, it is evident that, while two employees have

[4] Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Brimmer, Sheehan, and Bucher.

[1] Central controls the Citizens Bank of Warrensburg, Warrensburg, Mo., which has deposits of $14.6 million.

[2] Applicant's third bank, Pulaski County Bank, Richland, Mo. (deposits of $7.4 million), is located 80 miles distant and in a separate banking market.

[3] Deposit data are as of June 30, 1972.

moved from Central to Bancshares' subsidiary, Union Bank, Central has lost employees to other institutions as well. Furthermore, it appears that Central's executive vice president was unhappy with his employer and that he would have left his employment whether or not he joined Bancshares.[4] Central contends that Bancshares induced its employee to leave its employment, but Bancshares' management contends that the employee sought employment with them of his own volition. In any event, the Board does not view the employment practices involved herein as rising to the level of a contract, combination, or conspiracy in restraint of trade. Nevertheless, the Board believes it appropriate and in the public interest to condition its approval of Bancshares' proposal on the requirement that Bancshares not conspire with and induce any employee of a competing organization to leave the employee's present employment to join Bancshares' mortgage banking subsidiary.

A second method by which Central claims Bancshares would unfairly compete is through its access to confidential data of Central which Union Bank obtained in the ordinary course of supplying data processing services. At the time Central contracted for these data processing services, Union Bank itself made mortgage loans in the Springfield area and thus was in competition with Central. Central's business data pertaining to its mortgage servicing operations is confidential and was accepted by Union Bank on this basis. Approval of the present proposal would not remove that confidentiality. Notwithstanding, the Board is deeply concerned with any case in which the operation of one or more nonbanking subsidiaries by a bank holding company may give rise to a possible unfair method of competition. Therefore, in view of the potential conflicts-of-interests situation that might arise, the Board believes it appropriate and in the public interest to condition its approval of Bancshares' proposal on the requirement that any data pertaining to Central's mortgage loans, now in the custody of Union Bank, not be made available, either directly or indirectly, to any person who could, in any manner, use such information to compete with Central.

Finally, Central opposes Bancshares' entry into mortgage banking on the ground that it will result in an undue concentration of financial resources in the Springfield area. As stated above, Bancshares' two subsidiary banks in Springfield hold 36 percent of the total deposits of the eight Springfield banks. Two of these banking competitors, Commerce Bank of Springfield (deposits $98.3 million) and Southern Missouri Trust Bank (deposits $38.7 million), have at their disposal not only the far greater lending capacity of their parent organizations[5] but also the availability of subsidiary mortgage companies. Other competitors offering real estate financing in Springfield include eight mortgage companies and seven savings and loan associations. As of June 30, 1972, the savings and loan associations in Springfield had total resources of $271 million. The Board concludes that Bancshares' share of commercial bank deposits in the Springfield area does not represent an undue concentration of financial resources and that its entry into mortgage banking is not likely to result in such a concentration.

Congress authorized the Board in section 4(c)(8) of the Bank Holding Company Act to differentiate between those nonbanking activities commenced de novo and activities commenced by the acquisition of a going concern. In the instant proposal, Bancshares seeks to expand internally through a newly formed mortgage banking subsidiary and thus add a new decisionmaker in the Springfield mortgage loan market. Such entry, in the Board's view, is procompetitive as it brings an added element of competition into the Springfield market which would not otherwise exist. Moreover, Bancshares' entry into mortgage banking may provide an increased quantity of mortgage funds for this area. On balance, the Board concludes that these public benefits outweigh any possible adverse effect on competition.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the proposal of Bancshares to engage in mortgage banking through a new subsidiary, Missouri Mortgage & Investment Co., is hereby approved on the condition that (1) Bancshares not conspire with and induce any employee of a competing organization to terminate his present employment to join Missouri Mortgage & Investment Co., and (2) that confidential data pertaining to Central's mortgage loans, now in the custody of Union Bank, not be made available, directly or indirectly, to any person who could, in any manner, use such information to compete with Central. This determination is subject to the Board's authority to require reports by, and make examinations of, holding companies and their subsidiaries and to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,[6] effective February 21, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.73-3981 Filed 3-1-73;8:45 am]

[4] In this connection, it is noted that the employee made known his desire to terminate his employment through an undated letter of resignation, giving Central time to find a replacement.

[5] Commerce Bank of Springfield is controlled by Commerce Bancshares, Inc., Kansas City, Mo., while Southern Missouri Trust Bank is controlled by Mercantile Bancorporation, Inc., St. Louis, Mo.

[6] Voting for this action: Vice Chairman Robertson and Governors Mitchell, Brimmer, Sheehan, and Bucher. Absent and not voting: Chairman Burns and Governor Daane.

GENERAL SERVICES ADMINISTRATION

NATIONAL ARCHIVES ADVISORY COUNCIL

Notice of Meeting

Notice is hereby given that the National Archives Advisory Council will meet at the time and place indicated. Anyone who is interested in attending, or wants additional information should contact one of the persons shown below.

Meeting date: March 23, 1973.

Time: 9 a.m.—6 p.m.

Place: Federal Archives and Records Center, 1000 Commodore Drive, San Bruno, CA 94066.

Agenda: Operation of regional archives branches and the records center system; current academic activities of the National Archives, including the new Senior Fellowship Program.

For further information contact: Dr. Frank G. Burke, Director, Educational Programs Staff, National Archives and Records Service, Washington, DC 20408, 202—963-6404; or Paul Kohl, NARS Regional Commissioner, 1000 Commodore Drive, San Bruno, CA 94066, 415—556-3425.

Issued in Washington, D.C. on February 23, 1973.

JAMES B. RHOADS,
Archivist of the United States.

[FR Doc.73-4034 Filed 3-1-73;8:45 am]

TARIFF COMMISSION

[TEA-W-187]

GENESCO CORP.

Workers' Petition for a Determination; Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the workers and former workers of the Troy District Shirt Co., Cohoes, N.Y., a subsidiary of the Genesco Corp., New York, N.Y., the U.S. Tariff Commission, on February 23, 1973, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with men's and boys' shirts of cotton or manmade fibers (of the types provided for in item 380.27 and 380.84 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to

cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed on or before March 12, 1973.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, 8th and E Streets NW., Washington, DC, and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: February 26, 1973.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.73-3936 Filed 3-1-73;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DISTRICT OF COLUMBIA DEVELOPMENTAL PLAN

Submission of Plan and Availability for Public Comment

1. *Submission and description of plan.* Pursuant to section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. section 667) and § 1902.11 of Title 29, Code of Federal Regulations, notice is hereby given that an Occupational Safety and Health Plan for the District of Columbia has been submitted to the Assistant Secretary of Labor for Occupational Safety and Health. The Assistant Secretary hereby gives notice that the question of approval of the Plan is in issue before him.

The Plan designates the Minimum Wage and Industrial Safety Board, Industrial Safety Division (hereinafter referred to as the Designee) as the agency responsible for administering the Plan throughout the State. It proposes to define issues covered by it as defined by the Secretary of Labor in 29 CFR 1902.2(c)(1) excluding the following parts: § 1910.13 *Ship repairing*, § 1910.14 *Shipbuilding*, § 1910.15 *Shipbreaking*, § 1910.16 *Longshoring*, § 1910.19 *Asbestos dust*, § 1910.214 *Cooperage machinery*, § 1910.216 *Mills and calendars in the rubber and plastics industries*, § 1910.218 *Forging machines*, § 1910.261 *Pulp*, paper *and paperboard mills*, § 1910.262 *Textiles*, § 1910.265 *Sawmills*, § 1910.266 *Pulpwood logging*, and § 1910.267 *Agricultural operations*. In addition, the State will have certain other standards applicable to certain vertical issues such as: operation and maintenance of woodworking machinery, explosive actuated projectile tools and equipment, laundry, dry cleaning and dyeing, window cleaning operations and equipment, work in tunnels, railroad clearances and diving operations. The Plan provides for the development and promulgation of occupational safety and health standards which are at least as effective as the Federal standards or changes thereto.

Included in the Plan is proposed draft legislation to be introduced during the 1973 session of the U.S. Congress. Under the proposed legislation, the Designee will have full authority to enforce and administer laws respecting safety and health of employees. The draft legislation provides for the coverage of all employees within the State including employees of the State, with the exception of domestic employees, U.S. Government Employees, and embassies and foreign government instrumentalities. There are provisions which grant the Designee the authority to isssue citations for violations and there is also included a prohibition against advance notice of any such inspection. In addition, under the proposed legislation, the Designee will initiate provisions for administrative adjudication for all parties of interest in its administration of such law. There is also proposed a judicial review system to carry out prosecutions for violations of the industrial safety law. Provision for prompt restraint of imminent danger situations and a system of criminal penalties for violations of any rules or regulations promulgated under law are also included in the draft legislation. Contained in the Plan is a statement of the Mayor-Commissioner's support for the proposed legislation and a statement of legal opinion that it will meet the requirements of the Occupational Safety and Health Act of 1970 in a manner consistent with the laws of the State.

Set forth in the proposed Plan is a timetable for providing for the future drafting of various rules, regulations, and procedures. All personnel under the Plan are covered by an existing merit system. Also included are assurances for the protection of trade secrets and a provision to protect employees against discharge and discrimination in terms and conditions of employment.

2. *Location of plan for inspection and copying.* A copy of the Plan may be inspected and copied during normal business hours at the following locations: Office of Federal and State Operations, Occupational Safety and Health Administration, Room 305, Railway Labor Building, 400 First Street NW., Washington, DC 20210; Regional Administrator, Occupational Safety and Health Administration, U.S. Department of Labor, Suite 410, Penn Square Building, 1317 Filbert Street, Philadelphia, PA 19107; Minimum Wage and Industrial Safety Board, Industrial Safety Division, 615 Eye Street NW., Washington, DC 20001.

3. *Public participation.* Interested persons are hereby given until April 1, 1973, in which to submit to the Assistant Secretary written data, views, and arguments concerning the Plan. The submissions are to be addressed to the Director, Office of Federal and State Operations, Room 305, Railway Labor Building, 400 First Street NW., Washington, DC 20210. The written comments will be available for public inspection and copying at the above address.

Any interested person(s) may request an informal hearing concerning the proposed Plan, or any part thereof, whenever particularized written objections thereto are filed by April 1, 1973. If the Assistant Secretary finds that substantial objections are filed, he shall hold a formal or informal hearing on the subjects and issues involved.

The Assistant Secretary of Labor for Occupational Safety and Health shall thereafter consider all relevant comments and arguments presented and issue his decision as to approval or disapproval of the Plan.

Signed at Washington, D.C., this 26th day of February 1973.

CHAIN ROBBINS, *Acting Assistant Secretary of Labor.*

[FR Doc.73-4028 Filed 3-1-73;8:45 am]

TENNESSEE DEVELOPMENT PLAN

Submission of Plan and Availability for Public Comment

1. *Submission and description of plan.* Pursuant to section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) and 29 CFR 1902.11 setting forth the method whereby States may assume responsibility for the development and enforcement therein of occupational safety and health standards, notice is hereby given that a developmental occupational safety and health plan has been submitted by the State of Tennessee and that on the basis of a preliminary review of the plan the issue of its approval is now under consideration.

The plan identifies the Department of Labor and the Department of Public Health as the State agencies designated by the Governor of the State to administer the plan throughout the State. It defines the covered occupational safety and health issues as defined by the Secretary of Labor in 29 CFR 1902.2(c)(1).

The plan includes legislation passed by the Tennessee Legislature during its 1972 session which became effective July 1, 1972. Under the law the Department of Labor and the Department of Public Health will have full authority to enforce and administer laws respecting safety and health of employees in all workplaces of the State with the exception of employees of the United States or employees protected under other Federal Occupational Safety and Health Laws such as the Atomic Energy Act of 1959 (42 U.S.C. 2011 et seq.), the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 271 et seq.), the Federal Safety Appliances Act (45 U.S.C. 1 et seq.), or the Federal Railroad Safety Act (45 U.S.C. 421 et seq.), the Longshoremen's and Harbor Worker's Compensation Act, as amended (33 U.S.C. 901 et seq.), domestic workers, any employee engaged in agriculture who is employed on a farm each of the employees of which is related to the other employee as spouse, child, parent, grandparent or grandchild, or employees covered by Title 58 of the Tennessee Code Annotated.

The Act further proposes to bring the plan into conformity with the requirements of 29 CFR Part 1902 in areas such as procedures for variances and the protection of employees from hazards, procedures for the development and promulgation of standards, including standards for protection of employees against new and unforeseen hazards; procedures for prompt restraint or elimination of imminent danger situations.

The Act also insures inspections in response to complaints; employer and employee representatives an opportunity to accompany inspectors in order to aid inspections; notification of employees or their representative when no compliance action is taken as a result of alleged violations, including informal review; notification of employees of their protections and obligations; protection of employees against discharge or discrimination in terms and conditions of employment; adequate safeguards to protect trade secrets; provisions for prompt notice of employers and employees of alleged violations of standards and abatement requirements; a system of sanctions against employers for violations of standards; employer right of review with employee participation in review proceedings, and coverage of employees of political subdivisions.

Included in the plan is a statement of the Governor's support for the proposed plan and a statement of legal opinion that it will meet the requirements of the Occupational Safety and Health Act of 1970, and is consistent with the Constitution and laws of Tennessee. The plan sets out goals and provides a timetable for bringing it into full conformity with Part 1902. The plan also includes assurances of sufficient resources and qualified personnel hired under a merit system.

2. *Location of plan for inspection and copying.* A copy of the plan may be inspected and copied during normal business hours at the following locations: Office of Federal and State Operations, OSHA, Room 305, 400 First Street NW., Washington, DC 20210; Regional Office, OSHA, Room 587, 1875 Peachtree Street NE., Atlanta, GA 30309; Commissioner of Labor Office, Room C–1–100, Cordell Hull Building, 5th Avenue North, Nashville, TN 37219.

3. *Public participation.* Interested persons are hereby given until April 1, 1973, in which to submit written data, views, and arguments concerning the plan. Such request or submissions are to be addressed to the Director of Federal and State Operations, OSHA, Room 408, 400 First Street, NW., Washington, DC 20210. The written comments will be available for public inspection and copying at this address.

Copies of the plan or of written comments received with respect thereto will be provided in accordance with the general Department of Labor fee schedule (29 CFR 70.62(a)).

Any interested person may request a hearing concerning the proposed plan, or any part thereof, whenever particularized written objections thereof, are filed within the time allowed for comments specified above. If it is found that substantial objections are filed, a formal or informal hearing on the subjects and issues involved shall be held.

After consideration has been given to all material submitted, a final decision as to the approval or disapproval of the plan will be issued.

Signed at Washington, D.C., this 26th day of February, 1973.

CHAIN ROBBINS,
Acting Assistant Secretary of Labor.

[FR Doc.73-4029 Filed 3-1-73;8:45 am]

Office of the Secretary

BERNIE SHOE CO.

Eligibility of Workers To Apply for Adjustment Assistance

After reviewing the Tariff Commission's report on its investigation of the petition for adjustment assistance filed on behalf of the workers of the Bernie Shoe Co., Haverhill, Mass. (Report No. TEA–W–162) under section 301(c)(2) of the Trade Expansion Act of 1962, and in which report the Commission being equally divided, made no finding with respect to women's footwear, the President 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. Accordingly, he has advised the Secretary of Labor that he may certify the group of workers involved as eligible to apply for adjustment assistance.

In view of the Tariff Commission's report, the President's authorization, and the responsibilities delegated to the Secretary of Labor under section 8 of the Executive Order 11075 (28 FR 473), the Director, Office of Foreign Economic Policy, Bureau of International Labor Affairs, has instituted an investigation, as provided in 29 CFR 90.5 and this notice. The investigation relates to the determination of whether any of the group of workers covered by the Tariff Commission report should be certified as eligible to apply for adjustment assistance, provided for under Title III, Chapter 3, of the Trade Expansion Act of 1962, including the determination of related subsidiary subjects and matters, such as the date unemployment or underemployment began or threatened to begin and the subdivision of the firm involved to be specified in any certification to be made, as more specifically provided in Subpart B of CFR Part 90.

Interested persons should submit written data, views, or arguments relating to the subjects of investigation to the Director, Office of Foreign Economic Policy, U.S. Department of Labor, Washington, D.C. 20210 on or before March 14, 1973.

Signed at Washington, D.C. this 22d day of February 1973.

GLORIA G. VERNON,
Director, Office of Foreign Economic Policy.

[FR Doc.73-3939 Filed 3-1-73;8:45 am]

MAINE

Determinations of "Temporary on" Indicator and Beginning of Temporary Benefit Period

Pursuant to the provisions of section 202 of the Emergency Unemployment Compensation Act of 1971 (Public Law 92–224, Title II, as amended by Public Law 92–329), hereinafter referred to as the Act, and 20 CFR 617.13(a), I hereby give notice of my determinations as follows:

1. There is a "temporary on" indicator for the week ending January 13, 1973, for the State of Maine.

This determination is based on my findings that the rate of unemployment as defined in the Act for the 13-week period ending January 13, 1973, equaled or exceeded 6.5 per centum in the State of Maine.

2. A temporary benefit period, as provided in section 202(c)(3)(A)(iii) of the Act and 20 CFR 617.5, begins on January 28, 1973, the first day of the third calendar week after the week for which there is a "temporary on" indicator, in the State of Maine which has previously entered into an agreement with the Secretary of Labor as provided in section 202 of the Act.

Temporary compensation, as defined in 20 CFR 617.2(d), shall be payable to eligible individuals, who have received temporary compensation for a week or weeks beginning before January 1, 1973, and who file claims for such compensation for weeks of unemployment which begin in the temporary benefit period with respect to the State of Maine. However, no temporary compensation under the Act is payable for any week of unemployment which ends after March 31, 1973, even though such week is in a temporary benefit period.

Signed at Washington, D.C., this 23d day of February 1973.

PETER J. BRENNAN,
Secretary of Labor.

[FR Doc.73-3941 Filed 3-1-73;8:45 am]

NEW JERSEY

Determinations of "Temporary on" Indicator and Beginning of Temporary Benefit Period

Pursuant to the provisions of section 202 of the Emergency Unemployment Compensation Act of 1971 (Public Law 92–224, title II, as amended by Public Law 92–329), hereinafter referred to as the Act, and 20 CFR 617.13(a), I hereby give notice of my determinations as follows:

1. There is a "temporary on" indicator for the week ending January 13, 1973, for the State of New Jersey.

This determination is based on my findings that the rate of unemployment as defined in the Act for the 13-week period ending January 13, 1973, equaled or exceeded 6.5 percent in the State of New Jersey.

2. A temporary benefit period, as provided in section 202(c)(3)(A)(iii) of the

Act and 20 CFR 617.5, begins on January 28, 1973, the first day of the third calendar week after the week for which there is a "temporary on" indicator, in the State of New Jersey which has previously entered into an agreement with the Secretary of Labor as provided in section 202 of the Act.

Temporary compensation, as defined in 20 CFR 617.2(d), shall be payable to eligible individuals, who have received temporary compensation for a week or weeks beginning before January 1, 1973, and who file claims for such compensation for weeks of unemployment which begin in the temporary benefit period with respect to the State of New Jersey. However, no temporary compensation under the Act is payable for any week of unemployment which ends after March 31, 1973, even though such week is in a temporary benefit period.

Signed at Washington, D.C., this 23d day of February 1973.

PETER J. BRENNAN,
Secretary of Labor.

[FR Doc.73-3940 Filed 3-1-73;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 188]

ASSIGNMENT OF HEARINGS

FEBRUARY 26, 1973.

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-C-7924, Overland Motor Express, Inc., doing business as Boulder-Denver Truck Line, Et Al-Englewood Transit Co., now being assigned hearing April 4, 1973 (1 day), at Denver, Colo., in a hearing room to be later designated.

MC 135532, J. B. Levin, Inc., now being assigned hearing April 4, 1973 (2 days), at Boston, Mass., in a hearing room to be later designated.

MC-C-7931 John W. Hoogland and Joanne C. Hoogland, a partnership, doing business as City Express, and Peninsula Shippers Association, Inc.—Investigation of Operations and Revocation of Certificates now assigned February 28, 1973, at Anchorage, Alaska, is postponed indefinitely.

MC-128273 Sub 130, Midwestern Express, Inc., now being assigned hearing April 10, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-11699, Old Dominion Freight Line—Control—Star Transport Co., Inc., now being assigned hearing April 11, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-11636, Briggs Transportation Co.—Purchase (portion)—Hennis Freight Lines, Inc., of Nebraska, MC-F-11694, All-American Transport, Inc.—Purchase (portion)—Hennis Freight Lines, Inc., of Nebraska, MC-F-11702, Illinois-California Express, Inc.—Purchase (portion)—Hennis Freight Lines, Inc., of Nebraska, now being assigned April 23, 1973 (2 weeks), at Kansas City, Mo., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-3916 Filed 3-1-73;8:45 am]

[Notice 218]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before March 21, 1973. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74164. By order of February 6, 1973, the Motor Carrier Board approved the transfer to John J. Boyce Transportation, Inc., Atlantic City, N.J., of certificate No. MC-116811 (Sub-No. 1) issued November 17, 1971, to James A. Ruberton, Elm, N.J., authorizing the transportation of such general merchandise as is dealt in by wholesale and retail grocery and food business houses, when moving to or from the stores, warehouses, or other facilities of wholesale or retail food business houses, from Philadelphia, Pa., to Atlantic City, N.J. Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102, applicants' attorney.

No. MC-FC-74193. By order of February 1, 1973, the Motor Carrier Board approved the transfer to K & K Wholesale Co., a corporation, Lowell, Oreg., of the operating rights in certificates Nos. MC-133816 (Sub-No. 1) and MC-133816 (Sub-No. 3) issued June 5, 1970, and October 18, 1972, respectively, to Kenneth L. Parks and Keith O. Parks, a partnership, doing business as K & K Wholesale Co., Lowell, Oreg., authorizing the transportation of lime, from points in Clark County, Nev., to points in Oregon and Washington, magnesite, from points in Nye County, Nev., to points in Oregon, and lumber, hardboard, and particleboard, from points in Oregon to points in Nye and Clark Counties, Nev. Howard E. Speer, 835 East Park Street, Eugene, OR 97401.

No. MC-FC-74204. By order of February 7, 1973, the Motor Carrier Board approved the transfer to Thomas Mongeluzzi, West Babylon, Long Island, N.Y., of the operating rights in certificate No. MC-117650 issued October 1, 1965, to Michael J. Russo, Brooklyn, N.Y., authorizing the transportation of homing pigeons, in crates, and in connection therewith, supplies and equipment used in the care of such pigeons, in seasonal operations between March 1 and September 30, both inclusive, of each year, from points in Queens County, N.Y., to points in New Jersey and Wilmington, Del. William D. Traub, 10 East 40th Street, New York, NY 10016, registered practitioner for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-3918 Filed 3-1-73;8:45 am]

[Notice 23]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 22, 1973.

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. FC-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, on or before March 16, 1973. 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 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 35628 (Sub-No. 344 TA), filed February 8, 1973. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville Avenue SW., Grand Rapids, MI 49502. Applicant's representative: Leonard D. Verdier, Jr., 1 Vandenberg Center, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from the plantsite and warehouses of Campbell Soup Co. at or near Omaha,

[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.

Nebr., to Dale, Ind., for 180 days. Supporting shipper: R. J. Lloyd, Manager Transportation, Campbell Soup Co., Omaha, Nebr. Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 59150 (Sub-No. 77 TA), filed February 14, 1973. Applicant: PLOOF TRANSFER COMPANY, INC., Post Office Box 38047, 1901 Hill Street, Jacksonville, FL, 32202. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipe fittings, couplings, connections, and accessories* (except iron or steel and commodities because of size or weight require the use of special equipment), from the plant or warehouse sites of Armco Steel Corp., Metal Products Division, in Montgomery County, Ala., to points in Arkansas, Georgia, Florida, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, and restricted to traffic originating at the above plant or warehouse sites and destined to points shown above and further restricted against the transportation of oil field commodities as defined in *Mercer-Extension-Oilfield Commodity*, 74 M.C.C. 459, for 180 days. Supporting shipper: Armco Steel Corp., 703 Curtis Street, Middletown, OH 45042. Send protests to: District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

No. MC 94201 (Sub-No. 110 TA) (Correction), filed December 11, 1972, published in the FEDERAL REGISTER January 10, 1973, corrected and republished in part as corrected this issue. Applicant: BOWMAN TRANSPORTATION, INC., Post Office Box 17744, 1500 Cedar Grove Road, Atlanta, GA 30316. Applicant's representative: E. A. Wickman (same address as above). NOTE: The purpose of this partial republication is to show the correct authority sought as over *irregular routes*, in lieu of over regular routes, shown in error in previous publication. The rest of the application remains the same.

No. MC 102982 (Sub-No. 30 TA), filed February 12, 1973. Applicant: GEORGE W. KUGLER, INC., Post Office Box 6064, Ellet Stat., 2800 East Waterloo Road, Akron, OH 44312. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pipe* (except iron and steel pipe), from the facilities of the Flintkote Co. at Ravenna, Ohio, to points in Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Pennsylvania, Virginia, West Virginia, Wisconsin, and the District of Columbia, under a continuing contract or contracts with the Flintkote Co. of Ravenna, Ohio, for 180 days. Supporting shipper: Flintkote Pipe Products Group, Ravenna, Ohio 44266. Send protests to: Franklin D. Ball, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 103051 (Sub-No. 269 TA), filed February 12, 1973. Applicant: FLEET TRANSPORT COMPANY, 934 44th Avenue North, Post Office Box 90408, Nashville, TN 37209. Applicant's representative: William G. North (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed supplements*, in bulk, in tank vehicles, from Nashville, Tenn., to points in Alabama, Arkansas, Georgia, Kentucky, and Mississippi, for 180 days. Supporting shipper: National Molasses Co., 220 Davidson Street, Nashville, Tenn. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 803 1808 West End Building, Nashville, Tenn. 37203.

No. MC 103993 (Sub-No. 757 TA), filed February 12, 1973. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from Darlington County, S.C., to points in the United States, east of the Mississippi River, Louisiana, and Minnesota, for 180 days. Supporting shipper: Bowen Mobile Homes, Inc., Lamar, S.C. 29069. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, Room 204, Fort Wayne, IN 46802.

No. MC 107496 (Sub-No. 878 TA), filed February 12, 1973. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosaqua Way, Post Office Box 855, Box ZIP 50304, Des Moines, IA 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline*, in bulk, in tank vehicles, from Madison, Wis., to Dubuque, Iowa, for 150 days. Supporting shipper: Red X Corp., 725 Kelly Lane, Dubuque, IA 52001. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, IA 50309.

No. MC 110988 (Sub-No. 295 TA), filed February 12, 1973. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, WI 54956. Applicant's representative: David A. Petersen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed supplements, and molasses*, in bulk, in tank vehicles, from Oswego, Ill., to points in Wisconsin, for 180 days. Supporting shipper: Feed Associates Inc., Box 325, Hartland, WI 53029 (Charles R. Nelson, 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 112963 (Sub-No. 34 TA), filed February 13, 1973. Applicant: ROY BROS., INC., 764 Boston Road, Pinehurst, MA 01866. Applicant's representative: Leonard E. Murphy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the Penn-Central R.R. terminal in Boston, Mass., to points in Maine, Vermont, New York, and Connecticut, for 180 days. Supporting shipper: Allied Chemical Corp., Post Office Box 1139R, Morristown, NJ 07960. Send protests to: Darrell W. Hammons, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 150 Causeway Street, Fifth Floor, Boston, MA 02114.

No. MC 118159 (Sub-No. 131 TA), filed February 12, 1973. Applicant: NATIONAL REFRIGERATED TRANSPORT, INC., 1925 National Plaza, Tulsa, OK 74151. Applicant's representative: Jack R. Anderson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Emporia, Kans., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee, for 180 days. Supporting shipper: Iowa Beef Processors, Inc., Joseph A. Eschenbacher, Jr., Dakota City, Nebr. 68731. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 134855 (Sub-No. 3 TA), filed February 13, 1973. Applicant: GEORGE A. LA BAGH, INC., 713 North Street, Middletown, NJ 10940. Applicant's representative: Arthur J. Piken, 1 Lefrak City Plaza, Flushing, NY 11368. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, other than those designed to be drawn by passenger automobiles, containers, truck chassis, trailer chassis, trailer parts, and materials and supplies used in the manufacture of all of the above, in straight and mixed loads, between Berwick, Lehighton, Hughesville, and Fairless Hills, Pa., and North Bergen, N.J., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee, Kentucky, West Virginia, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Texas, Kansas, Missouri, and the District

of Columbia, for 180 days. Restriction: The operations proposed herein are limited to a transportation service to be performed under a continuing contract or contracts with Strick Corporation, Fairless Hills, Pa. Supporting shipper: Strick Corporation, Fairless Hills, Pa. 19030. Send protests to: Joseph M. Barnini, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 New Federal Building, Albany, NY 12207.

No. MC 138138 (Sub-No. 1 TA) (Correction), filed November 6, 1972, published in the FEDERAL REGISTER issue of December 15, 1972, and republished as corrected this issue. Applicant: NATHAN INMAN, doing business as NATE'S TRUCKING, 1800 Brier Road, Turlock, CA 95380. Applicant's representative: J. Wilmar Jensen, Post Office Box 1726, Modesto, CA 95354. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated disassembled homes*, from Manteca, Calif., to points in Nevada, for 180 days. Supporting shipper: Lear Siegler, Inc./Cuckler Division, Lifestyle Homes, 211 Oak Street, Manteca, CA. Send protests to: District Supervisor Claud W. Reeves, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, CA 94102. NOTE: The purpose of this republication is to show that applicant proposes to transport: Prefabricated disassembled home in lieu of empty containers, container ends, which appeared in publication in error.

No. MC 138405 TA, filed February 12, 1973. Applicant: JOHN P. FLAHERTY, doing business as FLAHERTY TRANSPORT COMPANY, 705 Eighth Avenue North, Great Falls, MT 59401. Applicant's representative: John P. Flaherty (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between Great Falls, Mont., and Augusta, Mont., serving all intermediate points; from Great Falls, Mont., via I–15 to junction Highway 89; and Montana Highway 200; thence to junction Montana Highway 21; thence to Augusta and return; (2) between Great Falls, Mont., and Dupuyer, Mont., serving all intermediate points; from Great Falls, Mont., via I–15 to junction U.S. Highway 89; and Montana Highway 200; thence via U.S. Highway 89 to Dupuyer, and return; (3) between Augusta, Mont., and Choteau, Mont., serving all intermediate points via U.S. Highway 287; and (4) between Fairfield, Mont., via Montana Highway 408 to junction U.S. Highway 289, serving all intermediate points, for 180 days. NOTE: Applicant states it intends to interline at Great Falls, Mont., with other carrier. Supporting shippers: H & H Implement, Choteau, Mont. 59422; K's Auto Parts, Choteau, Mont. 59422; Sun River Electric Co-op, Fairfield, Mont. 59436; Three Rivers Telephone Co-op, Fairfield, Mont. 59436; Dirkes', Choteau, Mont. 59422; Trading Post, Augusta, Mont. 59410; Eiseman Seed Co., Fairfield, Mont. 59436. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 222, U.S. Post Office Building, Billings, MT 59101.

MOTOR CARRIERS OF PASSENGERS

No. MC 107583 (Sub-No. 53 TA), filed February 12, 1973. Applicant: SALEM TRANSPORTATION CO., INC., 133–03 35th Avenue, Flushing, NY 11354. Applicant's representative: George H. Rosen, 265 Broadway, Monticello, NY 12701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, from Philadelphia Naval Base, Philadelphia, Pa., to McGuire Air Force Base and Fort Dix, N.J. In special operations limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof, and not including children under 10 years of age who do not occupy a seat or seats, for 180 days. Supporting shipper: Department of the Navy, Office of the Commandant, Fourth Naval District, Philadelphia, Pa. 19112, Attention: Mabel R. Brantner, Passenger Transportation Administrator. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, Room 1807, New York, NY 10007.

By The Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-3919 Filed 3-1-73;8:45 am]

[I.C.C. Order No. 83; Under Rev. SO No. 994; Amdt. No. 1]

PENN CENTRAL TRANSPORTATION CO.

Rerouting and Diversion of Traffic

To: All Railroads

Upon further consideration of I.C.C. Order No. 83 (Penn Central Transportation Co., George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees) and good cause appearing therefor:

It is ordered, That:

I.C.C. Order No. 83 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., August 31, 1973, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., February 28, 1973, and that this amendment shall be served upon the 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., February 21, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[FR Doc.73-3917 Filed 3-1-73;8:45 am]

[Notice 189]

ASSIGNMENT OF HEARINGS

FEBRUARY 27, 1973.

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–96612 Sub 12, Sea-Land Freight Service, Inc., now assigned March 6, 1973, at Olympia, Wash., is canceled and application dismissed.

MC–87720 Sub 131, Bass Transportation Co., Inc., now assigned March 8, 1973, at St. Louis, Mo., is postponed indefinitely.

MC–62690 Sub 3, Carey P. Weathers Transfer & Storage Co., now assigned March 7, 1973, at Washington, D.C., postponed indefinitely.

MC–128383 Sub 17, Pinto Trucking Service, Inc., now assigned March 27, 1973, will be held in Room F–2220, 26 Federal Plaza, New York, N.Y.

RR–MC–1289, Aacon Auto Transport, Inc., now assigned March 26, 1973, will be held in Room F–2220, 26 Federal Plaza, New York, N.Y.

MC 136343 Sub 3, Milton Transportation, Inc., now assigned March 20, 1973, at Boston, Mass., is postponed to March 23, 1973, will be held in Room 1112, Kennedy Building, Boston, Mass.

MC 134847 Sub 3, Bessette Transport, Inc., Extension—Bedford State, now assigned March 19, 1973, at Boston, Mass., is postponed to March 22, 1973, will be held in Room 1112, Kennedy Building, Boston, Mass.

MC 136903, Intermodal Transport, Inc., now being assigned April 2, 1973 (2 days), at Atlanta, Ga., in a hearing room to be later designated.

MC 109397 Sub 272, Tri-State Motor Transit Co., now being assigned April 4, 1973 (3 days), at Atlanta, Ga., in a hearing room to be later designated.

MC 112989 Sub 22, West Coast Truck Lines, Inc., now assigned March 20, 1973, at San Francisco, Calif., will be held in Room 13025, Federal Building, 450 Golden Gate Avenue.

MC–C–7876, Manhattan Transit Company-V-Ski-O-Rama Tours, Inc., now assigned April 2, 1973, at New York, N.Y., is canceled.

MC 108136 Sub 15, Valley Cab Co., Inc., now assigned March 19, 1973, at Hartford, Conn., will be held in Room 565A, State Office Building, 165 Capitol Street.

AB-5 Sub 49, George P. Baker, Richard C. Bond, Jervis Langdon, Jr., and Willard Wirtz, trustees of the property of Penn Central Transportation Co., debtor, abandonment New Milford and Canaan, Litchfield County, Conn., now assigned March 22, 1973, at New Milford, Conn., will be held in Room 6, Town Hall, Main and Church Street.

MC-F-11487, Auclair Transportation, Inc.—Control and merger—Paul V. Adams Trucking, Inc., MC 9429 Sub 6, Paul V. Adams Trucking, Inc., MC-F-11552, Auclair Transportation, Inc.—Purchase (portion)—Bonded Trucking & Rigging, Inc., and FD 27182, Auclair Transportation, Inc., Notes, now assigned March 26, 1973, at Boston, Mass., will be held in Room 1112, John Fitzgerald Kennedy Building, Government Center.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-4014 Filed 3-1-73;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 27, 1973.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

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 on or before March 19, 1973.

FSA No. 42634—*Joint water-rail container rates—Zim Israel Navigation Co., Ltd.* Filed by Zim Israel Navigation Co., Ltd. (No. 2), for itself and interested rail carriers. Rates on general commodities, from rail stations on the west coast of the United States, to ports in the United Kingdom, Ireland, Scandanavia, continental Europe, and Mediterranean Sea.

Grounds for relief—Water competition.

Tariff—Zim Israel Navigation Co., Ltd., ICC No. 2, FMC No. 22. Rates are published to become effective on March 27, 1973.

FSA No. 42635—*Corn and grain sorghums to points in Texas.* Filed by Southwestern Freight Bureau, agent (No. B-387), for interested rail carriers. Rates on corn and grain sorghums, in carloads, as described in the application, from points in Nebraska on the MP, RI and UP, to points in Texas on the TEXC.

Grounds for relief—Rate relationship.

Tariff—Supplement 98 to Southwestern Freight Bureau, agent, tariff ICC 4967. Rates are published to become effective on April 3, 1973.

FSA No. 42636—*Iron or steel pipe and related articles from points in Colorado.* Filed by Southwestern Freight Bureau, agent (No. B-389), for interested rail carriers. Rates on iron or steel pipe and related articles, in carloads, as described in the application, from Fort Collins and Minnequa, Colo., to points in Oklahoma and Texas.

Grounds for relief—Market competition and rate relationship.

Tariff—Supplement 254 to Southwestern Freight Bureau, agent, tariff ICC 4620. Rates are published to become effective on April 5, 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-4019 Filed 3-1-73;8:45 am]

[Notice 221]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice, any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before March 22, 1973. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74097. By order of February 7, 1973, the Motor Carrier Board approved the transfer to Space World U. S. A. Tours, Inc., Chicago, Ill., of the operating rights in Certificate No. MC-111662 issued September 28, 1950 to Joliet-Aurora Transit Lines, Inc., Aurora, Ill., authorizing the transportation of passengers and their baggage, in round-trip charter service beginning and ending at Plainfield, Ill., and extending to points in Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin. Philip A. Lee, 33 North Dearborn Street, Chicago, IL 60602, attorney for applicants.

No. MC-FC-74177. By order of February 7, 1973, the Motor Carrier Board approved the transfer to Whitie's Transportation, Inc., Siren, Wis., of Certificate No. MC-125570 (Sub-No. 1), issued April 28, 1966, to Maynard C. Johnson, doing business as Whitie's Transportation Service, Siren, Wis., authorizing the transportation of passengers and their baggage, in round-trip charter operations, beginning and ending at points in Burnett and Polk Counties, Wis., and extending to points in Illinois, Iowa, Michigan, and Minnesota. S. J. Auringer, attorney at law, Siren, Wis. 54872, applicant's attorney.

No. MC-FC-74192. By order of February 7, 1973, the Motor Carrier Board approved the transfer to O'Neal's Bus Service, Inc., Wilmington, Del., of Certificate No. MC-41770 issued October 29, 1959, to Owen E. O'Neal, E. Margaret O'Neal, Administratrix, doing business as O'Neal's Bus Service, Wilmington, Del., authorizing the transportation of passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, from Booth's Corner, Pa., to points in Cecil County, Md., and return, and from points in a described area of New Castle County, Del., to points in Maryland; those in a described area of Pennsylvania; and those in New Jersey south of U.S. Highway 30, and return; passengers and their baggage in round-trip charter operations beginning and ending at the points indicated, from points in a described area of Delaware, to Washington, D.C., and points within 20 miles of Washington, D.C., and return, and from points in the described area of Delaware to points in a described area of Pennsylvania; Mt. Arlington, N.J., and points in a described area of New Jersey, and return. Harry J. Jordan, Macdonald & McInerny, 1000 16th Street NW., Washington, DC 20036, applicants' attorney.

No. MC-FC-74196. By order of February 7, 1973, the Motor Carrier Board approved the transfer to Stacey-Adam Warehouse, Inc., Newark, N.J., of Certificate No. MC-64075, issued December 17, 1951, to Walnut Transfer, Inc., Newark, N.J., authorizing the transportation of general commodities, with exceptions, between Newark, N.J., and New York, N.Y. Herman B. J. Weckstein, 60 Park Place, Newark, NJ 07102, attorney for transferor and Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904, transferee's representative.

No. MC-FC-74205. By order of February 12, 1973, the Motor Carrier Board approved the transfer to Swanson Boat Transport Corp., New Rochelle, N.Y., of that portion of the operating rights in Certificate No. MC-117802 (Sub-No. 1), issued July 15, 1960, to D'Andrade Marine Transport, Inc., Huntington Station, N.Y., authorizing the transportation of boats, not exceeding 33 feet in length, from points in Nassau and Suffolk Counties, N.Y. (other than those in the New York, N.Y., commercial zone as defined by the Commission), to points in Florida, and returned or refused shipments of boats, not exceeding 33 feet in length, from points in Florida to points in Nassau and Suffolk Counties, N.Y. (other than those in the New York, N.Y., commercial zone as defined by the Commission). Arthur J. Piken, One Lefrak City Plaza, Flushing, NY 11368, attorney for transferor, and William D. Traub, 10 East 40th Street, New York, NY 10016; registered practitioner for transferee.

No. MC-FC-74208. By order entered February 8, 1973, the Motor Carrier Board approved the transfer to B & T Truck Line, Inc., Brigham City, Utah,

of the operating rights set forth in Certificate No. MC–117934 (Sub-No. 3), issued March 15, 1966, and Certificate of Registration No. MC–117934 (Sub-No. 5), issued April 7, 1965, to Howard L. Jorgensen, doing business as B & T Truck Line, Brigham City, Utah, authorizing the transportation of general commodities, except household goods and commodities in bulk, between specified points in Utah, as to the certificate, and evidencing a right to engage in operations in interstate or foreign commerce as a common carrier by motor vehicle in the transportation of commodities generally over regular routes from Brigham to Thiokol plantsite (Utah), as to the certificate of registration. Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111, attorney for applicants.

No. MC–FC–74215. By order of February 9, 1973, the Motor Carrier Board approved the transfer to Dale Edward Thomas & Ray Franklin Linquist, a partnership, doing business as T and L Trucking, Coin, Iowa, of the operating in Certificate No. MC–77796 issued March 24, 1954, to Dale Earwood, Coin, Iowa, authorizing the transportation of various commodities from and to a described area in Iowa and Omaha, Nebr., and St. Joseph, Mo.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-4018 Filed 3-1-73;8:45 am]

[Notice 24]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 23, 1973.

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, on or before March 19, 1973. 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 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 35295 (Sub-No. 10 TA), filed February 16, 1973. Applicant: AMERICAN TRANSFER CO., Post Office Box 1226, 2810 Jensen Avenue, Fresno, CA 93715. Applicant's representative: William D. Taylor, 405 Montgomery Street, Suite 1400, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry sulpher* in bulk, from Fresno, Calif., to the sites of the Anaconda Copper Mines at or near Weed Heights and Yerington, Nev., for 180 days. Supporting shipper: Wingate Co., 4791 East Date, Post Office Box 2651, Fresno, CA 93745. Send protests to: District Supervisor Claud W. Reeves, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, CA 94102.

No. MC 66129 (Sub-No. 7 TA) (Correction), filed January 24, 1973, published in the FEDERAL REGISTER issue of February 12, 1973, and republished as corrected this issue. Applicant: HUGHES BROS. TRANSPORTATION COMPANY, 113 Metropolitan Avenue, Brooklyn, NY 11211. Applicant's representative: Arthur J. Piken, Suite 515, One Lefrak City Plaza, Flushing, NY 11368. NOTE: The purpose of this partial republication is to show the correct territorial description as Lodi, N.J., in lieu of Lodi, N.Y., which was published in error. The rest of the application remains the same.

No. MC 78118 (Sub-No. 21 TA), filed February 15, 1973. Applicant: W. H. JOHNS, INC., 35 Witmer Road, Lancaster, PA 17602. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared food products*, from the H. J. Heinz Co. warehouse at Woodstown, N.J., to the H. J. Heinz Co. distribution center, Mechanicsburg, Pa., for 180 days. Restricted to transportation originating at the indicated origin point and destined to the indicated destination. Supporting shipper: Heinz U.S.A. Division, H. J. Heinz Co., Post Office Box 57, Pittsburgh, PA 15230. Send protests to: Robert W. Ritenour, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 869, Harrisburg, PA 17108.

No. MC 108380 (Sub-No. 85 TA), filed February 12, 1973. Applicant: JOHNSTON'S FUEL LINERS, INC., Post Office Box 100, 808 Birch Street, Newcastle, WY 82701. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar products* in bulk, in tank vehicles, from Ironton, Utah to Whitewood, S. Dak., for 150 days. Supporting shipper: Wheeler Division, St. Regis Paper Co., Post Office Box 160, West Des Moines, Iowa 50265. Send protests to: District Supervisor Paul A. Naughton, Bureau of Operations, Interstate Commerce Commission, 100 East B Street, Casper, WY 82601.

No. MC 108937 (Sub-No. 36 TA), filed February 8, 1973. Applicant: MURPHY MOTOR FREIGHT LINES, INC., 2323 Terminal Road, St. Paul, MN 55113. Applicant's representative: R. L. Stevens (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), from Milwaukee, Wis., to Rhinelander, Wis., serving the intermediate point of Antigo, Wis., and the intermediate or off-route points within the Milwaukee commercial zone, over regular routes, as follows: From Milwaukee over Wisconsin Highway 145 to junction U.S. Highway 45, thence over U.S. Highway 45 to Fond du Lac, Wis., thence over Wisconsin Highway 175 to junction U.S. Highway 41, thence over U.S. Highway 41 to Oshkosh, Wis., thence over U.S. Highway 45 to junction U.S. Highway 8 thence over U.S. Highway 8 to Rhinelander, for 180 days. NOTE: Applicant intends to tack at Rhinelander with other authority held in MC–108937, Sub 33, and intends to interline with other carriers at points in the Milwaukee commercial zone. Supporting shippers: There are approximately 29 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor Raymond T. Jones, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 112854 (Sub-No. 32 TA), filed February 14, 1973. Applicant: HOLLEBRAND TRUCKING, INC., Post Office Box 164, Macedon Center Road, Ontario Center, NY 14520. Applicant's representative: S. Michael Richards, Post Office Box 225, Webster, NY 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from the facilities of Kettle Creek Mine located at or near Westport, Pa., to points in New York (except Johnson City, Bainbridge, Dresden, Ludlowville, and Palmyra, N.Y.), for 180 days. Supporting shipper: Ringgold Coal Mining Co., Kittaning, Pa. 16201. Send protests to: Morris H. Gross, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 104, 301 Erie Boulevard West, Syracuse, NY 13202.

No. MC 116763 (Sub-No. 238 TA), filed February 12, 1973. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, OH 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared animal food*, except in bulk, from the plantsite and warehouse facilities of Lipton Pet Foods, Inc., at or near Woburn, Mass., to Los Angeles, Richmond, and Santa Cruz,

[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.

Calif. and Denver, Colo., for 180 days. Supporting shipper: Lipton Pet Foods, Inc., Box 89–209, New Boston Street, Woburn, MA 01801. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514–B Federal Building, 550 Main Street, Cincinnati, OH 45202.

No. MC 117613 (Sub-No. 15 TA), filed February 20, 1973. Applicant: DONALD M. BOWMAN, JR., Route 3, Box 26, Hagerstown, MD 21740. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, MD 20910. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete masonry products*, on vehicles equipped with mechanical boom unloaders, from Chambersburg, Pa., to points in New York, New Jersey, Delaware, Maryland, Ohio, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Nitterhouse Concrete Products, Inc., Box N, Chambersburg, PA 17201. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th Street and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 123314 (Sub-No. 16 TA), filed February 15, 1973. Applicant: JOHN F. WALTER, INC., Post Office Box 175, Newville, PA 17241. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared food products*, from the H. J. Heinz Co. warehouse at Woodstown, N.J., to the H. J. Heinz Co. distribution center at Mechanicsburg, Pa., for 180 days. Restricted to the transportation of traffic originating at the indicated origin point and destined to the indicated destination point. Supporting shipper: Heinz U.S.A. Division, H. J. Heinz Co., Post Office Box 57, Pittsburgh, PA 15230. Send protests to: Robert W. Ritenour, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 869, Harrisburg, PA 17108.

No. MC 125985 (Sub-No. 14 TA), filed February 14, 1973. Applicant: AUTO DRIVEAWAY COMPANY, 343 South Dearborn Street, Chicago, IL 60604. Applicant's representative: Mr. David Steinhagen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor homes*, between Macomb, Ill., on the one hand, and, on the other, points in the United States, for 180 days. Supporting shipper: Dennis Austin, Jamboree, Inc., Macomb, Ill. Send protests to: William J. Gray, Jr., Area Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 127238 (Sub-No. 7 TA) (Correction), filed January 22, 1973, published in the FEDERAL REGISTER issue of February 12, 1973, and republished as corrected this issue. Applicant: DOROTHY R. ZUMMO, doing business as AIR DELIVERY SERVICE, Post Office Box 1102, Remington Avenue and Locust Street, Scranton, PA 18505. Applicant's representative: S. J. Zummo (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, with the usual exceptions, between points in Allentown-Bethlehem-Easton Airport, Hanover Township (Lehigh County), Pa.; and Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, points in Warren and Hunterdon Counties, except Flemington, Frenchtown, and Lambertville, N.J., for 180 days. Restriction: Restricted to shipments having a prior or subsequent movement by air. Supporting shippers: The Asbury Graphite Mills, Inc., Asbury, Warren County, N.J. 08802; J. T. Baker Chemical Co., 222 Red School Lane, Phillipsburg, NJ 08865; Custom Alloy Corp., Route 513, Califon, N.J. 07830; Kuhl Egg Equipment Corp., Kuhl Road, Post Office Box 26, Flemington, NJ 08822. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, PA 18503. NOTE: The purpose of this republication is to reflect the change in the territorial scope to "points in Allentown-Bethlehem-Easton Airport, Hanover Township (Lehigh County), Pa." in lieu to "points in Allentown-Bethlehem-Easton Airport, Hanover Township and Lehigh County, Pa." that was published in error.

No. MC 134551 (Sub-No. 2 TA), filed February 15, 1973. Applicant: LANTER REFRIGERATED DISTRIBUTING CO., 3 Caine Drive, Madison, IL 62060. Applicant's representative: Ernest A. Brooks II, 1301–02 Ambassador Building St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses* as described in Appendix I to report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766, from National City and Madison, Ill., to points in Carlisle, Hickman, Fulton, Calloway, Marshall, McCracken, Ballard, and Graves Counties, Ky., for 180 days. Supporting shipper: G. Dwight Weed, Manager, Motor Carrier Division, Transportation Department, Swift Fresh Meats Co., 115 West Jackson Boulevard, Chicago, IL 60604. Send protests to: Harold C. Jolliff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 Leland Office Building, 527 East Capitol Avenue, Springfield, IL 62701.

MOTOR CARRIERS OF PASSENGERS

No. MC 138389 (Sub-No. 1 TA), filed February 16, 1973. Applicant: HUDSON VALLEY BUS CO., INC., Englewood Terrace, Mahopac, N.Y. 10541. Applicant's representative: Sidney J. Leshin, 501 Madison Avenue, New York, NY 10022. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, between the villages of Pleasantville, Tarrytown, Elmsford, and Katonah and city of Yonkers, N.Y., and Wayne, Little Falls, and Fairfield, N.J., for 180 days. Supporting shipper: Jack Pike, Chairman, Employees' Transportation Committee of The Singer Company, Kearfott Division, 63 Bedford Road, Pleasantville, NY 10570. Send protests to: Joseph M. Barnini, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 New Federal Building, Albany, N.Y. 12207.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-4015 Filed 3-1-73;8:45 am]

[Notice 219]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 27, 1973.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC–FC–74308. By application filed February 21, 1973, McGILL'S TAXI AND BUS LINES, INC., 151 Sunset Avenue, Post Office Box 626, Asheboro, NC 27203, seeks temporary authority to lease the operating rights of CITY TRANSIT COMPANY OF HIGH POINT, INC., 124 South Elm Street, Post Office Box 1228, High Point, NC 27261, under section 210a(b). The transfer to McGill's Taxi and Bus Lines, Inc., of the operating rights of City Transit Company of High Point, Inc., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-4016 Filed 3-1-73;8:45 am]

[Notice 220]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 27, 1973.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC–FC–74309. By application filed February 21, 1973, B.C.D. TRUCKING, INC., Forestville, N.Y., seeks temporary authority to lease the operating rights of J. KENNETH BROTZ, Box 213, Silver Creek, NY, under section 210a(b). The transfer to B.C.D. Trucking, Inc., of the operating rights of J. Kenneth Brotz, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-4017 Filed 3-1-73;8:45 am]

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WASHINGTON, D.C.

Volume 38 ■ Number 41

PART II

DEPARTMENT OF TRANSPORTATION

Coast Guard

■

Licenses for Operation of Uninspected Towing Vessels

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

[CGD 72-132R]

LICENSES FOR OPERATION OF UNINSPECTED TOWING VESSELS

The purpose of the amendments in this document is to add to Chapter I of Title 46, Code of Federal Regulations, rules governing the issuance of licenses for the operation of uninspected towing vessels that implement the Towing Vessel Operator Licensing Act (Public Law 92-339, R.S. 4427, as amended, 46 U.S.C. 405(b) (July 7, 1972)).

In the August 11, 1972, issue of the FEDERAL REGISTER (37 FR 16374), the Coast Guard proposed regulations governing the issuance of licenses for the operation of uninspected towing vessels to implement the Towing Vessel Operator Licensing Act. The Coast Guard held public hearings on September 13, 1972, in Seattle, Wash.; on September 20, 1972, in New York, N.Y.; on September 26, 1972, in New Orleans, La.; and on September 27, 1972, in St. Louis, Mo. In addition, the date for submission of written comments was extended three times at the request of interested persons who required more time to fully document their views. There was, therefore, a total of 153 days in which interested persons could submit written comments on the proposal.

The Towing Vessel Operator Licensing Act requires uninspected towing vessels to be under the direction and control of a person licensed by the Coast Guard, while underway. Also, it defines "towing vessel" as a commercial vessel which is 26 feet or more in length engaged in or intended to engage in the service of towing. The Act does not apply to towing vessels of less than 200 gross tons engaged in or preparing or intended to immediately engage in a service to the offshore oil and mineral exploitation industry, including construction for such industry where the vessels involved would have as their ultimate destination or last point of departure offshore oil and mineral exploitation sites or equipment.

The regulations proposed by the Coast Guard to implement the Act, as applied to those persons presently operating towboats, would require that—

a. The individual had already been satfactorily employed on towing vessels;

b. An applicant meet physical standards similar to those required for presently licensed personnel;

c. An applicant be subject to the suspension or revocation of his license on the same grounds of incompetence, negligence, misconduct, or physical incapacity applied to all other licensed personnel; and

d. An applicant pass an examination on the applicable rules of the road, thereby demonstrating knowledge of the following:

1. Steering and sailing rules;
2. Identification lights for all vessels;
3. Day marks and signals for special operations;
4. Whistle passing and warning signals;
5. Safe operations in limited visibility;
6. Aids to navigation for pipelines and floating plants;
7. Warning signals for transferring dangerous cargoes; and
8. Laws and regulations pertaining to all of the foregoing.

The Coast Guard believes that the introduction of qualifications and standards into an operation where nothing is presently required will significantly reduce casualties attributable to personnel error.

It is also the intention of the Coast Guard to introduce a safeguard which will quickly illuminate any inadequacy of the final regulations. A program will be written to provide an input to the computerized casualty information and analysis files that will accumulate, identify, and store any reference to a towboat casualty involving personnel error. In particular, the system will focus attention on any incidents accountable to the operator's unfamiliarity with a specific locale or area. In this way, the rules now being promulgated will be continually evaluated to insure that the intent of the statute is being met.

Written and oral comments were received from more than 150 organizations and individuals representing management, labor, Government agencies, training institutions, and the general public. More comments endorsed the proposal than opposed it.

Commenters objecting to the proposed regulations argued that the rules would prove inadequate because the requirements were not stringent enough. It was suggested that an individual licensed under the new regulations should be restricted to operating within an area which he could, from memory, draw detailed charts and diagrams reflecting physical features, safe courses, and navigable channels. Several labor organizations, representing already licensed officers, objected to the proposed name of "operator" and voiced concern that the issuance of licenses for service over broad geographic areas would not produce sufficiently qualified personnel. In general, these commenters advocated extending the existing master/mate and pilot license structure to the uninspected towboats.

The Coast Guard recognizes the appeal of applying the master/mate and pilot concept but considers it to be in direct contravention with congressional intent to create a new authority for licensing. Discussions by the Coast Guard with various organizations representing the towing vessel industry during the development of the regulations indicated the impracticality of extending the current structure. The Coast Guard approached the problem by recognizing the fact that there are many individuals in the industry with limited education and limited formal training who have been productively employed and have gained extensive experience.

Accordingly, it is not the Coast Guard's intention to impose upon these individuals, and upon the towing industry as a whole, the relatively more severe requirements of the traditional master/pilot system which many applicants would have difficulty meeting in a timely fashion.

These regulations reflect only slight modifications from the preliminary proposals which were presented at congressional hearings on the subject. House Report No. 92-125, 92d Congress (1971), referring to the text of the same proposals, stated in part that "the Committee endorses the concept reflected in the draft regulations submitted as meeting the intent of the Committee to insure the proper qualification of an individual seeking a license as required by this bill."

In response to the comments received, certain changes have been made to the proposed regulations. What follows is a summary of the comments recorded, the sections to which they were directed, and an explanation of the Coast Guard's response.

Section 10.16-5. The proposed § 10.16-61 has been renumbered § 10.16-5, and a new paragraph has been added to the section which identifies the licenses issued.

The designations of operator and second class operator were favored by a large percentage of affected individuals, and are included in the language of the congressional committee reports. However, views were submitted that these terms reflected a break with custom and that towboat skippers would be demeaned, thereby. Also, the introduction of such terms would complicate existing and future collective bargaining agreements.

It is the Coast Guard's view that the term "operator" admirably suits the circumstances and serves additionally to protect the status and prestige of the traditional master. Subpart 10.16 places appropriate and reasonable requirements upon the uninitiated and allows their entry into the regulated arena with minimal qualifications for a special license. Considered as a preliminary step or intermediate approach, it is a particularly suitable approach for those individuals who will be eligible for a license under the "grandfather clause," § 10.16-71.

Furthermore, the path is open for the newly licensed "operator" to accept the challenge of the higher grade and after a given time make application and sit for the superior licenses, if he so desires.

Apart from any of the foregoing, if the master/pilot concept was adopted as requested by some commenters, it would automatically invoke more severe qualifying standards and criteria to the detriment of the entire program. Nevertheless, there is nothing to prevent the more

experienced or qualified candidate from sitting immediately for any of the existing master/mate or pilot licenses, bypassing the "operator" step altogether.

The question was raised as to whether the proposed "operator" would be authorized to serve on any or all uninspected towboats, regardless of size or route. The answer to that question is a qualified yes. He may serve except under those circumstances where an existing statute requires a licensed master to serve. A case in point is the Officers Competency Certificates Act (53 Stat. 1049; 46 U.S.C. 224a), which requires, among other things, that any vessel of 200 gross tons or over operating on the high seas must have licensed masters, mates, and engineers. This provision has been incorporated for clarification into § 10.16–5.

In response to the many inquiries received concerning the validity of licenses previously issued, the Coast Guard intends to endorse licenses as follows:

a. The holder of a license as master/mate (except as mate of inland steam or motor vessels) or pilot may serve as the operator of an uninspected towing vessel within the scope and limitations endorsed on his license (§ 10.16–5(d)). In addition, the holder of such a license may make application for and receive an endorsement as operator of uninspected towing vessels upon the broad geographic area which includes the limitations of his original license. Such endorsement will be given without further physical or written examination. As an example, the holder of a first class pilot's license between Memphis and St. Louis would receive an endorsement as operator of uninspected towing vessels upon the western rivers.

b. The holder of a license as inland mate, provided he met the service requirement of 1 year as person in charge of a towing vessel, would be required to complete the appropriate Rules of the Road examination prior to the issuance of an endorsement.

c. The holders of licenses as ocean operator, inland operator, or motorboat operator would qualify in the same manner as inland mates.

Section 10.16–11. The significance of this section is that it designates the geographic area of the licenses to be issued: Inland waters, Great Lakes, western rivers, oceans, oceans not more than 200 miles offshore, or a limited local area designated by the Coast Guard. Section (b)(2) of the Act requires a person to be licensed "to operate in the particular geographic area." The interpretation of this wording appears in the Senate Report (Commerce Committee) 92–926, 92d Congress (1972), which states that the geographic area is intended to coincide with areas of applicability of the differing sets of nautical rules of the road. For example, inland rules, Great Lakes rules, and so on. It was also the Committee's intent that the license to be issued should be as broad in area as practicable.

It was at this concept that the earlier mentioned comments of "inadequate" were mainly directed. On the western rivers, for instance, it was held that applicants should be restricted to areas over which they could document extensive service and of which they could successfully draw chart sketches showing distances, aids to navigation, courses, and other important features of the route.

Although, as stated above, this thinking represents the extreme point of view, i.e., full pilotage and existing licensing requirements, the Coast Guard believes that several lesser requirements can be made which will effectively strengthen the regulations. First, where the proposal was silent as to the acquiring and identification of service, a requirement has been added to §§ 10.16–23 and 10.16–25 so that a license will be restricted to the appropriate geographical waters upon which the applicant is experienced. Second, any additional endorsement on that license will be contingent upon the showing of experience on other geographic areas as well. In other words, an individual, initially licensed for western rivers, based on service thereupon, must sail on inland waters before becoming eligible for the additional endorsement. As a means of acquiring this experience, an applicant who passes an appropriate examination may have his operator's license endorsed as second class operator for the requested route which permits him to sail on inland waters provided an operator who is properly licensed is aboard. When the necessary experience is attained, the license may be upgraded to operator for both western rivers and inland waters without further examination.

Third, in response to the comment that the proposal was inadequate by not identifying the type or nature of experience that would be acceptable, the regulation now requires that duties or training in the wheelhouse must be included.

Another comment on this section suggested that the oceans (not more than 200 miles offshore) be increased to oceans (not more than 500 miles offshore). This view was based on the accurate range of electronic navigation equipment as well as the fact that in a few areas such operations had been conducted successfully by personnel who would perhaps find it difficult to pass an examination in celestial navigation as proposed for routes in excess of 200 miles offshore. The Coast Guard did not make the suggested change because, although the benefits and effectiveness of electronic navigation are recognized, there is no requirement to outfit a vessel with electronic navigation equipment. Even when a vessel has this equipment, fault or failure is not uncommon. Complete reliance on electronic aids instead of celestial navigation from great distances offshore is not in the best interests of safety.

Another comment on this section recommended that endorsement for inland waters be extended, in certain instances, to include portions of waters where the International Rules of the Road apply. There is insufficient justification for such deviation from the well defined and established lines of demarcation between the various sets of the Rules of the Road. To provide for certain exceptions would only confuse the issue while to hold to the proposed dividing lines between the broad geographic areas should not cause undue hardship on those affected. Since the present routes of the commenters include both inland waters and oceans, they are already knowledgeable in both sets of the Rules of the Road.

Another comment on this section recommended that the licenses issued should be limited by gross tonnage or other suitable criteria, as well as by geographical area. Such additional restrictions for vessels with offshore routes are not considered necessary since licenses issued under this new subpart are only valid for those vessels of less than 200 gross tons that are not subject to 46 U.S.C. 224a. For operations on the western rivers, Great Lakes, and inland waters, gross tonnage, by itself, is not a satisfactory criteria for towing vessels as it is not an accurate indication of their overall capability to move a tow. After careful consideration of all aspects of the problem including the comments received, the licenses issued under this subpart will be limited only to geographic area and type of vessel.

Finally, in response to comments that the proposed geographic areas might prove too broad in scope, the Coast Guard points out that an applicant may request a more limited route or an Officer in Charge may limit a license commensurate with the experience of the applicant. In such cases, the Officer in Charge, Marine Inspection, will administer an examination he considers appropriate for the limited license to be issued.

Section 10.16–21. Concerning this section, the comments had to do with the need for clarification of intent with respect to literacy, physical, and experience eligibilities. Some commenters stated that the regulations were inconsistent by requiring a reading ability under this section while acknowledging the possible need for oral examination under the proposed § 10.16–21. This would not be the case. By way of background, Congressional intent is clearly reflected in Senate Report No. 92–926 which states, "Finally, it is intended that the examination given may, under appropriate circumstances, be oral rather than written, in order to accommodate individuals, particularly those who will have been serving as towboat operators prior to the effective date of the licensing regulations, who, for any reason may request an oral, in lieu of a written examination." It has been the Coast Guard's experience that an oral exam is appropriate when an applicant with limited reading and writing ability is hard pressed to cope with the formal, essay style examinations presently administered. It is believed that the newer, objective style, multiple choice type examinations being prepared will, together with growing educational opportunities, gradually reduce the need for oral examination. Related to the foregoing, it was also pointed out that

in some areas even being required to speak English would present a problem. This is recognized, but it is believed that the minimal fluency called for in the proposed examination will enable the earnest candidate to qualify. This minimal requirement would also satisfy the new vessel bridge-to-bridge radiotelephone regulations added to 33 CFR Part 26 (37 FR 12719) which prohibits the use or maintenance of a listening watch on such equipment unless the English language is spoken.

Comments concerning paragraph (d) of § 10.16–21 pointed out that the requirement for "2 other reputable persons" as personal references would allow character references without being a professional recommendation. The Coast Guard agrees that the broadly worded proposal would permit this interpretation and has clarified the wording to restrict such references to persons with whom the applicant has worked.

Comments concerning paragraph (e) pointed out that the proposed requirement for a physical examination at a public health facility except "in exceptional cases and at great inconvenience" would result in hardship and expense for applicants since public health facilities are not available where a majority of the applicants live. The Coast Guard determined that the objection to the proposal was valid and a change has been made which will permit the required physical examination to be conducted by licensed physician other than a medical officer of the Public Health Service.

In agreement with various environmental groups for the protection of the marine environment, a new paragraph (g) has been added. This requires that every applicant to be licensed under the provisions of § 10.16–71 certify that he understands the contents of the Coast Guard publication "Oil Pollution Control for Tankermen," which is furnished by the Officer in Charge, Marine Inspection. This requirement is intended as an educational measure to promote greater awareness and responsibility to antipollution efforts.

Section 10.16–23. Some views expressed concern or uncertainty regarding the nature and amount of experience proposed for a second class operator's license. In response to such comment, two changes have been introduced for clarification. First, the on deck experience requirements have been extended to include duties of training in the wheelhouse. Second, where the location of experience gained was unspecified in the proposal, the regulation now includes a requirement for at least 3 months' service on each geographic area for which application is made.

The basic requirement for 18 months' deck experience, rather than 36 months as suggested, has not been changed. The Coast Guard believes that this license is intended to serve as an entry rating into the industry, and need not reflect the same length of service as the "Operator" license.

Section 10.16–25. A number of basic changes were made in this section. These were generally responsive to that sentiment which criticized the proposals as being inadequate. The same changes made to § 10.16–23 were made herein. Also, the conversion of a second class to operator was clarified in a new paragraph (b).

A suggestion was made that training be considered as a substitute for sea service. Should this training ever be offered, the Coast Guard will evaluate it on an equivalency basis.

Section 10.16–31. Under this section, an oral examination in lieu of a written examination is allowed. Such examination will be practical, not theoretical.

Answers to questions by commenters are as follows:

a. On waters where a magnetic compass is not utilized (i.e., western rivers) questions on its use will not be included in the examination.

b. Under the laws and regulations examination (paragraph (a)(10)), all necessary publications will be available for use by the applicant during the examination. His ability to properly use such regulations for reference will be stressed rather than memorization of details. Since a license as operator will not automatically qualify the holder as a tankerman, questions on Subchapters D (Parts 30–40) and O (Part 151), of Title 46, Code of Federal Regulations, will be confined mainly to manning, information cards, and the regulations that must be observed on board a vessel transporting hazardous cargoes such as the safety procedures requirements and the reporting of casualties. The examination will not include questions on transfer operations, cargo venting, and piping, and similar questions which would be required in a tankerman's examination.

c. Pollution prevention and control questions (paragraph (a)(11)) will be based largely on recently published Coast Guard regulations, particularly those pertaining to the reporting of spills, and to good operating procedures. As authoritative reference books become available, including the Coast Guard Tankerman's Manual, CG–174, which is presently under revisions, the examination will be expanded and updated.

d. The word "navigation" in paragraph (b) has been clarified by adding the word "celestial" and indicating the problems an applicant is expected to solve.

e. To eliminate as much as possible the subjective differences in examination procedures from port to port, the examinations will be prepared and distributed from a central location. They are in the multiple choice format to insure objectivity and to require as little of the applicant's time as possible to complete. In an effort to develop practical, job-oriented examinations, discussions have been held with representatives of training institutions, labor groups, and management concerning the content of the examinations. Their comments will be reflected in detailed examinations specifications which, together with sample questions and a reference bibliography, will be published in a specimen examination booklet.

f. Radar, in the sense of a qualified radar observer, is not included as an examination subject. Fundamental questions on operation and use of radar may be contained in the examination "Operation and use of navigational instruments and accessories" (paragraph (a)(3)).

g. Paragraph (d) is hereby withdrawn because the use of multiple choice examinations has made this requirement impractical.

Section 10.16–51. The prohibition against renewing the second-class operator's license was questioned by commenters. The professional and full-time operator will never have occasion to renew a second-class operator's license since he will qualify for an operator's license by acquiring the necessary 3 years' service or reaching the age of 21. Only a casual part-time operator might conceivably request renewal of a second-class operator's license due to failure to obtain a total of 3 years' service during the 5 years his license is valid. This provision against renewal tends to insure that holders of valid licenses are, in fact, active operators with fairly recent experience. It also provides the man who leaves the industry for a few years with a means of once again obtaining a second-class operator's license provided he meets all qualifications for an original license, including examination. For these reasons, no change was made to this section.

Section 10.16–71. This section contains the "Grandfather clause" permitting those individuals with present or past experience operating towboats to qualify under lesser requirements.

It remains essentially unchanged, except for adding an eligibility provision for experienced shoreside personnel who can document continuous service in the industry. This corrects an oversight in the notice of proposed rule making which was pointed out by commenters.

Section 10.16–81. A comment pointed out that there were no provisions for requiring an operator or second-class operator to have the license on his person to evidence being licensed under law. This section was added to correct the oversight.

A number of comments were received which did not relate directly to the content of the proposed regulations but which sought further clarification of the language of the Act in general. Illustrative of these were questions with respect to the 12-hour work clause and the exclusion of vessels servicing the mineral and oil exploitation industry. Answers and interpretations have been and will continue to be given on such matters on an individual basis, without regard to the termination date for comments.

In continuing the Coast Guard policy of developing practical, objective, and job-oriented examinations, participation from industry has been welcomed during the development of the examinations that are required by the regulations.

The notice of proposed rule making of August 11, 1972, indicated that parts other than Part 10 would be amended to

fect the adoption of the towboat licensing requirements. This document includes amendments to 46 CFR Parts 10 and 157.

In consideration of the foregoing, Chapter I of Title 46, Code of Federal Regulations, is amended as follows:

1. By amending Part 10 by adding a new Subpart 10.16 to follow Subpart 10.15 and to read as follows:

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

Subpart 10.16—Licenses for Operation of Uninspected Towing Vessels

Sec.

10.16-1 Purpose.
10.16-3 Definitions.
10.16-5 Privileges and limitations.
10.16-11 Application and issue.
10.16-21 Eligibility requirements: General.
10.16-23 Eligibility requirements: Second-class operator.
10.16-25 Eligibility requirements: Operator of towing vessels.
10.16-31 Knowledge requirements.
10.16-41 Applicability of other regulations.
10.16-51 Renewing limited and second-class licenses.
10.16-71 Exception to requirements for license as operator.
10.16-81 Possession of license while underway.

AUTHORITY: R.S. 4427 as amended, 46 U.S.C. 405(b); 46 CFR 1.46(o)(3), except as otherwise noted.

§ 10.16–1 Purpose.

This subpart prescribes the requirements for issuing the licenses for the operation of uninspected towing vessels as required in 46 U.S.C. 405(b) and describes the licenses that authorize the operation of uninspected towing vessels.

§ 10.16–3 Definitions.

As used in this subpart:

(a) "Inland Waters" means waters on which the rules to prevent collisions in 33 U.S.C. 151–232 apply.

(b) "Western Rivers" means waters on which the rules to prevent collisions in 33 U.S.C. 301–356 apply.

(c) "Great Lakes" means waters on which the rules to prevent collisions in 33 U.S.C. 241–295 apply.

(d) "Oceans" means waters on which the international rules to prevent collisions in 33 U.S.C. 1051–1094 apply.

(e) "Original license" means the first license issued to any person under this subpart.

§ 10.16–5 Privileges and limitations.

(a) A license issued under this subpart—

(1) Is issued as—

(i) Operator of uninspected towing vessels; or

(ii) Second-class operator of uninspected towing vessels; and

(2) Does not authorize service aboard towing vessels of 200 gross tons or more navigating on the high seas, which are registered, enrolled and licensed, or licensed under the laws of the United States, whether permanently, temporarily, or provisionally.

(R.S. 4438a, as amended; 46 U.S.C. 224a)

(b) Except as required in paragraph (c) of this section, the holder of a license issued under this subpart may operate uninspected towing vessels to which 46 U.S.C. 405(b) applies within the geographical areas and limitation endorsed on the license.

(c) The holder of a license as second-class operator of uninspected towing vessels may not operate a vessel unless a holder of a license as operator of uninspected towing vessels, or master, mate (except mate of inland steam or motor vessels), or pilot is on board that vessel.

(d) The holder of a license as master, mate (except mate of inland steam or motor vessels), or pilot issued under this part may operate uninspected towing vessels to which 46 U.S.C. 405(b) applies within the scope and limitations endorsed on the license.

§ 10.16–11 Application and issue.

(a) An application for a license under this subpart is made on Form CG–866.

(b) An applicant who meets the requirements in this subpart is entitled to a license as operator of uninspected towing vessels endorsed for operation on one or more of the following geographic areas:

(1) Inland waters.
(2) Western rivers.
(3) Great lakes.
(4) Oceans.
(5) Oceans not more than 200 miles offshore.
(6) A limited local area designated by the Officer in Charge, Marine Inspection.

(c) Each applicant for an original license under this subpart must include his fingerprints with the application unless he holds a license issued by the Coast Guard.

§ 10.16–21 Eligibility requirements: General.

To be eligible for an original license issued under this subpart, a person must—

(a) Meet the citizenship requirements in § 10.02–5(c) of this part;

(b) Be able to speak the English language;

(c) Be able to read and understand the Rules of the Road, aids to navigation publications, emergency equipment instructions, and machinery instructions applicable to operations for which his license is endorsed;

(d) Meet the character check and personal reference requirements in § 10.02–5(i) except that the three written endorsements required in § 10.02–5(i)(1) may be from a recent marine employer or its authorized representative if at least one such endorsement is from the master, operator, or person in charge of a vessel on which the applicant has been employed but those persons licensed under the provisions of § 10.16–71 need not have worked directly for or with the master, operator, or person in charge of a vessel who provides such endorsement;

(e) Meet the physical examination requirements in § 10.02–5(e) (1), (2), (3), (6), and (7) except that the required physical examination may be given by a licensed physician who records the results of the examination and identifies the applicant on Form CG–954 which is furnished to the applicant by the Officer in Charge, Marine Inspection;

(f) Meet the experience requirements in § 10.02–5(g); and

(g) If licensed under § 10.16–71, certify that he understands the contents of the Coast Guard publication "Oil Pollution Control for Tankermen" which is furnished by the Officer in Charge, Marine Inspection.

§ 10.16–23 Eligibility requirements: Second-class operator.

To be eligible for a license as second-class operator of uninspected towing vessels, a person must—

(a) Be at least 19 years of age; and

(b) Have at least 18 months' service on deck on a towing vessel that includes—

(1) Training or duty in the wheelhouse; and

(2) Three months' service in each particular geographic area for which endorsement for the license is made.

§ 10.16–25 Eligibility requirements: Operator of towing vessels.

(a) To be eligible for a license as operator of uninspected towing vessels, a person must—

(1) Be at least 21 years of age; and

(2) Have at least—

(i) Three years' service including at least 2 years on deck of a vessel of 26 feet or over in length, 1 year on deck of a towing vessel that includes training or duty in the wheelhouse, and 3 months' service in each particular geographic area for which application for the license is made;

(ii) Three years' service on towing vessels including at least 1 year service on deck that includes training or duty in the wheelhouse and at least 3 months' service in each particular geographic area for which application for the license is made; or

(iii) For a license that is endorsed for a limited local area designated by an Officer in Charge, Marine Inspection, have at least 18 months service on deck on a towing vessel within the local area to which the license is limited.

(b) The holder of a license as second class operator of uninspected towing vessels who is 21 years old and possesses the total service required in paragraph (a)(2)(i) or (a)(2)(ii) of this section is eligible for a license as operator without the examination required in § 10.16–31.

(c) The holder of a license as operator of uninspected towing vessels may have that license endorsed as second class operator for a geographic area on which he has no operating experience if the examination required in § 10.16–31 is passed. When 3 months' experience on that geographic area is obtained, the second class restriction may be removed after the holder applies to the Officer in Charge, Marine Inspection.

§ 10.16–31 Knowledge requirements.

(a) An applicant for each license issued under this part must pass a written examination on practical problems, unless an oral examination transcribed by

the examiner is determined to be necessary by the Officer in Charge, Marine Inspection, on the following subjects:

(1) Rules of the Road in the particular geographic area for which the license is to be endorsed.

(2) Practical use of the magnetic compass except for western rivers.

(3) Operation and use of navigation instruments and accessories.

(4) Emergency signals.

(5) Practical use of charts in navigation except as provided in paragraph (c) of this section.

(6) Aids to navigation except as provided in paragraph (c) of this section.

(7) Lifesaving and simple first aid.

(8) Firefighting equipment and procedures and fire prevention.

(9) Boatmanship for western rivers and limited area designated by the Officer in Charge, Marine Inspection and seamanship for all other areas designated in § 10.16–11(b).

(10) Regulations and laws applicable to the operation of a towing vessel, including the regulations in Subchapters C, D, and O of this chapter.

(11) Pollution prevention and control.

(b) An applicant for a license that is endorsed for more than 200 miles offshore must—

(1) Hold a first aid certificate issued by the U.S. Public Health Service; and

(2) Pass an examination in celestial navigation, including problems in—

(i) Latitude by Polaris;

(ii) Latitude by meridian altitude;

(iii) Longitude by observation of the sun; and

(iv) Compass error by observation of the sun.

(c) An applicant for a license that is endorsed for a limited area designated by an Officer in Charge, Marine Inspection, must pass an examination in practical use of charts in navigation and aids to navigation only for the area to which the license is limited.

§ 10.16–41 Applicability of other regulations.

The following regulations apply to each applicant for and holder of a license under this subpart:

(a) The regulations on the issuance of a license in § 10.02–1.

(b) The regulations on the right to appeal decisions of the Office in Charge, Marine Inspection, in § 10.02–33.

(c) Except as provided otherwise in § 10.16–51 the regulations on the renewal of a license in § 10.02–9 except paragraphs (e) (3), (4), (5), and (6) of this section.

(d) The regulations on the reporting of a lost license and the obtaining of a duplicate in § 10.02–23.

(e) The regulations on the parting with a license in § 10.02–25.

(f) Licenses issued under this subpart are subject to suspension and revocation on the same grounds and under the same procedures as provided for officers' licenses.

(g) The regulations on the lifting of limitations on a license in § 10.02–15.

§ 10.16–51 Renewing limited and second-class licenses.

(a) A license as a second-class operator of uninspected towing vessels is not renewable, but another license may be issued to the holder of an expired license if he meets the requirements for original issuance of a second-class license and passes another examination under § 10.16–31.

(b) A license endorsed for a limited local area designated by the Officer in Charge, Marine Inspection, is not renewed unless the holder meets the service requirements in § 10.16–25 (a) (2) (i) or (a) (2) (ii).

§ 10.16–71 Exception to requirements for license as operator.

The following requirements do not apply to any person who applies for a license as operator of towing vessels before June 1, 1974, and who has had at least 1 year of service as an operator of any towing vessel within the 36 months immediately preceding the date of application, except that employment in a position related to management or maintenance of a towing vessel is not counted in computing the 36 months:

(a) The experience requirements in § 10.16–25(a).

(b) The knowledge requirements in § 10.16–31(a), except that he must pass an examination on the Rules of the Road for the area in which his license authorizes operations, and applicants for ocean routes in excess of 200 miles offshore must comply with the requirements in § 10.16–31(b).

(c) The color vision requirements in § 10.02–5(e) if the license is limited to operations between sunrise and sunset.

(d) The vision requirements in § 10.02–5(e) for an applicant who has sight in only one eye, if his visual acuity is at least 20/100 uncorrected and 20/20 corrected.

§ 10.16–81 Possession of license while underway.

The holder of a license issued under this subpart shall have his license in his possession and available for examination by a boarding or investigating Coast Guard officer while the vessel is underway.

PART 26—OPERATIONS

2. By amending § 26.25–1 by adding a new paragraph (c) to follow paragraph (b) and to read as follows:

§ 26.25–1 Licensed personnel.

* * * * *

(c) An uninspected towing vessel, as defined in section (b) (1) of R.S. 4427, as amended (86 Stat. 423; 46 U.S.C. 405(b)) shall, while underway, be under the actual direction and control of a person licensed by the Coast Guard. For details of these provisions, see 46 U.S.C. 405(b) and the implementing regulations contained in Subparts 10.16, 157.01, 157.10, and 157.30 of this chapter.

PART 157—MANNING REQUIREMENTS

3. By amending § 157.01–10 by adding a second sentence in paragraph (c) (1) to read as follows:

§ 157.01–10 Authority for regulations.

* * * * *

(c) Manning of uninspected vessels. (1) * * * In addition, the authority for regulations regarding operators of uninspected towing vessels, is contained in R.S. 4427, as amended (86 Stat. 423, 46 U.S.C. 405(b)).

* * * * *

4. By amending Subpart 157.10 by adding two new sections, §§ 157.10–83 and 157.10–85, to follow § 157.10–80 and to read as follows:

§ 157.10–83 Operator of uninspected towing vessel.

The term "operator of uninspected towing vessels" means any person who is the holder of a valid license as operator of uninspected towing vessels, issued by the Coast Guard attesting to his competency and who may serve in such capacity within the restriction placed on such license.

§ 157.10–85 Second-class operator of uninspected towing vessels.

The term "Second-class operator of uninspected towing vessels" means any person who is the holder of a valid license as second-class operator of uninspected towing vessels issued by the Coast Guard attesting to his competency and who may operate such a towing vessel only when the holder of a valid license authorizing service as an operator of uninspected towing vessels is aboard.

5. By amending Subpart 157.30 by adding a new § 157.30–45 to follow § 157.30–40 and to read as follows:

§ 157.30–45 Uninspected towing vessels operator's license.

(a) An uninspected towing vessel, as defined in R.S. 4427, as amended (86 Stat. 423; 46 U.S.C. 405(b)), shall, while underway, be under the actual direction and control of a person licensed by the Coast Guard as an operator of uninspected towing vessels.

(b) An uninspected towing vessel may, while underway, be under the actual direction and control of a person licensed by the Coast Guard as a Second-class operator of uninspected towing vessels, if the holder of a license as operator of uninspected vessels is also aboard.

(R.S. 4427, as amended; 46 U.S.C. 405(b); 49 CFR 1.46(o) (3))

Dated: February 26, 1973.

Effective date. These amendments shall become effective on September 1, 1973.

C. R. BENDER,
Admiral, U.S. Coast Guard
Commandant.

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PART III

DEPARTMENT OF LABOR

Employment Standards Administration

■

Minimum Wages for Federal and Federally Assisted Construction

Area Wage Determination Decisions, Modifications, and Supersedeas Decisions; Index

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Area Wage Determination Decisions, 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 FR 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 FR 21138), and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 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 FR 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 FR 21138), and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 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.

Set forth below in this document are the following. New Area Wage Determination Decision No. AP–161 for the State of North Carolina.

Modifications to Area Wage Determination Decisions for the following States (the numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State):

Alabama:	
AP–140	Dec. 12, 1972.
AP–153	Feb. 9, 1973.
California:	
AP–245; AP–248	Oct. 13, 1972.
Delaware:	
AP–444	Nov. 17, 1972.
Florida:	
AP–130	Dec. 22, 1972.
Louisiana:	
AP–704	Feb. 16, 1973.
Maryland:	
AP–443	Nov. 17, 1972.
Massachusetts:	
AP–456; AP–457; AP–461	Jan. 19, 1973.
Oregon:	
AP–249	Nov. 10, 1972.
Pennsylvania:	
AP–421; AP–425	Sept. 29, 1972.
AP–464; AP–465	Jan. 26, 1973.
Tennessee:	
AP–138	Nov. 25, 1972.
Texas:	
AP–390; AP–392; AP–394	Jan. 26, 1973.
Utah:	
AP–254	Dec. 8, 1972.
Virginia:	
AP–441	Nov. 3, 1972.
AP–443	Nov. 17, 1972.
AP–468	Feb. 9, 1973.
Washington, D.C.:	
AP–442	Nov. 17, 1972.

Supersedeas Decisions to Area Wage Determination Decisions for the following States (the numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State; Supersedeas Decision numbers are in parentheses following the number of the decision being superseded):

Pennsylvania:	
AM–1854 (AP–480); AM–1859 (AP–479)	Aug. 20, 1971.
Tennessee:	
AM–8621 (AP–154)	June 9, 1972.

Signed at Washington, D.C., this 26th day of February 1973.

WARREN D. LANDIS,
Assistant Administrator, Wage and Hour Division.

STATE: North Carolina
DECISION NUMBER: AP-161
COUNTY: Mecklenburg
DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos Workers	$4.03					
Air Conditioning & Heating Mechanics	4.50					
Acoustical Ceiling Installer	4.00					
Bricklayers	5.26					
Carpenters	4.32					
Cement Masons	4.28					
Drywall hangers & finishers	4.50					
Electricians	5.55					
Elevator Constructors	5.705					
Glaziers	3.58					
Ironworkers, structural & ornamental	5.02					
Ironworkers, reinforcing	6.55	4%	4%		.02	
Laborers:						
Laborers	2.75					
Mason tenders	3.35					
Mortar Mixers	3.05					
Pipelayers	2.86					
Lathers	4.97					
Millwrights	4.90					
Painters, brush	3.50					
Plasterers	5.00					
Plumbers & Pipefitters, & Steamfitters	5.26					
Roofers	2.78					
Sheet Metal Workers	4.50					
Stonemasons	4.25					
Terrazzo Workers	4.00					
Tile Setters	4.08					
Truck Drivers	2.42					
Waterproofing Mechanics	3.23					
Power Equipment Operators:						
Asphalt Paving Machine Operator	2.85					
Backhoe	3.59					
Bulldozers	3.00					
Cranes, Derricks, Draglines, Drill Rig	4.84					
Drill Hole Man	6.17					
Fork Lift Operators	4.25					
Front End Loaders	2.82					
Motor grader operators	3.00					
Oilers	5.17					
Pan Operator	3.35					
Pump Operator	4.00					
Roller Operator	2.84					
Scraper Operator	3.00					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION NO. AP-140 Mod. #1 (37 FR 25628 - December 12, 1972) Jefferson County, Alabama						
Change:						
Boilermakers	$7.13	.40	.70		.01	
Elevator Constructors	7.06	.345	.23	2%+a+b	.015	
Elevator Constructors' helpers	4.94					
Elevator Constructors' helpers (prob)	3.53					
Lathers	6.90		.10		.01	
Roofers	6.15		.20		.05	
DECISION NO. AP-153 Mod. #1 (38 FR 4083 - February 9, 1973) Mobile County, Alabama						
Add:						
Carpenters	6.08	.28	.25			
Change:						
Boilermakers	7.13	.40	.70		.01	

DECISION #AP-245 - Mod. #4
(37 FR 21721 - October 13, 1972)
Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara and Ventura Counties, California

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Change:						
Brick tenders:						
Imperial, Kern, Los Angeles, Orange, Riverside and San Bernardino Counties	$6.00	.55	1.10	.30		
Santa Barbara County	5.725	.55	1.10	.575		
Electricians:						
Ventura County						
Electricians	8.93	.60	1%+.45			
Cable splicers	9.82	.60	1%+.45			
Line Construction:						
San Bernardino County						
Groundmen	6.36	.40	1%+.75		.02	
Linemen	8.48	.40	1%+.75		.02	
Cable splicers	8.78	.40	1%+.75		.02	
Ventura County						
Groundman	7.75	.60	1%+.45			
Linemen	8.93	.60	1%+.45			
Cable splicers	9.82	.60	1%+.45			
Painters:						
Kern County (Remainder of County)						
Brush	7.32	.35	.36		.01	
Swing stage (brush-roller)	7.47	.35	.36		.01	
Taping joint sheet rock	7.52	.35	.36		.01	
Paperhangers; Spray; Sandblasters	7.57	.35	.36		.01	
Swing stage and sandblasters	7.72	.35	.36		.01	
Structural steel, Pipe in place	7.87	.35	.36		.01	
Santa Barbara and Ventura Counties						
Brush	7.66	.35	.35		.02	
Iron and steel; Paperhangers; Paste machine op.; Sandblaster; Taper	7.91	.35	.35		.02	
Spraymen	8.16	.35	.35		.02	
Steeplejack	8.66	.35	.35		.02	
Plaster tenders:						
Imperial, Riverside and San Bernardino Counties	7.93	.55	1.10	.30		
Los Angeles & Orange Counties	7.175	.55	1.10	.30		

MODIFICATIONS P. 3

DECISION #AP-245 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS (Tunnel & Tunnel-Shaft Construction)						
BATCH PLANT LABORERS; Bull Gang Mucker, Trackman; Concrete Crew, incl. Rodders & Spreaders; Dumpman; Dumpman (outside); Swamper (brakeman & switchman on tunnel work); Tunnel materials handling man; Tool man	$6.73	.55	1.10	.30		
CABLE TENDER, Chucktender; Nipper; Steel Form Raiser & Setter's Helper; Vibratorman, Jackhammer, Pneumatic Tools (except driller)	6.83	.55	1.10	.30		
BLASTER, Driller, Powderman; Chemical Grout Jetman; Cherry Pickerman; Grout Gunman; Grout Mixerman; Grout Pumpman; Jackleg Miner; Jumbo Man; Kemper & other Pneumatic; Concrete Placer Op.; Miner Tunnel (hand or machine); Powderman (Priner House); Primer Man; Shotcrete Man; Steel Form Raiser & Setter; Timberman; Retimberman (wood or steel); Tunnel Concrete Finisher	6.98	.55	1.10	.30		
SHAFT, Raise Miner; Diamond Driller	7.23	.55	1.10	.30		

MODIFICATIONS P. 4

DECISION #AP-245 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
TRUCK DRIVERS:						
WAREHOUSEMAN and Teamster	$6.27	.65	.65	.75		
DRIVERS OF VEHICLES Or combination of vehicles of 2 axles (incl. all vehicles less than six tons); Traffic control pilot car, excluding moving heavy equipment permit load	6.35	.65	.65	.75		
TRUCK MOUNTED Power Broom	6.41	.65	.65	.75		
DRIVERS OF VEHICLE Or combination of vehicles of 3 axles; Water truck, 2 axles	6.50	.65	.65	.75		
BOOTMAN; Cement distributor; Fuel truck; Driver of road oil spreader truck	6.53	.65	.65	.75		
TRANSIT-MIX, Under 3 yds.; Dumpcrete, less than 6½ yds.	6.59	.65	.65	.75		
WATER TRUCK, 3 or more axles; Truck repairman helper	6.60	.65	.65	.75		
TRUCK GREASER & TIREMAN (50¢ per hour additional when working on tire sizes above 24 inch in wheel diameter); Pipeline & utility working truck driver, incl. winch truck, but not limited to trucks applicable to pipeline & utility work, where a composite crew is used	6.68	.65	.65	.75		
TRANSIT-MIX, 3 yds. or more; Dumpcrete, 6½ yds. & over	6.73	.65	.65	.75		
DRIVERS OF VEHICLES Or combination of vehicles of 4 or more axles	6.75	.65	.65	.75		
A-FRAME OR SWEDISH CRANE, Or similar type or equipment; Fork lift; Ross Carrier (Hwy)	7.05	.65	.65	.75		

DECISION #AP-245 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS: (cont'd)						
ALL OFF-HIGHWAY EQUIPMENT WITHIN TEAMSTERS JURISDICTION (Off highway combination of vehicles or equipment with multiple power sources, $1.00 per hour additional); Truck repairman; Welder	$7.30	.65	.65	.75		
TRUCK REPAIRMAN-Welder	7.40	.65	.65	.75		

DECISION #AP-248 - Mod. #4
(37 FR 21740 - October 13, 1972)
Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties, California

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Change:						
Brick tenders:						
Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside and San Bernardino Counties	$6.00	.55	1.10	.30		
Santa Barbara County	5.725	.55	1.10	.575		
Electricians:						
Ventura County						
Electricians	8.93	.60	1%+.45			
Cable splicers	9.82	.60	1%+.45			
Line Construction:						
Inyo, Mono, San Bernardino Cos.						
Groundmen	6.36	.40	1%+.75		.02	
Linemen	8.48	.40	1%+.75		.02	
Cable splicers	8.78	.40	1%+.75		.02	
Ventura County						
Groundman	7.75	.60	1%+.45			
Linemen	8.93	.60	1%+.45			
Cable splicers	9.82	.60	1%+.45			
Painters:						
Kern County (Remainder of County)						
Brush	7.32	.35	.36		.01	
Swing stage (brush-roller)	7.47	.35	.36		.01	
Taping joint sheet rock	7.52	.35	.36		.01	
Paperhangers; Spray; Sandblasters	7.57	.35	.36		.01	
Swing stage and sandblasters	7.72	.35	.36		.01	
Structural steel, Pipe in place	7.87	.35	.36		.01	
San Luis Obispo, Santa Barbara and Ventura Counties						
Brush	7.66	.35	.35		.02	
Iron & steel; Paperhangers; Paste machine op.; Sandblaster; Taper	7.91	.35	.35		.02	
Spraymen	8.16	.35	.35		.02	
Steeplejack	8.66	.35	.35		.02	
Plaster tenders:						
Imperial, Inyo, Mono, Riverside and San Bernardino Counties	7.93	.55	1.10	.30		
Los Angeles and Orange Counties	7.175	.55	1.10	.30		
San Luis Obispo County	6.50	.55	1.10	.30		

MODIFICATIONS P. 7

DECISION #AP-248 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS (Tunnel & Tunnel-Shaft Construction)						
BATCH PLANT LABORERS; Bull Gang Mucker, Trackman; Concrete Crew, incl. Rodders & Spreaders; Dumpman; Dumpman (outside); Swamper (brakeman & switchman on tunnel work); Tunnel materials handling man; Tool man	$6.73	.55	1.10	.30		
CABLE TENDER, Chucktender; Nipper; Steel Form Raiser & Setter's Helper; Vibratorman, Jackhammer, Pneumatic Tools (except driller)	6.83	.55	1.10	.30		
BLASTER, Driller, Powderman; Chemical Grout Jetman; Cherry Pickerman; Grout Gunman; Grout Mixerman; Grout Pumpman; Jackleg Miner; Jumbo Man; Kemper & other Pneumatic; Concrete Placer Op.; Miner Tunnel (hand or machine); Powderman (Primer House); Primer Man; Shotcrete Man; Steel Form Raiser & Setter; Timberman; Retimberman (wood or steel); Tunnel Concrete Finisher	6.98	.55	1.10	.30		
SHAFT, Raise Miner; Diamond Driller	7.23	.55	1.10	.30		

MODIFICATIONS P. 8

DECISION #AP-248 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS:						
WAREHOUSEMAN and Teamster	$6.27	.65	.65	.75		
DRIVERS OF VEHICLES Or combination of vehicles of 2 axles (incl. all vehicles less than six tons); Traffic control pilot car, excluding moving heavy equipment permit load	6.35	.65	.65	.75		
TRUCK MOUNTED Power Broom	6.41	.65	.65	.75		
DRIVERS OF VEHICLE Or combination of vehicles of 3 axles; Water truck, 2 axles	6.50	.65	.65	.75		
BOOTMAN; Cement distributor; Fuel truck; Driver of road oil spreader truck	6.53	.65	.65	.75		
TRANSIT-MIX, Under 3 yds.; Dumpcrete, less than 6½ yds.	6.59	.65	.65	.75		
WATER TRUCK, 3 or more axles; Truck repairman helper	6.60	.65	.65	.75		
TRUCK GREASER & TIREMAN (50¢ per hour additional when working on tire sizes above 24 inch in wheel diameter); Pipeline & utility working truck driver, incl. winch truck, but not limited to trucks applicable to pipeline & utility work, where a composite crew is used	6.68	.65	.65	.75		
TRANSIT-MIX, 3 yds. or more; Dumpcrete, 6½ yds. & over	6.73	.65	.65	.75		
DRIVERS OF VEHICLES Or combination of vehicles of 4 or more axles	6.75	.65	.65	.75		
A-FRAME OR SWEDISH CRANE, Or similar type or equipment; Fork lift; Boss Carrier (Hwy)	7.05	.65	.65	.75		

DECISION #AP-248 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS: (cont'd)						
ALL OFF-HIGHWAY EQUIPMENT WITHIN TEAMSTERS JURISDICTION (Off highway combination of vehicles or equipment with multiple power sources, $1.00 per hour additional); Truck repairman; Welder	$7.30	.65	.65	.75		
TRUCK REPAIRMAN-Welder	7.40	.65	.65	.75		

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-444 - Mod. #5 (37 FR 24517 - November 17, 1972) Statewide Delaware						
Change:						
Electricians	$9.25	5%	4%			
DECISION NO. AP-130 Mod. #3 (37 FR 28359 - December 22, 1972) Orange County, Florida						
Change:						
Laborers:						
Air tool operator	$4.00	.15				
Laborers	3.85	.15				
DECISION #AP-704 - Mod. #1 (38 FR 4634 - February 16, 1973) Orleans, Jefferson, Plaquemines & St. Bernard Parishes, Louisiana						
Change:						
Sprinkler fitters	$8.05	.30	.50		.05	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-456 - Mod. #2 (38 FR 2051 - January 19, 1973) Barnstable County, Massachusetts						
Change:						
Building, heavy & highway construction:						
Electricians:						
Electrical contracts under $12,000.00	$6.85	.25	1%+.25		a	
Electrical contracts over $12,000.00	8.15	.25	1%+.25		a	
DECISION #AP-457 - Mod. #2 (38 FR 2054 - January 19, 1973) Essex County, Massachusetts						
Change:						
Building, heavy & highway construction:						
Bricklayers; Stonemasons: Andover, Boxford, Danvers, Lawrence, Lynn, Lynnfield, Marblehead, Methuen, Middleton, Nahant, North Andover, Peabody, Salem, Saugus, Swampscott, & Topsfield	8.56	.39	.50			
DECISION #AP-461 - Mod. #2 (38 FR 2070 - January 19, 1973) Worcester County, Massachusetts						
Change:						
Building, heavy & highway construction:						
Ironworkers: Ornamental; Reinforcing; & Structural	8.29	.45	.80+e		.03	
Omit:						
Building, heavy & highway construction:						
Painters:						
Fitchburg, Harvard, Lancaster, & Leominster						
Brush; Taping	6.80					
Boatswain chairs; Structural steel	7.05					
Spray	7.00					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-461 - Mod. #2 (Cont'd)						
Add:						
Building, heavy & highway construction:						
Painters:						
Fitchburg, Harvard, Lancaster, & Leominster						
Brush	$7.48	.50	.25			
Spray	8.48	.50	.25			
Steel	8.105	.50	.25			
DECISION #AP-249 - Mod. #2 (37 FR 23998 - November 10, 1972) Statewide, Oregon						
Change:						
Electricians:						
Harney; Jackson; Josephine; Klamath; Lake; That portion of Douglas lying east of a line running north & south from the corner of Coos County, to the Southeast corner of Lincoln Co.						
Electricians	7.70	.25	1%		.02	
Cable Splicers	7.85	.25	1%		.02	
Plumbers; Steamfitters:						
Jackson; Josephine Counties	7.05	.40	.50	.43	.02	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-421 - Mod. #6 (37 FR 20447 - September 29, 1972) Allegheny County, Pennsylvania						
Change: Building Construction: Truck Drivers - See Schedule Below						
DECISION #AP-425 - Mod. #3 (37 FR 20464 - September 29, 1972) Lawrence County, Pennsylvania						
Change: Building Construction: Plumbers and Steamfitters	$8.53	.25			.05	
Truck Drivers - See Schedule Below						

PA-2-TD-1-F

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Truck Drivers:					
Warehousemen, service trucks (pick-up, jeep, station wagon, panel truck)	$5.855	.30	.30	a	
Dumps and flat tops	5.905	.30	.30	a	
Transit-mix, single axle	5.93	.30	.30	a	
Transit-mix, tandem	5.93	.30	.30	a	
Distributed truck over 33,000 lbs. gross weight	5.905	.30	.30	a	
Distributed truck up to 33,000 lbs. gross weights	6.055	.30	.30	a	
Heavy duty trailers with high bed, 4 wheels	5.955	.30	.30	a	
Heavy duty trailers with low bed, 6 to 16 wheels	6.255	.30	.30	a	
Trucks with dolly	6.055	.30	.30	a	
Euclids or equivalent	6.055	.30	.30	a	
Truck with dump trailers or tandems	6.055	.30	.30	a	
Winch trucks	6.23	.30	.30	a	
Towing equipment off job site	6.055	.30	.30	a	

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day and Veterans Day & Good Friday, provide the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-464 - Mod. #1 (38 FR 2609 - January 26, 1973) Butler, Cambria, Fayette and Somerset Counties, Pennsylvania						
Change: Carpenters (Counties):						
Butler	$7.46	6%	3%			
Cambria and Somerset	6.76	6%	3%			
Fayette	7.11	6%	3%			
DECISION #AP-465 - Mod. #1 (38 FR 2612 - January 26, 1973) Bedford, Cameron, Clarion, Clinton, Elk, Forest, Fulton, Huntingdon, Mifflin and Potter Counties, Pennsylvania						
Change: Power Equipment Operators Schedule See Modifications Ps. 15 & 16						

DECISION #AP-465 (Cont'd)

PA-5-PEO-2-3- K (1-2)

HEAVY AND HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Austin-Western or similar (25 ton & over) Austin-Western or similar (under 25 ton) autograder (C.M.I. & similar) backfiller, backhoe - 360° swing, cableway, caisson drill (similar to Hugh Williams) central mix plant, cooling plant, concrete paving mixer, cranes, cranes (tower-stationary-climbing tower crane) derrick, derrick boat dragline, dredge, dredge hydraulic (1 leverman - 1 oiler - 1 apprentice) elevating grader, franki pile machine, gradall (remote control or otherwise) grader (power - fine grade) guard rail post driver (truck Mtd.) guard rail post driver (skid type) (self-propelled-Arrow or similar) helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) hi-lift (4 cy. and over) hoist 2 drums or more (in one unit) kocal, koering skooper, lead mechanic, locomotive (std. guage) mix mobile, mix mobile (with self-loading attachment) mucking machine (tunnel) pile driver machine, pipe extrusion machine, presplitter drill (self-contained) quad nine, refrigeration plant (soil stabilization) scraper (multi-bowl) shovel - power, slip form paver (C.M.I. and similar) trenching machine (30,000 lbs. and over) trenching machine (under 30,000 lbs.) tunnel machine (Mark XXI Jarva or similar) Whirley	$7.44	.35	.50		.04	
Asphalt paving Machine (Spreader) asphalt plant op., athey loader auger (tractor Mtd.) auger (truck Mtd.) backhoe (rear pivotal swing) (180° swing) boring machine, cable placer or layer, compactor with blade, concrete batch plant (electronically synchronized) concrete belt placer (C.M.I. and similar) concrete mixer (over 1 cy.) concrete pump, core drill (truck or skid Mtd. - similar to Penn drill) dozer, euclid loader, grader-power, grease unit operator (head) hi-lift (under 4 cy.) job work boat (powered), jumbo operator, locomotive (narrow guage)						

DECISION #AP-465 (Cont'd)

PA-5-PEO-2-3-E (2-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
mechanic, minor equipment operator (accumulative four units) mucking machine, over-head crane, roller - power - asphalt ross carrier scraper side boom or tractor mounted boom stone crusher (screening - washing plants) stone spreader (self-propelled) truck mounted drill (Davey or similar) welder and repairman, well point pump operator	$7.16	.35	.50		.04
Compactors/Rollers (static or vibratory) (self-Propelled) minor equipment operator (two to three units) soil stabilizer machine, tire repairman, tube finisher (C.M.I. or similar) well driller and horizontal	5.17	.35	.50		.04
Ballast regulator, compressor, concrete finishing machine and spreader, concrete mixer (1 cy. and under with skip) Concrete saw (ridden or self-propelled) elevator (material hauling only) forklift (ridden or self-propelled) form line machine, generator, grout pump, heater (mechanical) hoist (single drum) ladavator, light plant, mulching machine, pavement breaker (self-propelled or ridden) personnel boat (powered) pulverizer, pumps, seeding machine, spray cure machine (power driven) subgrader tie puller, tie tamper (multi-head) tractor - sanking and hauling, tugger welding machine (gas or diesel) winch or hydraulic boom truck (when hoisting and placing)	4.68	.35	.50		.04
Deck hand, farm tractor, fireman on boiler, mechanic's helper, oiler, power broom, side delivery shoulder spreader	4.57	.35	.50		.04

MODIFICATIONS P. 17

DECISION #AP-138 - Mod. #3
(37 FR 25148 - November 25, 1972)
Shelby County, Tennessee

Change:	Basic Hourly Rate
Heavy Construction:	
Bricklayers	$5.20
Carpenters	4.35
Cement masons	4.29
Ironworkers, reinforcing	4.18
Ironworkers, structural	4.64
Painter or sand blaster	4.03
Laborers:	
Laborers, unskilled	2.60
Air tool operator	2.88
Mortar mixer, chain saw, pipelayer, conc. rubber	2.84
Concrete saw op., guard rail erector, sign erector	2.96
Firemen	2.90
Asphalt raker	3.07
Concrete edger	3.01
Powderman	3.45
Form setter, steel road	3.09
Nozzleman or gunman (gunite)	4.29
Flagman	2.60
OPERATING ENGINEERS:	
Dragline op., shovel op., crane op., end loader 5 yds. & over, pile driver op., motor patrol finish, mechanic (class I),	4.35
Backhoe operator, concrete paver op.	4.27
End loader under 5 yds., mechanic, class II, motor patrol (rough), central mixing (asphalt or concrete), concrete finishing machine, soil cement machine, asphalt paver	3.83
Bulldozer or push dozer op., scraper op., trenching machine, tractor (boom and hoist),	3.91
Roller (high type),	3.79
Spreader (self-propelled)	3.65
Distributer (bituminous)	3.54
Roller, other than finish, dozer or loader - stock pile only	3.40
Tractor, crawler, utility	3.54
Concrete mixer, less than 1 yd., earth drill	3.17
Mulcher or seeder, scale op., motor crane driver & oiler	3.12
Tractor, farm	2.89
Curb machine	2.94
Ditch paver, mechanic helpers	2.88
Pump operator, welder helper	2.82
Track drill operator	3.01
Oiler	2.94
TRUCK DRIVERS:	
2 axles	2.91
3 axles	2.96
4 axles	3.15
5 axles or more or heavy off the road trucks or haulers	3.40
Welders - Rate for Craft.	

MODIFICATIONS P. 18

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-390 - Mod. #3 (38 FR 2628 - January 26, 1973) El Paso County, Texas						
Change: Building Construction: Asbestos workers	$5.93	.50	.72c			
Add: Footnote: c - Includes $0.07 contribution to Occupational Health Fund						
DECISION #AP-392 - Mod. #1 (38 FR 2634 - January 26, 1973) Nueces County, Texas						
Change: Building Construction: Painters:						
Brush	5.45	.25	.25		2/10%	
Spray	5.85	.25	.25		2/10%	
Sign	5.70	.25	.25		2/10%	
DECISION #AP-394 - Mod. #3 (38 FR 2640 - January 26, 1973) Lubbock County, Texas						
Change: Building Construction: Laborers: Construction laborers, including excavation, pouring concrete, carpenter tenders, reinforcing shoring, digging, loading and unloading materials, wrecking buildings and all structures and all construction laborers except those named below	3.675	.225				

MODIFICATIONS P. 19

DECISION #AP-396 (CONT'D)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers (cont'd):						
Air tool operator (jackhammer, vibrator, tamper, brush hammer, chipping hammer, air or electric), power buggy man, pipelayer (concrete and clay and all non-metallic pipe); handling, laying and cleaning pumpcrete pipe	$3.875	.225				
Mortar mixers, mason tenders, plasterer tenders, cement finisher tenders, lather tenders	3.875	.225				
Wagon drill	4.025	.225				
Blasterers and powder make-up man	4.275	.225				

MODIFICATIONS P. 20

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-254 - Mod. #2 (37 FR 26255 - December 8, 1972) Statewide, Utah						
Change:						
Cement Masons:						
Cement masons	$7.02	.30	.35	.15		
Machine op., Mastic floor material; Spark proofing; Scaffold (20-40 ft.)	7.145	.30	.35	.15		
Elevator Constructors	7.23	.345	.23	2%+a		
Elevator Constructors' Helpers	70%JR	.345	.23	2%+a		
Elevator Constructors' Helpers (Prob.)	50%JR					
Laborers: That area in the State of Utah within 40 road miles of the county seats excluding Daggett County						
Laborers: That area in the State of Utah beyond 40 road miles of the county seats and all of Daggett County						
Marble Setters	5.35			b		
Terrazzo Workers	6.10			.20		
Tile Setters	6.10			.20		
Footnote: b. Seven (7) paid holidays A through F.						
DECISION #AP-441 - Mod. #6 (37 FR 23495 - November 3, 1972) Henrico County and the City of Richmond, Virginia						
Change:						
Asbestos workers	$7.18	.30	.10		.01	

MODIFICATIONS P. 21

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth.
DECISION #AP-443 - Mod. #5 (37 FR 24513 - November 17, 1972) Montgomery and Prince Georges Counties, Maryland; City of Alexandria, Virginia; Arlington and Fairfax Counties, Virginia and Dulles International Airport						
Change:						
Sheet metal workers	$8.30	.60	.66		.06	
Description of Work: Building Construction - excluding all residential projects						
DECISION #AP-468 - Mod. #1 (38 FR 4177 - February 9, 1973) The Cities of Norfolk, Chesapeake, Portsmouth and Virginia Beach						
Change:						
Bricklayers and stone masons	$6.50	.30	.20		.02	
Bricklayers and stone masons on stack or chimneys 50' and over	6.75	.30	.20		.02	
DECISION #AP-442 - Mod. #5 (37 FR 24512 - November 17, 1972) Washington, D. C.						
Change:						
Sheet metal workers	$8.30	.60	.66		.06	

SUPERSEDEAS DECISION

AP-479 P. 2

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTY: Mercer
DECISION NO.: AP-479 DATE: Date of Publication
Supersedes Decision No. AM-1,859, dated August 20, 1971, in 36 FR 16299.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to & including 4 stories), Heavy & Highway Construction

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BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asbestos workers	$9.27	.30	.25		.02	
Boilermakers	8.25	6.5%	6.5%		.01	
Bricklayers	8.00	.35	.20		.02	
Carpenters	7.81	.30	.50		.02	
Cement masons	8.24	6%	16%	16%		
Electricians	9.30	.30	1%		.01	
Glaziers	8.57	.35	.20		.01	
Ironworkers, structural	9.37	.35	.10		.10	
Ironworkers, ornamental	9.37	.35	.10		.10	
Ironworkers, reinforcing	9.37	.35	.10		.10	
Laborers:						
Laborers, carryable pumps west brick buggy or similar, vibrator operators, walk behind forklift or similar (non self-propelled) stripper and mover of forms, cement masons, footers, window cleaner, tool room man, all material conveyor (regardless of power used, including starting & stopping)	6.45	.30	.30			
West brick buggy or similar (self-propelled), power wheelbarrows and buggies, walk behind forklift or similar, (self-propelled) wagon drill helper, drill runner, drill runners' helper, (Including drill mounted on truck, track or similar), blaster's helper, all operators of compacting equipment, pipe layer, burner, jackhammerman - concrete buster	6.575	.30	.30			
Hod carrier, scaffold builder, ball & bottom man on furnaces & stacks, mortar mixer, mortar mixing machine (regardless of power used, including starting & stopping) grout machine feeder & pump operator	6.70	.30	.30			
Concrete saw operators	6.70	.30	.30			
Gunnite nozzleman	6.95	.30	.30			
Blaster, wagon drill operator	7.15	.30	.30			
Lathers	8.18					
Line Construction:						
Linemen	6.94	.15	1%			
Cable splicer & dynamite man	6.94	.15	1%			
Digging machine operator	6.94	.15	1%			
Tractor & compressor operator	6.94	.15	1%			

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BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Line Construction: (cont'd)						
Groundman - truck driver	$4.92	.15	1%			
Groundman	4.73	.15	1%			
Marble setters	8.365					
Marble setters' helpers	7.015					
Millwrights	8.51	.30	.50		.02	
Painters:						
Commercial	6.50	.30	.30		.01	
Roller	6.80	.30	.30		.01	
Spray	7.50	.30	.30		.01	
Painters, Industrial						
Brush	7.20	.30	.30		.01	
Roller	7.50	.30	.30		.01	
Spray	8.20	.30	.30		.01	
Piledrivermen	8.51	.30	.50		.02	
Plasterers:						
Shenango, Sandy Lake & Fredonia	8.90					
Remainder of County	8.00	.35	.20		.02	
Plumbers	9.19	.30	.40		.02	
Roofers	7.52	.35	.50		.01	
Sheet metal workers	8.90	.20	.25		.01	
Soft floor layers	7.63	.30	.50		.02	
Sprinkler fitters	8.75	.30	.50		.05	
Steam fitters	9.19	.30	.40		.02	
Stonemasons	8.00	.35	.20		.02	
Terrazzo workers	8.365					
Terrazzo workers' helpers	7.015					
Tile setters	8.365					
Tile setters' helpers	7.015					
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Laborers:						
Construction laborer (including tenders handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impactor wrench, Air tamper operator, Asphalt tampers, Batcherman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operator, Drill runner's helper (includes drill mounted on truck, track or similar and Davey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzlemen, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-automatic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.71	.30	.30			
Asphalt, batch and concrete plant operator (manually operated), Asphalt rakers, Burner, Caisson men (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete) (walk behind), Earth drill, Fork lift (walk behing), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (hand or machine), Pin drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance men, Portable single unit conveyor, Post hole auger (2 or 4 cycle (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail porter, or similar, Screed operator						

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Laborers (cont'd):						
Signal man, Whacker	$5.93	.30	.30			
All Railroad Track Work:						
Adzing machine, Ballast router, Bolting machine, Power jacks, Rail drills, Railroad brakemen, Rail savs, Spike drivers, Spike pullers, Tamping machine	5.93	.30	.30			
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine (trencher or similar)	6.24	.30	.30			
Blacksmith, Blaster, Brick and block pavers (wood, belgain and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	6.36	.30	.30			
Multi-plate pipe (aligning and securing) Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	6.55	.30	.30			
Welder (pipeline)	7.70	.30	.30			
Tunnel and Shaft Work (Inside):						
Change house attendant	5.69	.30	.30			
Muckers, Brakemen and all other labor (inlcudes installation of utility lines), Signal man, Drill runner helper	6.93	.30	.30			
Miners and drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment & jumbos)	6.24	.30	.30			
Caisson and tunnel men under pressure (0-18 pounds)	6.36	.30	.30			
Reinforcing steel placers (bending, aligning and securing)	5.55	.30	.30			
Carpenters	7.11	6%	3%			
Carpenters-welders	7.36	6%	3%			
Cement masons	7.05	.423	.705			
Piledrivermen	7.96	3%	6%			

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BUILDING CONSTRUCTION — PA-2-PEO-1 - H — 1 of 4

POWER EQUIPMENT OPERATORS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
		H & W	PENSIONS	VACATION	APP. TR.
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caison drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), cranes tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer- maintenance, franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist 50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver- guard rail (skid type), pumpkrete- mobile or similar type, Quad Nine, shovels (all types), slip form paver (CMI or similar), tractors- boom mounted (all types), tractors (all types with hydraulic backhoe attached), tug boat, Whirley,	8.975	.35	.20		.04
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 ton or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any bldg. structure)	9.225	.35	.20		.04
Cranes (boom or mast over 150 ft. up to & including 200 ft.) engineer-lead	9.475	.35	.20		.04
Cranes (boom or mast over 200 ft.)	9.725	.35	.20		.04

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
		H & W	PENSIONS	VACATION	APP. TR.
Asphalt plant op., athey loader, auger-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat- job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunite machine (combination), compressor & sand blasting machine (combination), concrete belt placer, crane-overhead, crushing and screening plants, drill-core (truck or skid mounted), drill-Davey or similar type, drill- well & core (truck mounted), elevator, euclid loader, excavating equipment (all other), forklift- Lull or similar, generators- 2, grader, grader- elevating, greaser-equipment (head), hi-lift- less than 4 yds., hoist- one drum (4 floors or over), hoist- hod (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer- paving, mucking machine, pipe cleaning machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to and including 4 well point systems, two small machines, grout pump (10 H.P. or over), paver op., asphalt (spreader), pumpkrete or similar type (not self-propelled), pumpkrete machine op., (stationary), tire repairman, welder (repairman	8.825	.35	.20		.04
Conveyors 4 units or more	8.75	.35	.20		.04

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Boiler, compactor (ridden or self-propelled), concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill & horizontal (self-propelled) & self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self-propelled or ridden), pipe dream, roller, saw concrete, soil stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment, ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor - over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW), hoists monorail (regardless of power used), hoist roof (regardless of power used), huck machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used), pump (over 1½" discharge, regardless of power used), spray cure machine (power driven), steam Jenny (or similar type), syphon (steam or air) welding machine single (300 Amp or over), plant, private or industrial air or steam valve	8.25	.35	.20		.04	
Compressor - 65 c.f. or under (regardless of power used), conveyor 1 unit (regardless of power used), grout pump (under 10 HP), heaters - up to & including 6, jack motor hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump - 1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment), tie tamper (multiple heads), tractor farm (when used or landscaping), water blaster, oiler - truck crane 50 ton or over	7.50	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Brake man, deck hand, helicopter signalman, oiler, mechanic helper	7.25	.35	.20		.04	
Crane truck oiler and fireman	7.35	.35	.20		.04	

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HEAVY & HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360° Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (Self Contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar) Trenching Machine (30,000 lb. and over) Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar) Whirley	$7.73	.35	.50		.04	
Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180° Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (C.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boat (Powered)						

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator	$7.47	.35	.50		.04
Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operater (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal	5.46	.35	.50		.04
Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader, Concrete Mixer (1 cy. and under with Skip) Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boat (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tie Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (when hoisting and placing)	5.01	.35	.50		.04
Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helper, Oiler, Power Broom, Side Delivery Shoulder Spreader	4.86	.35	.50		.04

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HEAVY & HIGHWAY CONSTRUCTION TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehousemen)	$5.70	6%	3.5%			
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.85	6%	3.5%			
Tri-axle trucks	5.93	6%	3.5%			
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.93	6%	3.5%			
Heavy off-the-road equipment (rated at forty-five tons or over)	6.03	6%	3.5%			
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.01	6%	3.5%			
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%			
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.85	6%	3.5%			
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.93	6%	3.5%			
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additionsl to respecitve size truck						
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.85	6%	3.5%			
Tar and Asphalt Trailer Trucks	5.93	6%	3.5%			
Trucks with Dolly or Trailer	5.80	6%	3.5%			
Bottom or Belly-Dump Trucks	6.03	6%	3.5%			

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Truck Drivers:						
Warehousemen, service trucks (pick-up, jeep, station wagon, panel truck)	$5.855	.30	.30	a		
Dumps and flat tops	5.905	.30	.30	a		
Transit-mix, single axle	5.93	.30	.30	a		
Transit-mix, tandem	5.93	.30	.30	a		
Distributed truck over 33,000 lbs. gross weight	5.905	.30	.30	a		
Distributed truck up to 33,000 lbs. gross weights	6.055	.30	.30	a		
Heavy duty trailers with high bed, 4 wheels	5.955	.30	.30	a		
Heavy duty trailers with low bed, 6 to 16 wheels	6.255	.30	.30	a		
Trucks with dolly	6.055	.30	.30	a		
Euclids or equivalent	6.055	.30	.30	a		
Truck with dump trailers or tandems	6.055	.30	.30	a		
Winch trucks	6.23	.30	.30	a		
Towing equipment off job site	6.055	.30	.30	a		

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day and Veterns Day & Good Friday, provide the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTY: Franklin
DECISION NO.: AP-480 DATE: Date of Publication
Supersedes Decision No. AS-1,854, dated August 20, 1971, in 36 FR 16276.
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy & Highway Construction

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$7.83	.30	.30			
Boilermakers	8.50	.40	.90		.01	
Bricklayers and stonemasons	5.60					
Bricklayers (underground work)	5.85					
Carpenters	7.45	4%	4%	4%		
Cement masons	7.065	.20	.25			
Electricians	8.56	.35	1%+.11		½%	
Glaziers	5.64	.20	.10		.01	
Ironworkers, Structural	8.14	.47	1.03		.05	
Ironworkers, Ornamental	8.14	.47	1.03		.05	
Ironworkers, Reinforcing	8.14	.47	1.03		.05	
Laborers:						
Laborers	5.53	.30	.30			
Plasterers' tenders	5.58	.30	.30			
Blasters	6.13	.30	.30			
Lathers	5.41	.16	.15		.01	
Line Construction:						
Linemen and cable splicers	8.42	.15	1%		.5%	
Groundmen	5.05	.15	1%		.5%	
Winch truck operator	5.89	.15	1%		.5%	
Marble setters	5.60					
Marble setters' helpers	4.455	.125				
Millwrights	6.95	4%	3½%	26%	9/10%	
Painters:						
Townships of Metal, Letterkenny, Hamilton, Greene, S. Hampton, Lurgan and Fannett, Chambersburg and Shippensburg, Orinda & Tempo Boroughs:						
Brush	6.37	.18	.15			
Structural steel	6.82	.18	.15			
Spray	7.12	.18	.15			
Tank, bridge and stack	7.62	.18	.15			
Painters (Remainder of County):						
Brush	5.85	.25	.15			
Structural steel	6.40	.25	.15			
Spray	6.40	.25	.15			
Plasterers	7.15	.20	.25		.01	
Plumbers	8.60	.30	.30		.12	
Piledrivermen	8.65	4%	5%		.5 of 1%	
Roofers:						
Roofers	5.55	.35	.30			
Precast slabs	6.35	.35	.30			
Slate and tile	6.00	.35	.30			
Sheeters	6.35	.35	.30			
Asphalt and asbestos shinglers	6.00	.35	.30			
Wood block layers	6.35	.35	.30			

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BUILDING CONSTRUCTION (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Sheet metal workers	$7.95	.30	.50			
Soft floor layers	7.45	4%	4%	4%		
Steamfitters	8.60	.30	.30		.12	
Sprinkler fitters	8.75	.30	.50		.05	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PA-42-PED-1-E 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rate	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	Apr. Tr.	Other
POWER EQUIPMENT OPERATORS:						
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caisson drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), crane tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer-maintenance, franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds. or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist (50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver-guard rail (skid type), pumpkrete-mobile or similar type, Quad Nine, shovels (all type), slip form paver (CMI or similar), tractors-boom mounted (all types), tractors (all types with hydraulic backhoe attached), tug boat, Whirley	$8.975	.35	.20		.04
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 tons or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any building structure	9.225	.35	.20		.04
Cranes (boom or mast over 150 ft. up to & including 200 ft.) engineer-lead	9.475	.35	.20		.04
Cranes (boom or mast over 200 ft.)	9.725	.35	.20		.04
Asphalt plant op., athoy loader, auger-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat-job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunnite machine (combination), compressor & sand-blasting machine (combination), concrete bolt placer, crane-overhead, crushing and scrooning plants, drill-core (truck or skid mounted), drill-Davey or similar type, drill -well & core (truck mounted), elevator euclid loader, excavating equipment (all other), forklift-Lull or similar, generators-2, grader, grader-elevating, greaser-equipment (hoad), hi-lift-less than 4 yds., hoist-one drum (4 floors or over), hoist-hod (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer-paving, mucking						

PA-42-PED-1-E 2 of 2

BUILDING CONSTRUCTION	Basic Hourly Rate	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	Apr. Tr.	Other
POWER EQUIPMENT OPERATORS (CONT'D):						
machine, pipe cleaning machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to two small machines, grout pump (10 H.P. or over) paver op., asphalt (spreader), pumpkrete machine op., (stationary), tire repairman, welder (repairman)	8.825	.35	.20		.04
Conveyors 4 units or more	8.35	.35	.20		.04
Oiler, compactor (ridden or self-propelled), concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill and horizontal (self-propelled and self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self-propelled or ridden), pipe dream, roller saw concrete, soil stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment	7.85	.35	.20		.04
Ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor-over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW) hoists monorail (regardless of power used), hoist roof (regardless of power used), hunk machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used) pump (over 1-½" discharge, regardless of power (used) spray cure machine (power driven) steam Jenny (or similar type) syphon (steam or air) welding machine single (300 Amp or over) plant, private or industrial air or steam valve	7.60	.35	.20		.04
Compressor - 65 c.f. or under (regardless of power used) conveyor 1 unit (regardless of power used) heat-up to & including 6, jack motor, hydraulic (single type) power drivern, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump-1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment tie tamper (multiple heads), tractor farm (when used on landscaping) water blaster, oiler-truck crane 50 ton or over, brake man, deck hand, helicopter, signalman, oiler, mechanic helper	6.85	.35	.20		.04
Crane truck oiler and fireman	6.95	.35	.20		.04
Oiler - truck crane 50 ton or over	7.10	.35	.20		.04

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PA-5-LAB-1-2-3-L

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	Apprn. Tr.	Oth.
Laborers:						
Construction laborer (including tenders, handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impacter wrench, Air tamper operator, Asphalt tampers, Batchman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operators, Drill runner's helper (includes drill mounted on truck, track or similar and Davey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzleman, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-automatic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.59	.30	.30			
Asphalt, batch and concrete plant operator (manually operated), Asphalt rakers, Burner, Caisson men (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete), (walk behind), Earth drill, Fork lift (walk behind), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (hand or machine), Pile drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance men, Portable single unit conveyor, Post hole auger (2 or 4 cycle) (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail porter, or similar, Screed operator						

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PA-5-LAB-1-2-3-L

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apprn. Tr.
Laborers (cont'd):					
Signal man, Wrecker	$5.64	.30	.30		
All Railroad Track Work:					
Adzing machine, Ballast router, Bolting machine, Power jacks, Rail drills, Railroad brakeman, Rail saws, Spike drivers, Spike pullers, Tamping machine	5.64	.30	.30		
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine(trencher or similar)	5.93	.30	.30		
Blacksmith, Blaster, Brick and block pavers (wood, belgian and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	6.05	.30	.30		
Multi-plate pipe (aligning and securing), Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	6.55	.30	.30		
Welder (pipeline	7.70	.30	.30		
Tunnel and Shaft Work (Inside)					
Change house attendant	5.36	.30	.30		
Muckers, Brakemen and all other labor (includes installation of utility lines), Signal man, Drill runner helper	5.64	.30	.30		
Miners and drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment & jumbos)	5.93	.30	.30		
Caisson and tunnel men under pressure (0-18 pounds)	6.05	.30	.30		
Reinforcing steel placers (bending, aligning and securing)	6.55	.30	.30		
Carpenters	6.76	6%	3%		
Cement masons	7.05	.423	.705		
Piledrivermen	7.96	5%	8%		

PA-5-PEO-2-3- E (1-2)

HEAVY AND HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Austin-Western or similar (25 ton & over) Austin-Western or similar (under 25 ton) autograder (C.M.I. & similar) backfiller, backhoe - 360° swing, cableway, caisson drill (similar to Bugh Williams) central mix plant, cooling plant, concrete paving mixer, cranes, cranes (tower-stationary-climbing tower crane) derrick, derrick boat, dragline, dredge, dredge hydraulic (1 leverman - 1 oiler - 1 apprentice) elevating grader, franki pile machine, gradall (remote control or otherwise) grader (power - fine grade) guard rail post driver (truck Mtd.) guard rail post driver (skid type) (self-propelled-Arrow or similar) helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) hi-lift (4 cy. and over) hoist 2 drums or more (in one unit) kocal, koering skooper, lead mechanic, locomotive (std. guage) mix mobile, mix mobile (with self-loading attachment) mucking machine (tunnel) pile driver machine, pipe extrusion machine, presplitter drill (self-contained) quad mine, refrigeration plant (soil stabilization) scraper (multi-bowl) shovel - power, slip form paver (C.M.I. and similar) trenching machine (30,000 lbs. and over) trenching machine (under 30,000 lbs.) tunnel machine (Mark XXI Jarva or similar) Whirley	$7.44	.35	.50		.04
Asphalt paving Machine (Spreader) asphalt plant op., athey loader auger (tractor Mtd.) auger (truck Mtd.) backhoe (rear pivotal swing) (180° swing) boring machine, cable placer or layer, compactor with blade, concrete batch plant (electronically synchronized) concrete belt placer (C.M.I. and similar) concrete mixer (over 1 cy.) concrete pump, core drill (truck or skid Mtd. - similar to Penn drill) dozer, euclid loader, grader-power, grease unit operator (head) hi-lift (under 4 cy.) job work boat (powered), jumbo operator, locomotive (narrow guage)						

PA-5-PEO-2-3-E (2-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
mechanic, minor equipment operator (accumulative four units) mucking machine, over-head crane, roller - power - asphalt ross carrier scraper side boom or tractor mounted boom stone crusher (screening - washing plants) stone spreader (self-propelled) truck mounted drill (Davey or similar) welder and repairman, well point pump operator	$7.16	.35	.50		.04
Compactors/Rollers (static or vibratory) (self-Propelled) minor equipment operator (two to three units) soil stabilizer machine, tire repairman, tube finisher (C.M.I. or similar) well driller and horizontal	5.17	.35	.50		.04
Ballast regulator, compressor, concrete finishing machine and spreader, concrete mixer (1 cy. and under with skip) Concrete saw (ridden or self-propelled) elevator (material hauling only) forklift (ridden or self-propelled) form line machine, generator, crout pump, heater (mechanical) hoist (single drum) ladavator, light plant, mulching machine, pavement breaker (self-propelled or ridden) personnel boat (powered) pulverizer, pumps, seeding machine, spray cure machine (power driven) subgrader tie puller, tie tamper (multi-head) tractor - sanking and hauling, tugger welding machine (gas or diesel) winch or hydraulic boom truck (when hoisting and placing)	4.68	.35	.50		.04
Deck hand, farm tractor, fireman on boiler, mechanic's helper, oiler, power broom, side delivery shoulder spreader	4.57	.35	.50		.04

HEAVY & HIGHWAY CONSTRUCTION

TRUCK DRIVERS:

PA-5-TD-2-3-F

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehouseman)	$5.45	6%	3.5%			
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.64	6%	3.5%			
Tri-axle trucks	5.75	6%	3.5%			
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.75	6%	3.5%			
Heavy off-the-road equipment (rated at forty-five tons or over)	5.85	6%	3.5%			
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	5.81	6%	3.5%			
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.49	6%	3.5%			
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.59	6%	3.5%			
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%			
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additional to respective size truck						
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.64	6%	3.5%			
Tar and Asphalt Trailer Trucks	5.75	6%	3.5%			
Trucks with Dolly or Trailer	5.60	6%	3.5%			
Bottom or Belly-Dump Trucks	5.85	6%	3.5%			

SUPERSEDEAS DECISION

AP-154 P. 2

STATE: Tennessee
DECISION NUMBER: AP-154
COUNTY: Knox
DATE: Date of Publication
Supersedes Decision No. AM-8,621 dated June 9, 1972, in 37 FR 11629
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$7.60	.25	.15		.03	
Boilermakers	6.85	.30	.50		.01	
Bricklayers and Stonemasons	7.07				.02	
Carpenters	6.18	.20			.02	
Cement masons	5.40				.02	
Electricians & Line Const.:						
Electricians and Linemen	7.20	.20	1%		.5%	
Cable splicers	7.60	.20	1%		.5%	
Elevator constructors	5.82	.17	.185	2%+a&b	.005	
Elevator constructors' helpers	70% JR	.17	.185	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50% JR					
Glaziers	5.75		.25		.005	
Ironworkers:						
Structural & ornamental	6.525	.125	.10		.02	
Reinforcing	6.415	.125	.10		.02	
Fence erector	6.525	.125	.10		.02	
Lathers	6.20		.20		.01	
Leadburners	6.90	.30		c	.01	
Marble masons	7.07				.02	
Millwrights	6.63	.20			.02	
Painters:						
Commercial	6.00		.20		.02	
Industrial	6.35		.20		.02	
Piledrivermen	6.43	.20			.02	
Plasterers	6.85					
Plumbers and Steamfitters	6.65	.35	.45	.30+e	.05	
Roofers, composition	5.55		.15			
Roofers, slate & tile	5.60		.15			
Roofers' helpers	4.17		.15			
Sheet metal workers	7.25	.30	.30		.02	
Soft floor layers	6.18	.20			.02	
Sprinkler fitters	8.05	.30	.40		.05	
Terrazzo workers and tile setters	7.07				.02	
Truck drivers:						
3 tons, & inc. 4 yds., dump truck	4.28		d		.01	
3 to 5 tons, & inc. 6 yds., dump truck	4.48		d		.01	
5 tons, & over inc. dump truck over 6 yds., ready mix conc. truck, tank trucks, floats & lowboys, winch truck & semi-trailer	4.63		d		.01	
Welders-receive rate for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

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. Holidays: A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

d. $6.00 per week for each employee.

e. $.05 holiday pay.

AP-15b P. 3

Tenn.-1-LAB-G

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS:						
Common laborer	$4.09	.10			.01	
Mortar mixer, plasterer tender	4.24	.10			.01	
Hod carriers, power buggies, yarner, potman, grademan, snake man, form setter & strippers, pipelayers, asphalt raker, jackhammer op., air tool op., vibrator op., chain saw op., chain saw filer, barco tamp op.	4.24	.10			.01	
Acetlyene burner	4.265	.10			.01	
Wagon drill operator	4.39	.10			.01	
Caisson hole man	4.89	.10			.01	
Powderman	4.59	.10			.01	
TUNNEL CONSTRUCTION:						
Outside laborer	4.09	.10			.01	
Tunnel laborer	4.49	.10			.01	
Chuck tender	4.64	.10			.01	
Concrete gun op., nozzleman	4.79	.10			.01	
Tunnel miner	4.89	.10			.01	

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Tenn.-2-PEO-G 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Backhoes, cable ways, ross carrier, clamshells, cranes derricks, draglines, tournapulls, pans, scrapers, scoops, etc., head tower machines, locomotives (over 20 tons), shovels, mechanics & welders, winch trucks with A-frame, skimmer scoops, locomotives cranes, over-head cranes, pile drivers, skid rigs, side boom tractors, euclid loaders, hoist (any size handling steel or stone), derrick boats, dredge boats, engines used in connection with hoist material with an attached device on tower or engine, mucking machines, hi-lifts or end loaders, finish graders, cherry-pickers, tower cranes, skylift & gradall, dozers, earth augers and pole machine operators, core drill & foundation drills.	$5.98	.20	.20		.02	
GROUP B						
Tractors, farm type tractors with attachments, central compressor plants, elevators, used for hoisting building material, central mixing plants, hoist, pump crete machines, concrete pumps, trenching machines, backfillers (other than cranes), crushing plant operators, elevating graders, paving machines (black top), fork-lift, paving machines, (concrete), boat operator or engineer (30 tons or over) tractomobile, maintainers, blacktop roller, switchman, locomotive under 20 tons.	5.55	.20	.20		.02	
GROUP C						
Asphalt plant operators, barber green type loaders, engine tender other than steam, mixers, over 2 bags not to include central plants, pumps, 2 not more than 5, scarifiers, spreader box (bituminous), asphalt mixers, portable compressors, 2 not more than 3, rollers, sub-grader machine, tractors, farm type without attachments,						

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Tenn.-2-PEO-G 2 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP C (CONT'D)						
cable bead tower engineman, dredge booster pump operators, boat operator or engine, under 30 tons, finishing machine, fireman & oiler (combination), motor crane oiler & driver, welding machine (2 not more than 3), heaters, stationery or portable (to 5), compressors (portable 2 not more than 3), greaser or fuel trucks	4.65	.20	.20		.02	
GROUP D						
Air compressor (1 portable), fireman, portable curshers, welding machine (1), conveyors, pumps (1), oiler, heater (1).	4.27	.20	.20		.02	

[FR Doc.73-3790 Filed 3-1-73;8:45 am]

INDEX TO AREA WAGE DETERMINATION DECISIONS AND MODIFICATIONS AS OF FEBRUARY 9, 1973

There is set forth below an Index to Area Wage Determination Decisions and Modifications as published in the FEDERAL REGISTER pursuant to the Davis-Bacon and related Acts. The Index lists Area Wage Determination Decisions and Modifications by State and County. An updated Index is published on the first Friday of each month.

The Index is published for the convenience of the public and the Department of Labor will endeavor to keep it accurate and up to date. In the event the data in the Index and published Area Decisions do not coincide, the published Area Decisions shall control.

ABBREVIATIONS

(B)—Building Construction
(D)—Dredging Construction
(F)—Flood Control Construction
(H)—Heavy Construction
(Hw)—Highway Construction
(R)—Residential Construction
Mod.—Modification

Signed at Washington, D.C., this 26th day of February 1973.

WARREN D. LANDIS,
Assistant Administrator,
Wage and Hour Division.

ALABAMA

STATEWIDE
Decision #AM-8589 (D)
37 FR 5654 - 3-17-72
Mod. #1 - 37 FR 24506 - 11/17/72
AUTAUGA COUNTY
Decision #AP-119 (Hw)
37 FR 16733 - 8-18-72
Mod. #1 - 37 FR 24507 - 11/17/72
(D) - See Statewide
BALDWIN COUNTY
Decision #AM-554 (R)
36 FR 23101 - 12-3-71
Decision #AP-118 (Hw)
37 FR 18836 - 9/15/72
Mod. #1 - 37 FR 24507 - 11/17/72
(D) - See Statewide
BARBOUR COUNTY
(D) - See Statewide
(Hw) - See Autauga County
BIBB COUNTY
(D) - See Statewide
(Hw) - See Autauga County
BLOUNT COUNTY
Decision #AM-448 (R)
36 FR 16359 - 8-20-71
(D) - See Statewide
(Hw) - See Autauga County
BULLOCK COUNTY
(D)- See Statewide
(Hw)- See Autauga County
BUTLER COUNTY
(D)- See Statewide
(Hw)- See Augauga County
CALHOUN COUNTY
Decision #AP-117 (Hw)
37 FR 16732 - 8/18/72
Mod. #1 - 37 FR 24507 - 11/17/72
(D)-See Statewide
CHAMBERS COUNTY
(D)-See Statewide
(Hw)-See Autauga County
CHEROKEE COUNTY
(D)-See Statewide
(Hw)- See Autauga County
CHILTON COUNTY
(D)-See Statewide
(Hw)-See Autauga County
CHOCTAW COUNTY
(D)-See Statewide
(Hw)-See Autauga County

ALABAMA (Cont'd)

CLARKE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CLAY COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CLEBURNE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
COFFEE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
COLBERT COUNTY
Decision #AP-116 (Hw)
37 FR 18835 - 9-15-72
Mod. #1 - 37 FR 24507 - 11/17/72
(D) - See Statewide
CONECUH COUNTY
(D) - See Statewide
(Hw) - See Autauga County
(R) - See Baldwin County
COOSA COUNTY
(D) - See Statewide
(Hw) - See Autauga County
COVINGTON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CRENSHAW COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CULLMAN COUNTY
(D) - See Statewide
(Hw) - See Autauga County
DALE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
DALLAS COUNTY
(D) - See Statewide
(Hw) - See Autauga County
DE KALB COUNTY
(D) - See Statewide
(Hw) - See Autauga County
ELMORE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
ESCAMBIA COUNTY
(D) - See Statewide
(Hw) - See Autauga County

ALABAMA (Cont'd)

ETOWAH COUNTY
(D) - See Statewide
(Hw) - See Calhoun County
FAYETTE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
FRANKLIN COUNTY
(D) - See Statewide
(Hw) - See Autauga County
GENEVA COUNTY
(D) - See Statewide
(Hw) - See Autauga County
GREENE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
HALE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
HENRY COUNTY
(D) - See Statewide
(Hw) - See Autauga County
HOUSTON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
JACKSON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
JEFFERSON COUNTY
Decision #AP-140 (R, Hw)
37 FR 25628 - 12/1/72
(D) - See Statewide
(R) - See Blount County
LAMAR COUNTY
(D) - See Statewide
(Hw) - See Autauga County
LAUDERDALE COUNTY
(D) - See Statewide
(Hw) - See Colbert County
LAWRENCE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
LEE COUNTY
(D)-See Statewide
(Hw)-See Autauga County

ALABAMA (cont'd)

LIMESTONE COUNTY
(D)-See Statewide
(Hw)-See Autauga County
LOWNDES COUNTY
(D)-See Statewide
(Hw)-See Augauga County
MACON COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MADISON COUNTY
(D)-See Statewide
(Hw)- See Colbert Countyy
MARENGO COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MARION COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MARSHALL COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MOBILE COUNTY
Decision #AP-153 (B, Hw)
38 FR 4083 - 2/9/73
(D)-See Statewide
MONROE COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MONTGOMERY COUNTY
Decision #AP-115 (B)
37 FR 16263 - 8/11/72
(D)-See Statewide
(Hw)-See Baldwin County
MORGAN COUNTY
(D)-See Statewide
(Hw)-See Colbert County
PERRY COUNTY
(D)-See Statewide
(Hw)-See Autauga County
PICKENS COUNTY
(D)-See Statewide
(Hw)-See Autauga County

ALABAMA (Cont'd)

PIKE COUNTY
(D)-See Statewide
(Hw)-See Autauga County
RANDOLPH COUNTY
(D)-See Statewide
(Hw)-See Autauga County
RUSSELL COUNTY
(D)-See Statewide
(Hw)-See Autauga County
SAINT CLAIR COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
(R)-See Blount County
SHELBY COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
(R)-See Blount County
SUMTER COUNTY
(D)-See Statewide
(Hw)-See Autauga County
TALLADEGA COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
(R)-See Blount County
TALLAPOOSA COUNTY
(D)-See Statewide
(Hw)-See Autauga County
TUSCALOOSA COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
WALKER COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
WASHINGTON COUNTY
(D)-See Statewide
(Hw)-See Autauga County
WILCOX COUNTY
(D)-See Statewide
(Hw)-See Autauga County
WINSTON COUNTY
(D)-See Statewide
(Hw)-See Autauga County

ALASKA

AREA I (North of the 63rd Parallel)
Decision #AP-251 (B, H, Hw, D)
37 FR 25118 - 11/25/72
Decision #AP-252 (R)
37 FR 25124 - 11/25/72
AREA II (South of the 63rd Parallel & West of the 141st Meridian)
Decision #AM-2506 (B, H, Hw, D)
36 FR 17168 - 8/27/72
Mod. #1 - 37 FR 6128 - 3/24/72
Mod. #2 - 37 FR 20385 - 9/29/72
Mod. #3 - 37 FR 25103 - 11/25/72
Mod. #4 - 38 FR 2568 - 1/26/73
Decision #AM-6726 (R)
37 FR 9157 - 5/5/72
Mod. #1 - 37 FR 17307 - 8/25/72
Mod. #2 - 37 FR 20385 - 9/29/72
Mod. #3 - 37 FR 25103 - 11/25/72
Mod. #4 - 38 FR 2568 - 1/26/73
AREA III (East of the 141st Meridian)
Decision #AM-2507 (B, H, Hw, D)
36 FR 17173 - 8/27/71
Mod. #1 - 37 FR 6168 - 3/24/72
Mod. #2 - 37 FR 20385 - 9/29/72
Mod. #3 - 37 FR 25103 - 11/25/72
Mod. #4 - 38 FR 2568 - 1/26/73
Decision #AM-6727 (R)
37 FR 9160 - 5/5/72
Mod. #1 - 37 FR 17307 - 8/25/72
Mod. #2 - 37 FR 20385 - 9/29/72
Mod. #3 - 37 FR 25103 - 11/25/72
Mod. #4 - 37 FR 2568 - 1/26/73

ARIZONA

STATEWIDE
Decision #AP-258 (H, Hw)
38 FR 1440 - 1/12/73
APACHE COUNTY
(H, Hw) - See Statewide
COCHISE COUNTY
(H, Hw) - See Statewide
Decision #AP-222 (B)
37 FR 16744 - 8/18/72
Mod. #1 - 37 FR 19871 - 9/22/72
Mod. #2 - 37 FR 21695 - 10/13/72
Mod. #3 - 37 FR 23497 - 11/3/72
Mod. #4 - 38 FR 2007 - 1/19/73

ARIZONA

COCONINO COUNTY
(B, Hw) - See Statewide
GILA COUNTY
(H, Hw) - See Statewide
GRAHAM COUNTY
(H, Hw) - See Statewide
MARICOPA COUNTY
(H, Hw) - See Statewide
Decision #AP-221 (B)
37 FR 16737 - 8/18/72
Mod. #1 - 37 FR 21217 - 10/6/72
Mod. #2 - 37 FR 21694 - 10/13/72
Mod. #3 - 38 FR 2007 - 1/19/73
Decision #AP-259 (R)
38 FR 2022 - 1/19/73
MOHAVE COUNTY
(H, Hw) - See Statewide
NAVAJO COUNTY
(H, Hw) - See Statewide
PIMA COUNTY
(H, Hw) - See Statewide
(B) - See Cochise County
Decision #AP-260 (R)
38 FR 2027 - 1/19/73
PINAL COUNTY
(H, Hw) - See Statewide
SANTA CRUZ COUNTY
(H, Hw) - See Statewide
YAVAPAI COUNTY
(H, Hw) - See Statewide
YUMA COUNTY
(H, Hw) - See Statewide

ARKANSAS

STATEWIDE
Decision #AP-701 (Hw)
38 FR 4078 - 1/19/73
Decision #AM-8,589 (D)
37 FR 5654 - 3-17-72
Mod. #1 - 37 FR 24506 - 11/17/72
ARKANSAS COUNTY
(Hw) - See Statewide
(D) - See Statewide
Decision #AM-8588 (F)
37 FR 5654 - 3-17-72
Mod. #1 - 37 FR 8601 - 4-28-72
Mod. #2 - 37 FR 24506 - 11/17/72
ASHLEY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
BAXTER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
BENTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
BOONE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
BRADLEY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CALHOUN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CARROLL COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CHICOT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CLARK COUNTY
(Hw) - See Statewide

ARKANSAS (Cont'd)

CLARK COUNTY (Cont'd)
(D) - See Statewide
(F) - See Arkansas County
CLAY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CLEBURNE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CLEVELAND COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
COLUMBIA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CONWAY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CRAIGHEAD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CRAWFORD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CRITTENDEN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CROSS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
DALLAS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
DESHA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

DREW COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
FAULKNER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
FRANKLIN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
FULTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
GARLAND COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
GRANT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
GREENE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
HEMPSTEAD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
HOT SPRING COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
HOWARD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
INDEPENDENCE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
IZARD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

JACKSON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
JEFFERSON COUNTY
(Hw) - See Statewide
(D) - See Statewide
JOHNSON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LAFAYETTE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LAWRENCE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LEE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LINCOLN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LITTLE RIVER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LOGAN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LONOKE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MADISON COUNTY
(Hw) - See Statewide.
(D) - See Statewide
(F) - See Arkansas County
MARION COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

MILLER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MISSISSIPPI COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MONROE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MONTGOMERY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
NEVADA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
NEWTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
OUACHITA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PERRY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PHILLIPS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PIKE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
POINSETT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
POLK COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (cont'd)

POPE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
PRAIRIE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
PULASKI COUNTY
(Hw)-See Statewide
(D)-See Statewide
Decision #AP-365 (B)
37 FR 26203 - 12/8/72
Mod. #1 - 38 FR 1434 - 1//2/73
Decision #AP-356 (R)
37 FR 23489 - 11/3/72
RANDOLPH COUNTY
(HW)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
ST. FRANCIS COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
SALINE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
SCOTT COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
SEARCY COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
SEBASTIAN COUNTY
(Hw)-See Statewide
(D)-See Statewide
SEVIER COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County

ARKANSAS (cont'd)

SHARP COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
STONE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
UNION COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
Decision #AP-319 (B)
37 FR 17308 - 8/25/72
Mod. #1 - 37 FR 21217 - 10/6/72
Mod. #2 - 37 FR 21696 - 10/13/72
Mod. #3 - 38 FR 1434 - 1/12/73
Mod. #4 - 38 FR 2007 - 1/19/73
VAN BUREN COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
WASHINGTON COUNTY
(Hw)- See Statewide
(DO-See Statewide
(F)-See Arkansas County
WHITE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
WOODRUFF COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
YELL COUNTY
(Hw)- See Statewide
(D)-See Statewide
(F)-See Arkansas County

CALIFORNIA

ALAMEDA COUNTY
Decision #AP-235 (B-H-Hw-D)
37 FR 18837 - 9-15-72
Mod. #1 - 37 FR 24508 - 11/17/72
Mod. #2 - 37 FR 28341 - 12/22/72
Decision #AP-246 (R)
37 FR 21728 - 10-13-72
Mod. #1 - 37 FR 24509 - 11/17/72
Mod. #2 - 37 FR 28342 - 12/22/72
Mod. #3 - 38 FR 4075 - 2/9/73
ALPINE COUNTY
(B-H-Hw-D) - See Alameda County
AMADOR COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
BUTTE COUNTY
(B-H-Hw-D) - See Alameda County
CALAVERAS COUNTY
(B-H-Hw-D) - See Alameda County
COLUSA COUNTY
(B-H-Hw-D) - See Alameda County
CONTRA COSTA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
DELNORTE COUNTY
(B-H-Hw-D) - See Alameda County
ELDORADO COUNTY
(B-H-Hw-D) - See Alameda County
FRESNO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County

CALIFORNIA (Cont'd)

GLENN COUNTY
(B-H-Hw-D) - See Alameda County
HUMBOLDT COUNTY
(B-H-Hw-D) - See Alameda County
IMPERIAL COUNTY
Decision #AP-248 (B-H-Hw-D)
37 FR 21740 - 10-13-72
Mod. #1 - 37 FR 23697 - 11/10/72
Mod. #2 - 38 FR 935 - 1/5/73
Mod. #3 - 38 FR 4074 - 2/9/73
Decision #AP-245 (R)
37 FR 21721 - 10/13/72
Mod. #1 - 37 FR 23967 -11/10/72
Mod. #2 - 38 FR 935 - 1/5/73
Mod. #3 - 38 FR 4074 - 2/9/73
INYO COUNTY
(B-H-Hw-D) - See Imperial County
KERN COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
KING COUNTY
(B-H-Hw-D) - See Alameda County
LAKE COUNTY
(B-H-Hw-D) - See Alameda County
LASSEN COUNTY
(B-H-Hw-D) - See Alameda County
LOS ANGELES COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
MADERA COUNTY
(B-H-Hw-D) - See Alameda County
MARIN COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County

CALIFORNIA (Cont'd)

MARIPOSA COUNTY
(B-H-Hw-D) - See Alameda County
MENDOCINO COUNTY
(B-H-Hw-D) - See Alameda County
MERCED COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
MODOC COUNTY
(B-H-Hw-D) - See Alameda County
MONO COUNTY
(B-H-Hw-D) - See Imperial County
MONTEREY COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
NAPA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
NEVADA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
ORANGE COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
PLACER COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
PLUMAS COUNTY
(B-H-Hw-D) - See Alameda County
RIVERSIDE COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
SACRAMENTO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SAN BENITO COUNTY
(B-H-Hw-D) - See Alameda County
SAN BERNARDINO COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
SAN DIEGO COUNTY
Decision #AP-255 (B-H-Hw-D)
37 FR 28808 - 12/29/72
Mod. #1 - 38 FR 4076 - 2/9/73

CALIFORNIA (Cont'd)

SAN DIEGO COUNTY (Cont'd)
Decision #AP-256 (R)
37 FR 28814 - 12/29/72
Mod. #1 - 38 FR 4076 - 2/9/73
SAN FRANCISCO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SAN JOAQUIN COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SAN LUIS OBISPO COUNTY
(B-H-Hw-D) - See Imperial County
SAN MATEO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SANTA BARBARA COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
SANTA CLARA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SANTA CRUZ COUNTY
(B-H-Hw-D) - See Alameda County
SHASTA COUNTY
(B-H-Hw-D) - See Alameda County
SIERRA COUNTY
(B-H-Hw-D) - See Alameda County
SISKIYOU COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SOLANO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SONOMA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
STANISLAUS COUNTY
(B-H-Hw-D) - See Alameda County
SUTTER COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
TEHAMA COUNTY
(B-H-Hw-D) - See Alameda County
TRINITY COUNTY
(B-H-Hw-D) - See Alameda County

CALIFORNIA (Cont'd)

TULARE COUNTY
(B-H-Hw-D) - See Alameda County
TUOLUMNE COUNTY
(B-H-Hw-D) - See Alameda County
VENTURA COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
YOLO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
YUBA COUNTY
(B-H-Hw-D) -See Alameda County
(R) - See Alameda County

COLORADO

STATEWIDE
Decision #AP-232 (Hw)
37 - FR 18854 - 9-15-72
Mod. #1 - 37 FR 28343 - 12/22/72
ADAMS COUNTY
(Hw) - See Statewide
Decision #AP-234 (B-H-Hw)
37 FR 18868 - 9-15-72
Mod. #1 - 37 FR 28348 - 12/22/72
Decision #AM-6,723 (R)
37 FR 7921 - 4-21-72
ALAMOSA COUNTY
(Hw) - See Statewide
ARAPAHOE COUNTY
(Hw) - See Statewide
(B-H-Hw) - See Adams County
(R) - See Adams County
ARCHULETA COUNTY
(Hw) - See Statewide
BACA COUNTY
(Hw) - See Statewide
BENT COUNTY
(Hw) - See Statewide
BOULDER COUNTY
(Hw) - See Statewide.
(B-H-Hw)(Southeast Portion incl. City of Boulder) - See Adams Co.
(R) - See Adams County
CHAFFEE COUNTY
(Hw) - See Statewide
CHEYENNE COUNTY
(Hw) - See Statewide

COLORADO (cont'd)

CLEAR CREEK
(Hw) - See Statewide
(R) - See Adams County
CONEJOS COUNTY
(Hw) - See Statewide
COSTILLA COUNTY
(Hw) - See Statewide
CROWLEY COUNTY
(Hw) - See Statewide
CUSTER COUNTY
(Hw) - See Statewide
DELTA COUNTY
(Hw) - See Statewide
DENVER COUNTY
(Hw) - See Statewide
(B-H-Hw) - See Adams County
(R) - See Adams County
DOLORES COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
(B-H-Hw) - See Adams County (Northern Portion)
(R) - See Adams County
EAGLE COUNTY
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(B-H-Hw) (Northern Portion) See Adams County
(R) - See Adams County
EL PASO COUNTY
(Hw) - See Statewide
Decision #AP-233 (B, H, Hw)
37 FR 18861 - 9/15/72
Mod. #1 - 37 FR 28345 - 12/22/72
FREMONT COUNTY
(Hw) - See Statewide
GARFIELD COUNTY
(Hw) - See Statewide
GILPIN COUNTY
(Hw) - See Statewide
(R) - See Adams County
GRAND COUNTY
(Hw) - See Statewide
GUNNISON COUNTY
(Hw) - See Statewide
HINSDALE COUNTY
(Hw) - See Statewide
HUERFANO COUNTY
(Hw) - See Statewide

COLORADO (Cont'd)

JACKSON COUNTY
(Hw) - See Statewide
JEFFERSON COUNTY
(Hw) - See Statewide
(B-H-Hw) - See Adams County
(R) - See Adams County
KIOWA COUNTY
(Hw) - See Statewide
KIT COUNTY
(Hw) - See Statewide
LAKE COUNTY
(Hw) - See Statewide
LAPLATA COUNTY
(Hw) - See Statewide
LARIMER COUNTY
(Hw) - See Statewide
LAS ANIMAS COUNTY
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
MESA COUNTY
(Hw) - See Statewide
MINERAL COUNTY
(Hw) - See Statewide
MOFFAT COUNTY
(Hw) - See Statewide
MONTEZUMA COUNTY
(Hw) - See Statewide
MONTROSE COUNTY
(Hw) - See Statewide
MORGAN COUNTY
(Hw) - See Statewide
OTERO COUNTY
(Hw) - See Statewide
OURAY COUNTY
(Hw) - See Statewide

COLORADO (Cont'd)

PARK COUNTY
(Hw) - See Statewide
PHILLIPS COUNTY
(Hw) - See Statewide
PITKIN COUNTY
(Hw) - See Statewide
PROWERS COUNTY
(Hw) - See Statewide
PUEBLO COUNTY
(Hw) - See Statewide
RIO BLANCO COUNTY
(Hw) - See Statewide
RIO GRANDE COUNTY
(Hw) - See Statewide
ROUTT COUNTY
(Hw) - See Statewide
SAGUACHE COUNTY
(Hw) - See Statewide
SAN JUAN COUNTY
(Hw) - See Statewide
SAN MIGUEL COUNTY
(Hw) - See Statewide
SEDGWICK COUNTY
(Hw) - See Statewide
SUMMIT COUNTY
(Hw) - See Statewide
TELLER COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(Hw) - See Statewide
WELD COUNTY
(Hw) - See Statewide
(B-H-Hw)(Southwest Portion) - See Adams County
YUMA COUNTY
(Hw) - See Statewide

CONNECTICUT

FAIRFIELD COUNTY
Decision #AP-445 (B,H,Hw)
37 FR 25130 - 11/25/72
Decision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
HARTFORD COUNTY
Decision #AP-446 (B, H, Hw)
37 FR 25134 - 11/25/72
LITCHFIELD COUNTY
DEcision #AP-447 (B, H, Hw)
37 FR 25137 - 11/25/72
MIDDLESEX COUNTY
Decision #AP-436 (B, H, Hw)
37 FR 21753 - 10/13/72
Mod. #1 - 37 FR 25103 - 11/25/72
(D)-See Fairfield County
NEW HAVEN COUNTY
DEcision #AP-448 (B, H, Hw)
37 FR 25140 - 11/25/72
(D)-See Fairfield County
NEW LONDON COUNTY
Decision #449 (B, H, Hw)
37 FR 25144 - 11/25/72
(D)-See Fairfield County
TOLLAND COUNTY
Decision #AP-434 (B, H, Hw)
37 FR 21234 - 10/6/72
Mod. #1 - 37 FR 25103 - 11/25/72
WINDHAM COUNTY
Decision #AP-437 (B, H, Hw)
37 FR 21756 - 10/13/72
Mod. #1 - 37 FR 25103 - 11/25/72

DELAWARE

STATEWIDE
Decision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
Decision #AP-444 (B, H, Hw)
37 FR 24517 - 11/17/72
Mod. #1 - 37 FR 26198 - 12/8/72
Mod. #2 - 37 FR 28350 - 12/22/72
Mod. #3 - 37 FR 28799 - 12/29/72
Mod. #4 - 38 FR 3246 - 2/2/73
KENT COUNTY
(D) - See Statewide
(B,H,Hw) - Statewide

CONNECTICUT (cont'd)

NEW CASTLE COUNTY
(D) - See Statewide
(B,H,Hw) - See Statewide
SUSSEX COUNTY
(D) - See Statewide
(B,H,Hw) - See Statewide

FLORIDA

ALACHUA COUNTY
Decision #AP-121 (B,H,Hw)
37 FR 21237 - 10-6-72
Mod. #1-37 FR 25104 - 11/25/72
Mod. #2-38 FR 3246 - 2/2/73
Decision #AM-462 (R)
37 FR 16406 - 8-20-71
BAKER COUNTY
Decision #AP-463 (R)
36 FR 16407 - 8-20-71
BAY COUNTY
Decision #AP-122 (B,H,Hw)
37 FR 21240 - 10-6-72
Decision #AM-8589 (D)
37 FR 5654 - 3-17-72
Mod. #1-37 FR 24506 - 11/17/72
BRADFORD COUNTY
None
BREVARD COUNTY (Cape Kennedy Kennedy Space Flight Center & Patrick AFB only)
Decision #AP-128 (B,H,Hw)
37 FR 24535 - 11/17/72
Mod. #1-37 FR 26778 - 12/15/72
Decision #AM-8590 (D)
37 FR 5655 - 3-17-72
Mod. #1-37 FR 24506 - 11/17/72
BROWARD COUNTY
Decision #AP-123 (B,H,Hw)
37 FR 24521 - 11/17/72
Mod. #1-37 FR 26777 - 12/15/72
Mod. #2-38 FR 3246 - 2/2/73
(D) - See Brevard County
CALHOUN COUNTY
None
CHARLOTTE COUNTY
(D) - See Brevard County
CITRUS COUNTY
(D) - See Brevard County
CLAY COUNTY
(R) - See Baker County

FLORIDA (cont'd)

COLLIER COUNTY
(D) - See Brevard County
COLUMBIA COUNTY
None
DADE COUNTY
Decision #AP-127 (B,H,Hw)
37 FR 24531 - 11/17/72
Mod. #1-37 FR 26777 - 12/15/72
Mod. #2-38 FR 2007 - 1/19/73
Mod. #3-38 FR 3246 - 2/2/73
(D)-See Brevard County
DESOTO COUNTY
None
DIXIE COUNTY
(D)-See Brevard County
(R)-See Alachua County
DUVAL COUNTY
Decision #AP-131 (B, H, Hw)
37 FR 28362 - 12/22/72
Mod. #1-38 FR 3246 - 2/2/73
(D) - See Brevard County
(R) - See Baker County
ESCAMBIA COUNTY
Decision #AP-105 (B,H,Hw)
37 FR 13939 - 7-14-72
Mod. #1-37 FR 15795 - 8-4-72
Mod. #2-37 FR 17900 - 9-1-72
(Decision #AM-464 (R)
36 FR 16408 - 8-20-71
(D) - See Bay County
FLAGLER COUNTY
(D) - See Brevard County
FRANKLIN COUNTY
(D) - See Bay County
GADSDEN COUNTY
Decision #AM-465 (R)
36 FR 16409 - 8-20-71
GILCHRIST COUNTY
(R) - See Alachua County
GLADES COUNTY
None
GULF COUNTY
(D) - See Bay County
HAMILTON COUNTY
None

FLORIDA (cont'd)

HARDEE COUNTY
None
HENDRY COUNTY
None
HERNANDO COUNTY
(D) - See Brevard County
HIGHLANDS COUNTY
None
HILLSBOROUGH COUNTY
Decision #AP-125 (B,H,Hw)
37 FR 24525 - 11/17/72
Mod. #1-37 FR 26777 - 12/15/72
(D) - See Brevard County
HOLMES COUNTY
None
INDIAN RIVER COUNTY
(D) - See Brevard County
JACKSON COUNTY
None
JEFFERSON COUNTY
(D) - See Bay County
(R) - See Gadsden County
LAFAYETTE COUNTY
(R) - See Alachua County
LAKE COUNTY
Decision #AM-467 (R)
36 FR 16411 - 8/20/71
LEE COUNTY
(D) - See Brevard County
LEON COUNTY
Decision #AP-142 (B, H, Hw)
37 FR 28365 - 12/22/72
LEVY COUNTY
(D) - See Brevard County
(R) - See Alachua County
LIBERTY COUNTY
None
MADISON COUNTY
(R) - See Gadsden County
MANATEE COUNTY
(D) - See Brevard County
MARION COUNTY
(R) - See Alachua County
MARTIN COUNTY
(D) - See Brevard County

FLORIDA (Cont'd)

MONROE COUNTY
Decision #AP-124 (B, H, Hw)
37 FR 24524 - 11/17/72
Mod. #1 - 37 FR 26777 - 12/15/72
Mod. #2 - 38 FR 3246 - 2/2/73
(D) - See Brevard County
NASSAU COUNTY
(D) - See Brevard County
(R) - See Baker County
OKALOOSA COUNTY
(B,H,Hw) - See Escambia
(D) - See Bay County
Decision #AM-466 (R)
36 FR k6410 - 8/20/71
OKEECHOBEE COUNTY
None
ORANGE COUNTY
Decision #AP-130 (B, H, Hw)
37 FR 28359 - 12/22/72
Mod. #1 - 38 3246 - 2/2/73
(R) - See Lake County
OSCEOLA COUNTY
(R) - See Lake County
PALM BEACH COUNTY
Decision #AP-129 (B,H,Hw)
37 FR 26233 - 12/8/72
Mod #1 - 38 FR 3246 - 2/2/73
(D) - See Brevard County
PASCO COUNTY
(D) - See Brevard County
PINELLAS COUNTY
Decision #AP-126 (B,H,Hw)
37 FR 24528 - 11/17/72
Mod. #1-37 FR 26777 -.12/15/72
Decision #AM-468 (R)
36 FR 16412 - 8-20-71
(D) - See Brevard County
POLK COUNTY
None
PUTNAM COUNTY
(R) - See Baker County

FLORIDA (Cont'd)

ST. JOHNS COUNTY
(D) - See Brevard County
(R) - See Baker County
ST. LUCIE COUNTY
(D) - See Brevard County
SANTA ROSA COUNTY
(B,H,Hw) - See Escambia County
(D) - See Bay County
(R) - See Okaloosa County
SARASOTA COUNTY
(D) - See Brevard County
SEMINOLE COUNTY
(R) - See Lake County
SUMTER COUNTY
None
SUWANNEE COUNTY
(R) - See Baker County
TAYLOR COUNTY
(D) - See Brevard County
(R) - See Gadsden County
UNION COUNTY
(R) - See Alachua County
VOLUSIA COUNTY (Cape Kennedy, Kennedy Space Flight Center & Patrick Air Force Base only)
(B, H, Hw) - See Brevard County
(D) - See Brevard County
WAKULLA COUNTY
(D) - See Bay County
WALTON COUNTY
(B, H, Hw) - See Escambia County
(D) - See Bay County
(R) - See Okaloosa County
WASHINGTON COUNTY
None

GEORGIA

APPLING COUNTY
Decision #AM-473 (Hw)
36 FR 16421 - 8/20/71
ATKINSON COUNTY
(Hw) - See Appling County
BACON COUNTY
(Hw) - See Appling County
BAKER COUNTY
(Hw) - See Appling County
BALDWIN COUNTY
Decision #AM-472 (Hw)
36 FR 16420 - 8/20/71
BANKS COUNTY
Decision AM-471 (Hw)
36 FR 16419 - 8/20 71
BARROW COUNTY
(Hw) - See Banks County
BARTOW COUNTY
(Hw) - See Banks County
BEN HILL COUNTY
(Hw) - See Appling Cousnty
BERRIEN COUNTY
(Hw) - See Appling County
BIBB COUNTY
(hw) - See Baldwin County
BLECKLEY COUNTY
(Hw) - See Appling County
BRANTLEY COUNTY
(Hw) - See Appling County

GEORGIA (Cont'd)

BROOKS COUNTY
(Hw) - See Appling County
BRYAN COUNTY
Decision #AM-475 (Hw)
36 FR 16424 - 8-20-71
Decision #AP-439 (D)
37 FR 22701 - 10-20-72
BULLOCH COUNTY
(Hw) - See Appling County
BURKE COUNTY
(Hw) - See Baldwin County
BUTTS COUNTY
(Hw) - See Baldwin County
CALHOUN COUNTY
(Hw) - See Calhoun County
CAMDEN COUNTY
(D) - See Bryan County
(Hw) - See Appling County
CANDLER COUNTY
(Hw) - See Appling County
CARROLL COUNTY
(Hw) - See Baldwin County
CATOOSA COUNTY
(Hw) - See Banks County
CHARLTON COUNTY
(Hw) - See Appling County
CHATHAM COUNTY
Decision #AP-148 (B, H, Hw)
38 FR 1457 - 1/12/73

GEORGIA (Cont'd)

CHATHAM COUNTY
Decision #AP-151 (R)
38 FR 4088 - 2/9/73
(D) - See Bryan County
CHATTAHOOCHEE COUNTY
(Hw) - See Baldwin County
CHATTOOGA COUNTY
(Hw) - See Banks County
CHEROKEE COUNTY
(Hw) - See Banks County
CLARKE COUNTY
(Hw) - See Baldwin County
CLAY COUNTY
(Hw) - See Appling County
CLAYTON COUNTY
Decision #AM-474 (Hw)
36 FR 16423 - 8-20-71
(B,H) - See Fulton County
(R) - See Fulton County
CLINCH COUNTY
(Hw) - See Appling County
COBB COUNTY
(B,H,Hw) - See Fulton County
(R) - See Fulton County
COFFEE COUNTY
(Hw) - See Appling County
COLQUITT COUNTY
(Hw) - See Appling County
COLUMBIA COUNTY
(Hw) - See Baldwin County
COOK COUNTY
(Hw) - See Appling County
COWETA COUNTY
(Hw) - See Baldwin County
CRAWFORD COUNTY
(Hw) - See Baldwin County
CRISP COUNTY
(Hw) - See Baldwin County
DADE COUNTY
(Hw) - See Banks County
DAWSON COUNTY
(Hw) - See Banks County
DECATUR COUNTY
(Hw) - See Appling County
DeKALB COUNTY
(B,H,Hw) - See Fulton County
(R) - See Fulton County

GEORGIA (Cont'd)

DODGE COUNTY
(Hw) - See Appling County
DOOLY COUNTY
(Hw) - See Baldwin County
DOUGHERTY COUNTY
(Hw) - See Appling County
DOUGLAS COUNTY
(Hw) - See Banks County
EARLY COUNTY
(Hw) - See Appling County
ECHOLS COUNTY
(Hw) - See Appling County
EFFINGHAM COUNTY
(Hw) - See Appling County
ELBERT COUNTY
(Hw) - See Banks County
EMANUEL COUNTY
(Hw) - See Baldwin County
EVANS COUNTY
(Hw) - See Appling County
FANNIN COUNTY
(Hw) - See Banks County
FAYETTE COUNTY
(Hw) - See Baldwin County
FLOYD COUNTY
(Hw) - See Banks County
FORSYTH COUNTY
(Hw) - See Banks County
FRANKLIN COUNTY
(Hw) - See Banks County
FULTON COUNTY
Decision #AP-149 (B, H, Hw)
38 FR 1453 - 1/12/73
Decision #AP-150 (R)
38 FR 3254 - 2/2/73
GILMER COUNTY
(Hw) - See Banks County
GLASCOCK COUNTY
(Hw) - See Baldwin County
GLYNN COUNTY
(D) - See Bryan County
(Hw) - See Appling County
GORDON COUNTY
(Hw) - See Banks County
GRADY COUNTY
(Hw) - See Appling County

GEORGIA (Cont'd)

GWINNETT COUNTY
(Hw) - See Banks County
HABERSHAM COUNTY
(Hw) - See Banks County
HALL COUNTY
(Hw) - See Banks County
HANCOCK COUNTY
(Hw) - See Baldwin County
HARALSON COUNTY
(Hw) - See Banks County
HARRIS COUNTY
(Hw) - See Baldwin County
HART COUNTY
(Hw) - See Banks County
HEARD COUNTY
(Hw) - See Baldwin County
HENRY COUNTY
(Hw) - See Clayton County
HOUSTON COUNTY
(Hw) - See Baldwin County
IRWIN COUNTY
(Hw) - See Appling County
JACKSON COUNTY
(Hw) - See Banks County
JASPER COUNTY
(Hw) - See Baldwin County
JEFF DAVIS COUNTY
(Hw) - See Appling County
JEFFERSON COUNTY
(Hw) - See Baldwin County
JENKINS COUNTY
(Hw) - See Baldwin County
JOHNSON COUNTY
(Hw) - See Baldwin County
JONES COUNTY
(Hw) - See Baldwin County
LAMAR COUNTY
(Hw) - See Baldwin County
LANIER COUNTY
(Hw) - See Appling County
LAURENS COUNTY
(Hw) - See Appling County
LEE COUNTY
(Hw) - See Appling County
LIBERTY COUNTY
(D) - See Bryan County
(Hw) - See Bryan County
LINCOLN COUNTY
(Hw) - See Baldwin County

GEORGIA (Cont'd)

LONG COUNTY
(Hw) - See Appling County
LOWNDES COUNTY
(Hw) - See Appling County
LUMPKIN COUNTY
(Hw) - See Banks County
McDUFFIE COUNTY
(Hw) - See Baldwin County
McINTOSH COUNTY
(D) - See Bryan County
(Hw) - See Appling County
MACON COUNTY
(Hw) - See Baldwin County
MADISON COUNTY
(Hw) - See Banks County
MARION COUNTY
(Hw) - See Baldwin County
MERIWETHER COUNTY
(Hw) - See Baldwin County
MILLER COUNTY
(Hw) - See Appling County
MITCHELL COUNTY
(Hw) - See Appling County
MONROE COUNTY
(Hw) - See Baldwin County
MONTGOMERY COUNTY
(Hw) - See Appling County
MORGAN COUNTY
(Hw) - See Baldwin County
MURRAY COUNTY
(Hw) - See Banks County
MUSCOGEE COUNTY
(Hw) - See Baldwin County
NEWTON COUNTY
(Hw) - See Baldwin County
OCONEE COUNTY
(Hw) - See Baldwin County
OGLETHORPE COUNTY
(Hw) - See Baldwin County
PAULDING COUNTY
(Hw) - See Banks County
PEACH COUNTY
(Hw) - See Baldwin County
PICKENS COUNTY
(Hw) - See Banks County
PIERCE COUNTY
(Hw) - See Appling County
PIKE COUNTY
(Hw) - See Baldwin County

HAWAII

IDAHO (cont'd)

GEORGIA (Cont'd)

POLK COUNTY
(Hw) - See Banks County
PULASKI COUNTY
(Hw) - See Baldwin County
PUTNAM COUNTY
(Hw) - See Baldwin County
QUITMAN COUNTY
(Hw) - See Appling County
RABUN COUNTY
(Hw) - See Banks County
RANDOLPH COUNTY
(Hw) - See Appling County
RICHMOND COUNTY
(Hw) - See Baldwin County
ROCKDALE COUNTY
(Hw) - See Baldwin County
SCHLEY COUNTY
(Hw) - See Baldwin County
SCREVEN COUNTY
(Hw) - See Baldwin County
SEMINOLE COUNTY
(Hw) - See Appling County
SPALDING COUNTY
(Hw) - See Baldwin County
STEPHENS COUNTY
(Hw) - See Banks County
STEWART COUNTY
(Hw) - See Baldwin County
SUMTER COUNTY
(Hw) - See Baldwin County
TALBOT COUNTY
(Hw) - See Baldwin County
TALIAFERRO COUNTY
(Hw) - See Baldwin County
TATTNALL COUNTY
(Hw) - See Appling County
TAYLOR COUNTY
(Hw) - See Baldwin County
TELFAIR COUNTY
(Hw) - See Appling County
TERRELL COUNTY
(Hw) - See Appling County
THOMAS COUNTY
(Hw) - See Appling County
TIFT COUNTY
(Hw) - See Appling County
TOOMBS COUNTY
(Hw) - See Appling County

GEORGIA (Cont'd)

TOWNS COUNTY
(Hw) - See Banks County
TREUTLEN COUNTY
(Hw) - See Appling County
TROUP COUNTY
(Hw) - See Baldwin County
TURNER COUNTY
(Hw) - See Appling County
TWIGGS COUNTY
(Hw) - See Baldwin County
UNION COUNTY
(Hw) - See Banks County
UPSON COUNTY
(Hw) - See Baldwin County
WALKER COUNTY
(Hw) - See Banks County
WALTON COUNTY
(Hw) - See Baldwin County
WARE COUNTY
Decision #AP-155 (B)
38 FR 4073 - 2/9/73
(Hw) - See Appling County
WARREN COUNTY
(Hw) - See Baldwin County
WASHINGTON COUNTY
(Hw) - See Baldwin COunty
WAYNE COUNTY
(Hw) - See Appling County
WEBSTER COUNTY
(Hw) - See Baldwin County
WHEELER COUNTY
(Hw) - See Appling County
WHITE COUNTY
(Hw) - See Banks County
WHITFIELD COUNTY
(Hw) - See Banks County
WILCOX COUNTY
(Hw) - See Baldwin County
WILKES COUNTY
(Hw) - See Baldwin County
WILKINSON COUNTY
(Hw) - See Baldwin County
WORTH COUNTY
(Hw) - See Appling County

HAWAII

STATEWIDE
Decision #AP-247 (B)
37 FR 21759 - 10-13-72
Decision #AP-208 (B,H,Hw)
37 FR 15797 - 8-4-72
Mod. #1-37 FR 21697 - 10-13-72
HAWAII COUNTY
(B-H-Hw) - See Statewide
(B) - See Statewide
HONOLULU COUNTY
(B-H-Hw) - See Statewide
(B) - See Statewide
KAUAI COUNTY
(B-H-Hw) - See Statewide
(B)-See Statewide
MAUI COUNTY
(B-H-Hw) - See Statewide
(B)-See Statewide

IDAHO

ADA COUNTY
Decision #AP-228 (B-H-Hw)
37 FR 17352 - 8-25-72
Mod. #1-37 FR 20388 - 9-29-72
Mod. #2-38 FR 1434 - 1/12/73
Decision #AP-257 (B)
38 FR 1459 - 1/12/73
ADAMS COUNTY
(B-H-Hw) - See Ada County
BANNOCK COUNTY
Decision #AP-226 (B-H-Hw)
37 FR 17328 - 8-25-72
Mod. #1-37 FR 20386 - 9-29-72
BEAR LAKE COUNTY
(B-H-Hw) - See Bannock County
BENEWAH COUNTY
Decision #AP-227 (B-H-Hw)
37 FR 17332 - 8-25-72
Mod. #1-37 20387 - 9-29-72
Mod. #2-37 FR 21698 - 10-12-72
Mod. #3-37 FR 23052 - 10-27-72
Mod. #4-38 FR 3247 - 2/2/73
BINGHAM COUNTY
(B-H-Hw) - See Bannock County

IDAHO (cont'd)

BLAINE COUNTY
(B-H-Hw) - See Ada County
BOISE COUNTY
(B-H-Hw) - See Ada County
BONNER COUNTY
(B-H-Hw) - See Benewah County
BONNEVILLE COUNTY
(B-H-Hw) - See Bannock County
BOUNDARY COUNTY
(B-H-Hw) - See Benewah County
BUTTE COUNTY
(B-H-Hw) - See Ada County
CAMAS COUNTY
(B-H-Hw) - See Ada County
CANYON COUNTY
(B-H-Hw) - See Ada County
CARIBOU COUNTY
(B-H-Hw) - See Bannock County
CASSIA COUNTY
(B-H-Hw) - See Ada County
CLARK COUNTY
(B-H-Hw) - See Bannock County
CLEARWATER COUNTY
(B-H-Hw) - See Benewah County
CUSTER COUNTY
(B-H-Hw) - See Ada County
ELMORE COUNTY
(B-H-Hw) - See Ada County
FRANKLIN COUNTY
(B-H-Hw) - See Bannock County
FREMONT COUNTY
(B-H-Hw) - See Bannock County
GEM COUNTY
(B-H-Hw) - See Ada County
GOODING COUNTY
(B-H-Hw) - See Ada County
IDAHO COUNTY
(B-H-Hw) - See Benewah County
JEFFERSON COUNTY
(B-H-Hw) - See Bannock County
JEROME COUNTY
(B-H-Hw) - See Ada County
KOOTENAI COUNTY
(B-H-Hw) - See Benewah County
LATAH COUNTY
(B-H-Hw) - See Benewah County

IDAHO (Cont'd)

LEMHI COUNTY
(B-H-Hw) - See Ada County
LEWIS COUNTY
(B-H-Hw) - See Benewah County
LINCOLN COUNTY
(B-H-Hw) - See Ada County
MADISON COUNTY
(B-H-Hw) - See Bannock County
MINIDOKA COUNTY
(B-H-Hw) - See Ada County
NEZ PERCE COUNTY
(B-H-Hw) - See Benewah County
ONEIDA COUNTY
(B-H-Hw) - See Bannock County
OWYHEE COUNTY
(B-H-Hw) - See Ada County
PAYETTE COUNTY
(B-H-Hw) - See Ada County
POWER COUNTY
(B-H-Hw) - See Bannock County
SHOSHONE COUNTY
(B-H-Hw) - See Benewah County
TETON COUNTY
(B-H-Hw) - See Bannock County
TWIN FALLS COUNTY
(B-H-Hw) - See Ada County
VALLEY COUNTY
(B-H-Hw) - See Ada County
WASHINGTON COUNTY
(B-H-Hw) - See Ada County

ILLINOIS

ADAMS COUNTY
Decision #AP-14 (Hw)
37 FR 19983 - 9-22-72
Mod. #1-37 FR 26198 - 12/8/72
ALEXANDER COUNTY
Decision #AP-16 (Hw)
37 FR 19994 - 9-22-72
Mod. #1-37 FR 26778 - 12/15/72
Decision #AP-602 (D)
38 FR 1433 - 1/12/73
BOND COUNTY
Decision #AP-7 (Hw)
37 FR 15816 - 8-4-72
Mod. #1-37 FR 18833 - 9-15-72
BOONE COUNTY
Decision #AP-10 (Hw)
37 FR 19950 - 9-22-72
BROWN COUNTY
(Hw) - See Adams County

ILLINOIS (Cont'd)

BUREAU COUNTY
Decision #AP-11 (Hw)
37 FR 19958 - 9/22/72
CALHOUN COUNTY
(Hw) - See Bond County
(D) - See Alexander County
CARROLL COUNTY
(Hw) - See Bureau County
CASS COUNTY
(Hw) - See Adams County
(D) - See Alexander County
CHAMPAIGN COUNTY
Decision #AP-24 (B)(H)(Hw)
37 FR 21243 - 10-6-72
Mod. #1-37 FR 25104 - 11/25/72
Decision #AP-13 (Hw)
37 FR 19978 - 9-22-72

CHRISTIAN COUNTY
(Hw) - See Adams County
CLARK COUNTY
(Hw)-See Champaign County
CLAY COUNTY
Decision #AP-15 (Hw)
37 FR 19989 - 9-22-72
CLINTON COUNTY
(Hw) - See Bond County
COLES COUNTY
(Hw) - See Champaign COunty
COOK COUNTY
Decision #AP-28 (B)(H)(Hw)
37 FR 23513 - 11-3-72
Mod. #1-37 FR 24509 - 11/17/72
Mod. #2-37 FR 25104 - 11/25/72
Mod. #3-37 FR 26198 - 12/8/72
Decision #AP-29 (R)
37 FR 23490 - 11-3-72
Mod. #1-37 FR 24509 - 11/17/72
Mod. #2-37 FR 26198 - 12/8/72
Decision #AP-4 (D)
37 FR 14670 - 7-21-72
CRAWFORD COUNTY
(Hw) - See Clay County
CUMBERLAND COUNTY
(Hw) - See Champaign County
DEKALB COUNTY
(Hw) - See Boone County
DEWITT COUNTY
(Hw) - See Champaign County
DOUGLAS COUNTY
(Hw) - See Champaign County

ILLINOIS (Cont'd)

DU PAGE COUNTY
Decision #AP-30 (B)(H)
37 FR 23975 - 11/10/72
Mod. #1-37 FR 25615 - 12/1/72
Decision #AP-31 (R)
37 FR 23961 - 11/10/72
Mod. #1-37 FR 25615 - 12/1/72
(Hw) - See Boone County
EDGAR COUNTY
(Hw) - See Champaign County
EDWARDS COUNTY
(Hw) - See Clay County
EFFINGHAM COUNTY
(Hw) - See Clay County
FAYETTE COUNTY
(Hw) - See Clay County
FORD COUNTY
None
FRANKLIN COUNTY
(Hw) - See Alexander County
FULTON COUNTY
Decision #AP-12 (Hw)
37 FR 19970 - 9-22-72
GALLATIN COUNTY
(Hw) - See Alexander County
(D) - See Alexander County
GREENE COUNTY
(Hw) - See Bond County
(D) - See Alexander County
GRUNDY COUNTY
None
HAMILTON COUNTY
(Hw) - See Clay County
HANCOCK COUNTY
(Hw) - See Fulton County
HARDIN COUNTY
(Hw) - See Alexander County
(D) - See Alexander County
HENDERSON COUNTY
(Hw) - See Fulton County
HENRY COUNTY
(Hw) - See Bureau County
IROQUOIS COUNTY
None
JACKSON COUNTY
(Hw) - See Alexander County
(D) - See Alexander County
JASPER COUNTY
(Hw) - See Clay County

ILLINOIS (Cont'd)

JEFFERSON COUNTY
(Hw) - See Clay County
JERSEY COUNTY
(Hw) - See Bond County
(D) - See Alexander County
JO DAVIESS COUNTY
(Hw) - See Bureau County
JOHNSON COUNTY
(Hw) - See Alexander County
KANE COUNTY
Decision #AP-32 (B) (H)
37 FR 25631 - 12/1/72
Decision #AP-33 (R)
37 FR 25603 - 12/1/72
(Hw) - See Boone County
KANKAKEE COUNTY
None
KENDALL COUNTY
(Hw) - Boone County
KNOX COUNTY
(Hw) - See Fulton County
LAKE COUNTY
Decision #AP-51 (B) (H)
37 FR 26235 - 12/8/72
Mod. #1 - 37 FR 28351 - 12/22/72
Decision #AP-52 (R)
37 FR 26191 - 12/8/72
Mod. #1 - 37 FR 28351 - 12/22/72
(D) - See Cook County
(Hw) - See Boone County
LA SALLE COUNTY
None
LAWRENCE COUNTY
(Hw) - See Clay County
LEE COUNTY
(Hw) - See Bureau County
LIVINGSTON COUNTY
None
LOGAN COUNTY
(Hw) - See Adams County
McDONOUGH COUNTY
(Hw) - See Fulton County
McHENRY COUNTY
(Hw) - See Boone County
McLEAN COUNTY
None
MACON COUNTY
(Hw) - See Champaign County

ILLINOIS (cont'd)

MADISON COUNTY
Decision #AP-617 (B, H)
38 FR 2590 - 1/26/73
Decision #AP-618 (R)
38 FR 2563 - 1/26/73
(Hw) - See Bond County
MARION COUNTY
(Hw) - See Clay County
MARSHALL COUNTY
None
MASON COUNTY
(Hw) - See Adams County
MASSAC COUNTY
(Hw, D) - See Alexander County
MENARD COUNTY
(Hw) - See Adams County
MERCER COUNTY
(Hw) - See Fulton County
MONROE COUNTY
(Hw) - See Bond County
(D) - See Alexander County
MONTGOMERY COUNTY
(Hw) - See Bond County
MORGAN COUNTY
(Hw) - See Adams County
(D) - See Alexander County
MOULTRIE COUNTY
(Hw) - See Champaign County
OGLE COUNTY
(Hw) - See Bureau County
PEORIA COUNTY
Decision #AP-621 (B, H, D)
38 FR 2595 - 1/26/73
Decision #AP-622 (R)
38 FR 3242 - 2/2/73
(Hw) - See Fulton County
PERRY COUNTY
(Hw) - See Alexander County
PIATT COUNTY
(Hw) - See Champaign County
PIKE COUNTY
(Hw) - See Adams County
POPE COUNTY
(Hw , D) - See Alexander County

ILLINOIS (cont'd)

PULASKI COUNTY
(Hw, D) - See Alexander County
PUTNAM COUNTY
None
RANDOLPH COUNTY
(Hw, D) - See Alexander
RICHLAND COUNTY
(Hw) - See Clay County
ROCK ISLAND COUNTY
Decision #AP-616 (B, H)
38 FR 2585 - 1/26/73
(Hw) - See Bureau County
SAINT CLAIR COUNTY
Decision #AP-619 (B,H)
38 FR 3255 - 2/2/73
Decision #AP-620 (R)
38 FR 3237 - 2/2/73
(Hw) - See Bond County
SALINE COUNTY
(Hw) - See Alexander County
SANGAMON COUNTY
Decision #AP-79 (B, H)
37 FR 28368 - 12/22/72
Mod. #1 - 38 FR 2568 - 1/26/73
(Hw) - See Adams County
SCHUYLER COUNTY
(Hw) - See Adams County
SCOTT COUNTY
(Hw) - See Adams County
(D) - See Alexander County
SHELBY COUNTY
(Hw) - See Champaign County
STARK COUNTY
(Hw) - See Fulton County
STEPHENSON COUNTY
(Hw) - See Bureau County
TAZEWELL COUNTY
(R) - See Peoria County
(Hw) - See Fulton County
UNION COUNTY
(Hw, D) - See Alexander County
VERMILLION COUNTY
Decision #AP-615 (B,H)
38 FR 2580 - 1/26/73
(Hw) - See Champaign County
WABASH COUNTY
(Hw) - See Clay County

ILLINOIS (Cont'd)

WARREN COUNTY
(Hw) - See Fulton County
WASHINGTON COUNTY
(Hw) - See Bond County
WAYNE COUNTY
(Hw) - See Clay County
WHITE COUNTY
(Hw) - See Clay County
WHITESIDE COUNTY
(Hw) - See Bureau County
WILL COUNTY
Decision #AP-68 (B) (H)
37 FR 26420 - 12/8/72
Mod. #1 - 38 FR 2568 - 1/26/73
Decision #AP-69 (R)
37 FR 26194 - 12/8/72
Mod. #1 - 38 FR 4076 - 2/9/73
(Hw) - See Boone County
WILLIAMSON COUNTY
Decision #AP-603 (B, H)
38 FR 2572 - 1/26/73
(Hw) - See Alexander County
WINNEBAGO COUNTY
Decision #AP-604 (B, H)
38 FR 2575 - 1/26/73
(Hw) - See Bureau County
WOODFORD COUNTY
None

INDIANA

ADAMS COUNTY
Decision #AP-17 (Hw)
37 FR 20415 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26199 - 12/8/72
ALLEN COUNTY
Decision #AP-623 (B, H)
38 FR 4089 - 2/9/73
Decision #AM-371 (R)
36 FR 15390-8-13-71
(Hw) - See Adams County

INDIANA (Cont'd)

BARTHOLOMEW COUNTY
Decision #AP-624 (B, H)
38 FR 4095 - 2/9/73
Decision #AP-21 (Hw)
37 FR 20433 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26199 - 12/8/72
Mod. #3-37 FR 28351 - 12/22/72
BENTON COUNTY
Decision #AP-625 (B, H)
38 FR 4101 - 2/9/73
Decision #AP-18 (Hw)
37 FR 20420 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26199 - 12/8/72
Mod. #3-37 FR 28351 - 12/22/72
BLACKFORD COUNTY
Decision #AP-19 (Hw)
37 FR 20424 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26199 - 12/8/72
BOONE COUNTY
Decision #AM-372 (R)
36 FR 15391 - 8-13-71
Decision #AP-20 (Hw)
37 FR 20428 - 9-29-72
Mod. #1-37 FR 26199 - 12/8/72
BROWN COUNTY
(Hw) - See Bartholomew County
CARROLL COUNTY
(Hw) - See Benton County
CASS COUNTY
(Hw) - See Benton County
CLARK COUNTY
Decision #AP-602 (D)
38 FR 1433 - 1/12/73
(Hw) - See Bartholomew County
CLAY COUNTY
(Hw) - See Boone County
CLINTON COUNTY
(Hw) - See Benton County

INDIANA (Cont'd)

CRAWFORD COUNTY
Decision #AP-22 (Hw)
37 FR 20437 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26200 - 12/8/72
Mod. #3-37 FR 28351 - 12/22/72
(D) - See Clark County
DAVIESS COUNTY
(Hw) - See Boone County
DEARBORN COUNTY
Decision #AP-626 (B, H)
38 FR 4107 - 2/9/73
(D) - See Clark County
(Hw) - See Bartholomew County
DECATUR COUNTY
(Hw) - See Bartholomew County
DEKALB COUNTY
(Hw) - See Adams County
DELAWARE COUNTY
Decision #AP-627 (B, H)
38 FR 4111 - 2/9/73
(Hw) - See Blackford County
DUBOIS COUNTY
(Hw) - See Crawford County
ELKHART COUNTY
(Hw) - See Adams County
FAYETTE COUNTY
(Hw) - See Blackford County
FLOYD COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
FOUNTAIN COUNTY
(Hw) - See Boone County
FRANKLIN COUNTY
(Hw) - See Bartholomew COunty
FULTON COUNTY
(Hw) - See Benton County
GIBSON COUNTY
(Hw) - See Crawford County

INDIANA (Cont'd)

GRANT COUNTY
Decision #AP-628 (B, H)
38 FR 4116 - 2/9/73
(Hw) - See Blackford County
GREENE COUNTY
(Hw) - See Boone County
HAMILTON COUNTY
(Hw) - See Blackford County
(R) - See Boone County
HANCOCK COUNTY
(Hw) - See Blackford County
(R) - See Boone County
HARRISON COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
HENDRICKS COUNTY
(Hw) - See Boone County
(R) - See Boone County
HENRY COUNTY
(Hw) - See Blackford County
HOWARD COUNTY
(Hw) - See Benton County
HUNTINGTON COUNTY
(Hw) - See Adams County
JACKSON COUNTY
(Hw) - See Bartholomew County
JASPER COUNTY
(Hw) - See Benton County
JAY COUNTY
(Hw) - See Blackford County
JEFFERSON COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
JENNINGS COUNTY
(Hw) - See Bartholomew County
JOHNSON COUNTY
(Hw) - See Blackford County
(R) - See Boone County
KNOX COUNTY
(Hw) - See Boone County
KOSCIUSKO COUNTY
(Hw) - See Adams County

INDIANA (Cont'd)

LAGRANGE COUNTY
(Hw) - See Adams County
LAKE COUNTY
Decision #AP-629 (B, H, Hw)
38 FR 4121 - 2/9/72
Decision #AP-4 (D)
37 FR 14670 - 7-21-72
LAPORTE COUNTY
Decision #AP-630 (B, H, Hw)
38 FR 4126 - 2/9/73
(D) - See Lake County
LAWRENCE COUNTY
(Hw) - See Bartholomew County
MADISON COUNTY
(Hw) - See Blakford County
MARION COUNTY
Decision #AP-631 (B, H)
38 FR 4131 - 2/9/73
(R) - See Boone County
(Hw) - See Blackford County
MARSHALL COUNTY
(Hw) - See Adams County
MARTIN COUNTY
(Hw) - See Bartholomew County
MIAMI COUNTY
(Hw) - See Benton County
MONROE COUNTY
Decision #AP-632 (B, H)
38 FR 4137 - 2/9/73
(Hw) - See Bartholomew County
MONTGOMERY COUNTY
(Hw) - See Boone County
MORGAN COUNTY
(R) - See Boone County
(Hw) - See Boone County
NEWTON COUNTY
(Hw) - See Benton County
NOBLE COUNTY
(Hw) - See Adams County

INDIANA (Cont'd)

OHIO COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
ORANGE COUNTY
(Hw) - See Bartholomew County
OWEN COUNTY
(Hw) - See Boone County
PARKE COUNTY
(Hw) - See Boone County
PERRY COUNTY
(D) - See Clark Coutny
(Hw) - See Crawford County
PIKE COUNTY
(Hw) - See Crawford County
PORTER COUNTY
Decision #AP-633 (B, H, Hw)
38 FR 4142 - 2/9/73
(D) - See Lake County
POSEY COUNTY
(D) - See Clark County
(Hw) - See Crawford County
PULASKI COUNTY
(Hw) - See Benton County
PUTNAM COUNTY
(Hw) - See Boone County
RANDOLPH COUNTY
(Hw) - See Blackford County
RIPLEY COUNTY
(Hw) - See Bartholomew County
RUSH COUNTY
(Hw) - See Blackford County
SAINT JOSEPH COUNTY
Decision #AP-634 (B, H, Hw)
38 FR 4147 - 2/9/73
SCOTT COUNTY
(Hw) - See Bartholomew County
SHELBY COUNTY
(R) - See Boone County
(Hw) - See Blackford County
SPENCER COUNTY
(D) - See Clark County
(Hw) - See Crawford County

INDIANA (Cont'd)

STARKE COUNTY
(Hw) - See Adams County
STEUBEN COUNTY
(Hw) - See Adams County
SULLIVAN COUNTY
(Hw) - See Boone County
SWITZERLAND COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
TIPPECANOE COUNTY
(B)(H)(Hw) - See Benton County
TIPTON COUNTY
(Hw) - See Benton County
UNION COUNTY
(Hw) - See Blackford County
VANDERBURGH COUNTY
Decision #AP-635 (B, H)
38 FR 4151 - 2/9/73
(Hw) - See Crawford County
VERMILLION COUNTY
(Hw) - See Boone County
VIGO COUNTY
Decision #AP-636 (B, H)
38 FR 4156 - 2/9/73
(Hw) - See Boone County
WABASH COUNTY
(Hw) - See Benton County
WARREN COUNTY
(Hw) - See Boone County
WARRICK COUNTY
(D) - See Clark County
(Hw) - See Crawford County
WASHINGTON COUNTY
(Hw) - See Bartholomew County
WAYNE COUNTY
(Hw) - See Blackford County
WELLS COUNTY
(Hw) - See Adams County
WHITE COUNTY
(Hw) - See Benton County
WHITLEY COUNTY
(Hw) - See Adams County

IOWA

ADAIR COUNTY
None
ADAMS COUNTY
None
ALLAMAKEE COUNTY
None
APPANOOSE COUNTY
None
AUDUBON COUNTY
None
BENTON COUNTY
None
BLACK HAWK COUNTY
Decision #AP-510 (B,H,Hw)
37 FR 23980 - 11/10/72
BOONE COUNTY
None
BREMER COUNTY
None
BUCHANAN COUNTY
None
BUENA VISTA COUNTY
None
BUTLER COUNTY
None
CALHOUN COUNTY
None
CARROLL COUNTY
Decision #AM-6,712 (H-Hw)
37 FR 7429 - 4-14-72
CASS COUNTY
(H-Hw) - See Carroll County
CEDAR COUNTY
None
CERRO GORDO COUNTY (MASON CITY)
Decision #AM-2,448 (B-H-Hw)
36 FR 16796 - 8-25-71
Mod. #1-36 FR 18985 - 9-24-71
Mod. #2-37 FR 4465 - 3-3-72
CHEROKEE COUNTY
None
CHICKASAW COUNTY
None
CLARKE COUNTY
None

IOWA (Cont'd)

CLAY COUNTY
(H-Hw) - See Carroll County
CLAYTON COUNTY
None
CLINTON COUNTY (CLINTON CITY)
Decision #AM-2,449 (B-H-Hw)
36 FR 16799 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
CRAWFORD COUNTY
(B-Hw) - See Carroll County
DALLAS COUNTY
None
DAVIS COUNTY
None
DECATUR COUNTY
None
DELEWARE COUNTY
None
DES MOINES COUNTY (City of Burlington and Abutting Municipalities; and Burlington Ordnance Plant)
Decision #AP-511 (B,H,Hw)
37 FR 23984 - 11/10/72
DICKINSON COUNTY
None
DUBUQUE COUNTY (Dubuque City)
Decision #AM-2,451 (B-H-Hw)
36 FR 16806 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
Mod. #2-37 FR 17900 - 9-1-72
EMMET COUNTY
None
FAYETTE COUNTY
None
FLOYD COUNTY
None
FRANKLIN COUNTY
None
FREMONT COUNTY
None
GREENE COUNTY
None
GRUNDY COUNTY
None

IOWA (Cont'd)

GUTHRIE COUNTY
None
HAMILTON COUNTY
None
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
None
HENRY COUNTY
None
HOWARD COUNTY
(B-Hw) - See Carroll County
HUMBOLDT COUNTY
None
IDA COUNTY
None
IOWA COUNTY
None
JACKSON COUNTY
None
JASPER COUNTY
None
JEFFERSON COUNTY
None
JOHNSON COUNTY (Iowa City)
Decision #AM-2,452 (B-H-Hw)
36 FR 16809 - 8-25-71
Mod. #1-37 FR 640 - 1-14-72
JONES COUNTY
None
KEOKUK COUNTY
None
KOSSUTH COUNTY
None
LEE COUNTY
None
LINN COUNTY (City of Cedar Rapids and Abutting Municipalities)
Decision #AP-512 (B,H,Hw)
37 FR 23988 - 11/10/72
LINN COUNTY (Except City of Cedar Rapids and Abutting Municipalities)
Decision #AP-212 (B-H-Hw)
37 FR 16330 - 8-11-72

IOWA (Cont'd)

LOUISA COUNTY
None
LUCAS COUNTY
None
LYON COUNTY
None
MADISON COUNTY
None
MAHASKA COUNTY
None
MARION COUNTY
None
MARSHALL COUNTY
None
MILLS COUNTY
None
MITCHELL COUNTY
None
MONONA COUNTY
(H-Hw) - See Carroll County
MONROE COUNTY
None
MONTGOMERY COUNTY
None
MUSCATINE COUNTY
None
O'BRIEN COUNTY
(H-Hw) - See Carroll County
OSCEOLA COUNTY
(H-Hw) - See Carroll County
PAGE COUNTY
None
PALO ALTO COUNTY
None
PLYMOUTH COUNTY
None
POCAHONTAS COUNTY
None
POLK COUNTY (City of Des Moines and Abutting Municipalities)
Decision #AP-513 (H,H,Hw)
POLK COUNTY (Except City of Des Moines and Abutting Municipalities)
Decision #AP-215 (H-Hw)
37 FR 16266 - 8-11-72

IOWA (Cont'd)

POTTAWATTAMIE COUNTY (City of Council Bluffs and the area within 3 miles from the City limits)
Decision #AM-2,455 (B-H-Hw)
36 FR 16820 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
POWESHIEK COUNTY
None
RINGGOLD COUNTY
(H-Hw) - See Carroll County
SAC COUNTY
None
SCOTT COUNTY
Decision #AM-2,456 (B-H-Hw)
36 FR 16823 - 8-25-71
SHELBY COUNTY
None
SIOUX COUNTY
None
STORY COUNTY (AMES)
Decision #AM-2,457 (B-H-Hw)
36 FR 16826 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
Mod. #2-37 FR 5154 - 3-10-72
Mod. #3-37 FR 9595 - 5-12-72
TAMA COUNTY
None
TAYLOR COUNTY
(H-Hw) - See Carroll County
UNION COUNTY
None
VAN BUREN COUNTY
(H-Hw) - See Carroll County
WAPELLO COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
None
WEBSTER COUNTY (FORT DODGE)
Decision #AM-2,458 (B,H,Hw)
36 FR 16830 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72

IOWA (Cont'd)

WINNEBAGO COUNTY
None
WINNESHIEK COUNTY
None
WOODBURY COUNTY (SIOUX CITY)
Decision #AM-2,459 (B-H-Hw)
36 FR 16833 - 8-25-71
Mod. #1-37 FR 641 - 1-14-72
WORTH COUNTY
None
WRIGHT COUNTY
None

KANSAS

ALLEN COUNTY
Decision #AM-11,403 (Hw)
37 FR 5664 - 3-17-72
ANDERSON COUNTY
(Hw) - See Allen County
ATCHISON COUNTY
(Hw) - See Allen County
BARBER COUNTY
Decision #AM-11,405 (Hw)
37 FR 5666 - 3-17-72
BARTON COUNTY
(Hw) - See Barber County
BOURBON COUNTY
(Hw) - See Allen County
BROWN COUNTY
(Hw) - See Allen County
BUTLER COUNTY
(Hw) - See Allen County
CHASE COUNTY
(Hw) - See Allen County
CHAUTAUQUA COUNTY
(Hw) - See Allen County
CHEROKEE COUNTY
(Hw) - See Allen County
CHEYENNE COUNTY
(Hw) - See Barber County
CLARK COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

CLAY COUNTY
(Hw) - See Allen County
CLOUD COUNTY
(Hw) - See Allen County
COFFEY COUNTY
(Hw) - See Allen County
COMANCHE COUNTY
(Hw) - See Barber County
COWLEY COUNTY
(Hw) - See Allen County
CRAWFORD COUNTY
(Hw) - See Allen County
DECATUR COUNTY
(Hw) - See Barber County
DICKINSON COUNTY
(Hw) - See Allen County
DONIPHAN COUNTY
(Hw) - See Allen County
DOUGLAS COUNTY
Decision #AP-503 (Hw)
37 FR 17349 - 8-25-72
Mod. #1-37 FR 20389 - 9-29-72
EDWARDS COUNTY
(Hw) - See Barber County
ELK COUNTY
(Hw) - See Allen County
ELLIS COUNTY
(Hw) - See Barber County
ELLSWORTH COUNTY
(Hw) - See Barber County
FINNEY COUNTY
(Hw) - See Barber County
FORD COUNTY
(Hw) - See Barber County
FRANKLIN COUNTY
(Hw) - See Allen County
GEARY COUNTY
(Hw) - See Allen County
GOVE COUNTY
(Hw) - See Barber County
GRAHAM COUNTY
(Hw) - See Barber County
GRANT COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

GRAY COUNTY
(Hw) - See Barber County
GREELEY COUNTY
(Hw) - See Barber County
GREENWOOD COUNTY
(Hw) - See Allen County
HAMILTON COUNTY
(Hw) - See Barber County
HARPER COUNTY
(Hw) - See Allen County
HARVEY COUNTY
(Hw) - See Allen County
HASKELL COUNTY
(Hw) - See Barber County
HODGEMAN COUNTY
(Hw) - See Barber County
JACKSON COUNTY
(Hw) - See Allen County
JEFFERSON COUNTY
(Hw)- See Douglas County
JEWELL COUNTY
(Hw) - See Barber County
JOHNSON COUNTY
Decision #AP-517 (B, H, Hw)
37 FR 26218 - 12/8/72
Mod. #1 - 37 FR 28353 - 12/22/72
Mod. #2 - 38 FR 1435 - 1/12/73
Mod. #3 - 38 FR 4078 - 2/9/73
Decision #AP-516 (R)
37 FR 26206 - 12/8/72
Mod. #1 - 38 FR 1435 - 1/12/73
Mod. #2 - 38 FR 4078 - 2/9/73
KEARNY COUNTY
(Hw) - See Barber County
KINGMAN COUNTY
(Hw) - See Allen County
KIOWA COUNTY
(Hw) - See Barber County
LABETTE COUNTY
(Hw) - See Allen County
LANE COUNTY
(Hw) - See Barber County
LEAVENWORTH COUNTY
Decision #AM-6,708 (B)
37 FR 7031-4/7/72
Mod.#1-37 FR 18833-9/15/72
Mod.#2-37 FR 20388-9/29/72
(Hw) - See Douglas County
LINCOLN COUNTY
(Hw) - See Barber County
LINN COUNTY
(Hw) - See Allen County

KANSAS (Cont'd)

LOGAN COUNTY
(Hw) - See Barber County
LYON COUNTY
(Hw) - See Allen County
McPHERSON COUNTY
(Hw) See Allen County
MARION COUNTY
(Hw) - See Allen County
MARSHALL COUNTY
(Hw) - See Allen County
MEADE COUNTY
(Hw) - See Barber County
MIAMI COUNTY
(Hw) - See Douglas County
MITCHELL COUNTY
(Hw) - See Barber County
MONTGOMERY COUNTY
(Hw) - See Allen County
MORRIS COUNTY
(Hw) - See Allen County
MORTON COUNTY
(Hw) - See Barber County
NEMAHA COUNTY
(Hw) - See Allen County
NEOSHO COUNTY
(Hw) - See Allen County
NESS COUNTY
(Hw)- See Barber County
NORTON COUNTY
(Hw) - See Barber County
OSAGE COUNTY
(Hw) - See Allen County
OSBORNE COUNTY
(Hw) - See Barber County
OTTAWA COUNTY
(Hw) - See Allen County
PAWNEE COUNTY
(Hw) See Barber County
PHILLIPS COUNTY
(Hw) - See Barber County
POTTAWATOMIE COUNTY
(Hw) - See Allen County
PRATT COUNTY
(Hw) - See Barber County
RAWLINS COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

RENO COUNTY
(Hw) - See Allen County
REPUBLIC COUNTY
(Hw) - See Allen County
RICE COUNTY
(Hw) - See Barber County
RILEY COUNTY
(Hw) - See Allen County
ROOKS COUNTY
(Hw) - See Barber County
RUSH COUNTY
(Hw) - See Barber County
RUSSELL COUNTY
(Hw) - See Barber County
SALINE COUNTY
(Hw) - See Allen County
SCOTT COUNTY
(Hw) - See Barber County
SEDGWICK COUNTY
Decision #AP-500 (B)
37 FR 16308-8/11/72
Mod.#1-37 FR 18833-9/15/72
Mod.#2-37 FR 20388-9/29/72
Mod.#3-38 FR 1434 - 1/12/73
Decision #AM-11,404 (Hw)
37 FR 5665-3/17/72
SEWARD COUNTY
(Hw) - See Barber County
SHAWNEE COUNTY
Decision #AM-6,717 (B)
37 FR 7458-4/14/72
Mod.#1-37 FR 18833-9/15/72
Mod.#2-37 FR 20388-9/29/72
Mod.#3-38 FR 4077 - 2/9/73
(Hw) - See Douglas County
Decision #AP-501 (R)
37 FR 16312-8/11/72
Mod.#1-37 FR 18834-9/15/72
Mod.#2-37 FR 20388-9/29/72
Mod.#3-38 FR 4077 - 2/9/73
SHERIDAN COUNTY
(Hw) - See Barber County
SHERMAN COUNTY
(Hw) - See Barber County
SMITH COUNTY
(Hw) - See Barber County
STAFFORD COUNTY
(Hw) - See Barber County
STANTON COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

STEVENS COUNTY
(Hw) - See Barber County
SUMNER COUNTY
(Hw) - See Allen County
THOMAS COUNTY
(Hw) - See Barber County
TREGO COUNTY
(Hw) - See Barber County
WABAUNSEE COUNTY
(Hw) - See Allen County
WALLACE COUNTY
(Hw) - See Barber County
WASHINGTON COUNTY
(Hw) - See Allen County
WICHITA COUNTY
(Hw) - See Barber County
WILSON COUNTY
(Hw) - See Allen County
WOODSON COUNTY
(Hw) - See Allen County
WYANDOTTE COUNTY
(B,H,Hw) - See Johnson County
(R) - See Johnson County

KENTUCKY

ADAIR COUNTY
Decision #AP-143 (H, Hw)
38 FR 2033 - 1/19/73
ALLEN COUNTY
Decision #AP-145 (H, Hw)
38 FR 2040 - 1/19/73
ANDERSON COUNTY
Decision #AP-146 (H, Hw)
38 FR 2044 - 1/19/73
BALLARD COUNTY
Decision #AM-8,589 (D)
37 FR 5654-3/17/72
Mod. #1-37 FR 24506 11/17/72
(H,Hw) - See Allen County
BARREN COUNTY
(H,Hw) - See Adair County
BATH COUNTY
(H,Hw) - See Anderson County

KENTUCKY (Cont'd)

BATH COUNTY (Cont'd)
Decision #AM-487 (R)
36 FR 16459 - 8/20/71
BELL COUNTY
(H,Hw) - See Adair County
BOONE COUNTY
Decision #AP-141 (H,Hw)
37 FR 25690 - 12/1/72
Mod. #1-37 FR 26778 - 12/15/72
Mod. #2-38 FR 2008 - 1/19/73
Decision #AP-602 (D)
38 FR 1433 - 1/12/73
BOURBON COUNTY
(Hw, H) - See Anderson County
(R) - See Bath County
BOYD COUNTY
Decision #AM-8625 (B,H)
37 FR 12471 - 6-23-72
Mod. #1-37 FR 19879 - 9-22-72
Mod. #2-37 FR 21699 - 10-13-72
Mod. #3-37 FR 23498 - 11/3/72
Mod. #4-37 FR 23968 - 11/10/72
Mod. #5-37 FR 28352 - 12/22/72
Mod. #6-38 FR 4077 - 2/9/73
(D) - See Boone County
BOYLE COUNTY
(H,Hw) - See Anderson County
BRACKEN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
BREATHITT COUNTY
Decision #AP-144 (H, Hw)
38 FR 2037 - 1/19/73
BRECKINRIDGE COUNTY
Decision #AM-488 (R)
36 FR 16460 - 8-20-71
Mod. #1-37 FR 23972 - 11/10/72
(H,Hw)-See Anderson County
(D) - See Boone County

KENTUCKY (cont'd)

BULLITT COUNTY
(H, Hw) - See Anderson County
(R) - See Breckinridge County
BUTLER COUNTY
(H,Hw) - See Allen County
CALDWELL COUNTY
(H,Hw) - See Allen County
CALLOWAY COUNTY
(H,Hw) - See Allen County
CAMPBELL COUNTY
(H, Hw, D) - See Boone County
CARLISLE COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
CARROLL COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
CARTER COUNTY
(H,Hw) - See Anderson County
CASEY COUNTY
(H,Hw) - See Adair County
CHRISTIAN COUNTY
(H,Hw) - See Allen County
CLARK COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
CLAY COUNTY
(H,Hw) - See Adair County
CLINTON COUNTY
(H,Hw) - See Adair County
CRITTENDEN COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
CUMBERLAND COUNTY
(H,Hw) - See Adair County
DAVIESS COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
EDMONSON COUNTY
(H,Hw) - See Allen County

KENTUCKY (cont'd)

ELLIOTT COUNTY
(H,Hw) - See Anderson County
ESTILL COUNTY
(H,Hw) - See Adair County
FAYETTE COUNTY
Decision #AP-135 (B,H,Hw)
37 FR 21771 - 10-13-72
Mod. #1-37 FR 23972-11/10/72
Mod. #2-37 FR 28352 - 12/22/72
Mod. #3-38 FR 4077 - 2/9/73
(R) - See Bath COunty
FLEMING COUNTY
(H,Hw) - See Anderson County
FLOYD COUNTY
(H,Hw) - See Breathitt County
FRANKLIN COUNTY
(H,Hw) - See Anderson County
FULTON COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
GALLATIN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
GARRARD COUNTY
(H,Hw) - See Adair County
GRANT COUNTY
(H,Hw) - See Anderson County
GRAVES COUNTY
(H,Hw) - See Allen County
GRAYSON COUNTY
(H,Hw) - See Anderson County
GREEN COUNTY
(H,Hw) - See Adair County
GREENUP COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County

KENTUCKY (Cont'd)

HANCOCK COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
HARDIN COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
HARLAN COUNTY
(H,Hw) - See Adair County
HARRISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
HART COUNTY
(H,Hw) - See Adair County
HENDERSON COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
HENRY COUNTY
(H,Hw) - See Anderson County
HICKMAN COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
HOPKINS COUNTY
(H,Hw) - See Allen County
JACKSON COUNTY
(H,Hw) - See Adair County
JEFFERSON COUNTY
Decision #AP-132 (B,H,Hw)
37 FR 21763 - 10-13-72
Mod. #1-37 FR 23054 - 10-27-72
Mod. #2-37 FR 23969-11/10/72
Mod. #3-37 FR 24507-11/17/72
Mod. #4-37 FR 25105-11/25/72
Mod. #5-37 FR 28352-12/22/72
Mod. #6-38 FR 4077-2/9/73
(D) - See Boone County
(R) - See Breckinridge County
JESSAMINE COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
JOHNSON COUNTY
Decision #AP-147 (H, Hw)
38 FR 2048 - 1/19/73
KENTON COUNTY
(H, Hw, D) - See Boone County
KNOTT COUNTY
(H,Hw) - See Breathitt County
KNOX COUNTY
(H,Hw) - See Adair County
LARUE COUNTY
(H,Hw) - See Anderson COunty
LAUREL COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd)

LAWRENCE COUNTY
(H,Hw) - See Johnson County
LEE COUNTY
(H,Hw) - See Adair County
LESLIE COUNTY
(H,Hw) - See Adair County
LETCHER COUNTY
(H,Hw) - See Breathitt County
LEWIS COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
LINCOLN COUNTY
(H,Hw) - See Adair County
LIVINGSTON COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
LOGAN COUNTY
(H,Hw) - See Allen County
LYON COUNTY
(H,Hw) - See Allen County
McCRACKEN COUNTY
Decision #AP-134 (B,H,Hw)
37 FR 21769 - 10-13-72
Mod. #1-37 FR 23055 - 10-27-72
Mod. #2-37 FR 23791-11/10/72
Mod. #3-37 FR 28352 - 12/22/72
Mod. #4-38 FR 4077 - 2/9/73
(D) - See Boone County
McCREARY COUNTY
(H,Hw) - See Adair County
McLEAN COUNTY
(H,Hw) - See Allen County
MADISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MAGAFFIN COUNTY
(H,Hw) - See Breathitt County
MARION COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
MARSHALL COUNTY
(H,Hw) - See Allen County
MARTIN COUNTY
(H,Hw) - See Breathitt County
MASON COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
MEADE COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
MENIFEE COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd)

MERCER COUNTY
(H,Hw) - See Anderson County
METCALFE COUNTY
(H,Hw) - See Adair County
MONROE COUNTY
(H,Hw) - See Adair County
MONTGOMERY COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MORGAN COUNTY
(H,Hw) - See Anderson County
MUHLENBERG COUNTY
(H,Hw) - See Allen County
NELSON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
NICHOLAS COUNTY
(H,Hw) - See Anderson County
OHIO COUNTY
(H,Hw) - See Allen County
OLDHAM COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
OWEN COUNTY
(H,Hw) - See Anderson County
OWSLEY COUNTY
(H,Hw) - See Adair County
PENDLETON COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
PERRY COUNTY
(H,Hw) - See Breathitt County
PIKE COUNTY
(H,Hw) - See Breathitt County
POWELL COUNTY
(H,Hw) - See Adair County
PULASKI COUNTY
(H,Hw) - See Adair County
ROBERTSON COUNTY
(H,Hw) - See Anderson County
ROCKCASTLE COUNTY
(H,Hw) - See Adair County
ROWAN COUNTY
(H,Hw) - See Anderson County

KENTUCKY (Cont'd)

RUSSELL COUNTY
(H,Hw) - See Adair County
SCOTT COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
SHELBY COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
SIMPSON COUNTY
(H,Hw) - See Allen County
SPENCER COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
TAYLOR COUNTY
(H,Hw) - See Adair County
TODD COUNTY
(H,Hw) - See Allen County
TRIGG COUNTY
(H,Hw) - See Allen County
TRIMBLE COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
UNION COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
WARREN COUNTY
Decision #AP-133 (B,H,Hw)
37 FR 21766 - 10-13-72
Mod. #1-37 FR 23055 - 10-27-72
Mod. #2-37 FR 23970 - 11/10/72
Mod. #3-37 FR 24057 - 11/17/72
Mod. #4-37 FR 28352 - 12/22/72
Mod. #5-38 FR 4077 - 2/9/73
WASHINGTON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
WAYNE COUNTY
(H,Hw) - See Adair County
WEBSTER COUNTY
(H,Hw) - See Allen County
WHITLEY COUNTY
(H,Hw) - See Adair County
WOLFE COUNTY
(H,Hw) - See Adair County
WOODFORD COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

LOUISIANA

STATEWIDE
Decision #AM-8,589 (D)
37 FR 5654 - 3-17-72
Mod. #1-37 FR 24506 - 11/17/72
ACADIA PARISH
(D) - See Statewide
Decision #AM-8,588 (F)
37 FR 5654 - 3-17-72
Mod. #1-37 FR 8601 - 4-28-72
Mod. #2-37 FR 24506 - 11/17/72
ALLEN PARISH
(D) - See Statewide
(F) - See Acadia Parish
ASCENSION PARISH
(D) - See Statewide
(F) - See Acadia Parish
ASSUMPTION PARISH
(D) - See Statewide
(F) - See Acadia Parish
AVOYELLES PARISH
(D) - See Statewide
(F) - See Acadia Parish
BEAUREGARD PARISH
(D) - See Statewide
(F) - See Acadia Parish
BIENVILLE PARISH
(D)-See Statewide
(F)-See Acadia Parish
BOSSIER PARISH
(D)-See Statewide
(F)-See Acadia Parish
Decision #AP-397 (B)
38 FR 2602 - 1/26/73
Mod. #1 - 38 FR 4078 - 2/9/73
Decision #AP-398 (R)
38 FR 2604 - 1/26/73
Mod. #1 - 38 FR 4078 - 2/9/73
CADDO PARISH
(D) - See Statewide
(B, R) - See Bossier Parish
CALCASIEU PARISH
(D) - See Statewide
(F) - See Acadia Parish

LOUISIANA (Cont'd)

CALCASIEU PARISH (cont'd)
Decision #AP-367 (B)
37 FR 26247 - 12/8/72
Mod. #1 - 37 FR 28352 - 12/22/72
Mod. #2 - 37 FR 28800 - 12/29/72
Mod. #3 - 38 FR 936 - 1/5/73
Decision #AP-366 (R)
37 FR 26245 - 12/8/72
Mod. #1 - 37 FR 28352 - 12/22/72
Mod. #2 - 37 FR 28800 - 12/29/72
Mod. #3 - 38 FR 936 - 1/5/73
CALDWELL PARISH
(D)-See Statewide
(F)-See Acadia Parish
CAMERON PARISH
(D) - See Statewide
(F) - See Acadia Parish
CATAHOULA PARISH
(D) - See Statewide
(F) - See Acadia Parish
CLAIBORNE PARISH
(D) - See Statewide
(F) - See Acadia Parish
CONCORDIA PARISH
(D) - See Statewide
(F) - See Acadia Parish
DE SOTO PARISH
(D) - See Statewide
(F) - See Acadia Parish
EAST BATON ROUGE PARISH
(D) - See Statewide
Decision #AP-362 (B)
37 FR 25636 - 12/1/72
Mod. #1-37 FR 26778 - 12/15/72
EAST CARROLL PARISH
(D) - See Statewide
(F) - See Acadia Parish
EAST FELICIANA PARISH
(D) - See Statewide
(F) - See Acadia Parish
EVANGELINE PARISH
(D) - See Statewide
(F) - See Acadia Parish
FRANKLIN PARISH
(D) - See Statewide
(F) - See Acadia Parish

LOUISIANA (Cont'd)

GRANT PARISH
(D) - See Statewide
(F) - See Acadia Parish
IBERIA PARISH
(D) - See Statewide
(F) - See Acadia Parish
IBERVILLE PARISH
(D)-See Statewide
(F)-See Acadia Parish
JACKSON PARISH
(D)-See Statewide
(F)-See Acadia Parish
JEFFERSON PARISH
(D)-See Statewide
(F)-See Acadia Parish
Decision #AP-351 (B)
37 FR 20441-9/29/72
Mod. #1-37 FR 23973 - 11/10/72
Mod. #2-37 FR 25106 - 11/25/72
Mod. #3-37 FR 25615 - 12/1/72
Mod. #4-37 FR 26200 - 12/8/72
Mod. #5-37 FR 26778 - 12/15/72
Mod. #6-37 FR 28799 - 12/29/72
JEFFERSON DAVIS PARISH
(D)-See Statewide
(F)-See Acadia Parish
LAFAYETTE PARISH
(D)-See Statewide
(F)-See Acadia Parish
LAFOURCHE PARISH
(D)-See Statewide
(F)-See Acadia Parish
LA SALLE PARISH
(D)-See Statewide
(F)-See Acadia Parish
LINCOLN PARISH
(D)-See Statewide
(F)-See Acadia Parish
LIVINGSTON PARISH
(D)-See Statewide
(F)-See Acadia Parish
MADISON PARISH
(D)-See Statewide
(F)-See Acadia Parish
MOREHOUSE PARISH
(D)-See Statewide
(F)-See Acadia Parish
NATCHITOCHES PARISH
(D)-See Statewide
(F)-See Acadia Parish

LOUISIANA (Cont'd)

ORLEANS PARISH
(D)-See Statewide
(B)-See Jefferson Parish
OUACHITA PARISH
(D)-See Statewide
Decision #AP-317 (R)
37 FR 17305-8/25/72
PLAQUEMINES PARISH
(D)-See Statewide
(B)-See Jefferson Parish
(F)-See Acadia Parish
POINT COUPEE PARISH
(D)-See Statewide
(F)-See Acadia Parish
RAPIDES PARISH
(D)-See Statewide
Decision #AP-363 (B)
37 FR 25638 - 12/1/72
Mod. #1-37 FR 26778 - 12/15/72
Mod. #2-38 FR 1434 - 1/12/73
Mod. #3-38 FR 2569 - 1/26/73
RED RIVER PARISH
(D)-See Statewide
(F)-See Acadia Parish
RICHLAND PARISH
(D)-See Statewide
(F)-See Acadia Parish
SABINE PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. BERNARD PARISH
(D)-See Statewide
(F)-See Acadia Parish
(B)-See Jefferson Parish
ST. CHARLES PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. HELENA PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. JAMES PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. JOHN THE BAPTIST PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. LANDRY PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. MARTIN PARISH
(D)-See Statewide
(F)-See Acadia Parish

MARYLAND (Cont'd)

MARYLAND (Cont'd)

LOUISIANA (Cont'd)

ST. MARY PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. TAMMANY PARISH
(D)-See Statewide
(F)-See Acadia Parish
TANGIPAHOA PARISH
(D)-See Statewide
(F)-See Acadia Parish
TENSAS PARISH
(D) See Statewide
(F)-See Acadia Parish
TERREBONNE PARISH
(D)-See Statewide
(F)-See Acadia Parish
UNION PARISH
(D)-See Statewide
(F)-See Acadia Parish
VERMILION PARISH
(D)-See Statewide
(F)-See Acadia Parish
VERNON PARISH
(D)-See Statewide
(F)-See Acadia Parish
WASHINGTON PARISH
(D)-See Statewide
(F)-See Acadia Parish
WEBSTER PARISH
(D)-See Statewide
(F)-See Acadia Parish
WEST BATON ROUGE PARISH
(D)-See Statewide
(F)-See Acadia Parish
WEST CARROLL PARISH
(D)-See Statewide
(F)-See Acadia Parish
WEST FELICIANA PARISH
(D)-See Statewide
(F)-See Acadia Parish
WINN PARISH
(D)-See Statewide
(F)-See Acadia Parish

MAINE

ANDROSCOGGIN COUNTY
None
AROOSTOOK COUNTY
None
CUMBERLAND COUNTY
None
FRANKLIN COUNTY
None
HANCOCK COUNTY
None
KENNEBEC COUNTY
None
KNOX COUNTY
None
OXFORD COUNTY
None
PENOBSCOT COUNTY
None
PISCATAQUIS COUNTY
None
SAGADAHOC COUNTY
None
SOMERSET COUNTY
None
WALDO COUNTY
None
WASHINGTON COUNTY
None
YORK COUNTY
None

MARYLAND

ALLEGANY COUNTY
None
ANNE ARUNDEL COUNTY
Decision #AP-439 (D)
37 FR 22701 - 10/20/72
BALTIMORE CITY & BALTIMORE COUNTY
Decision #AP-455 (B, H, Hw)
37 FR 28819 - 12/29/72

MARYLAND (Cont'd)

BALTIMORE CITY & BALTIMORE COUNTY (Cont'd)
Decision #AM-1,846 (R)
36 FR 16249 - 8/20/71
Decision #AM-9,322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
CALVERT COUNTY
(D)-See Anne Arundel County
CAROLINE COUNTY
None
CARROLL COUNTY
None
CECIL COUNTY
(R)-See Baltimore County
CHARLES COUNTY
(D)-See Anne Arundel County
DORCHESTER COUNTY
(D)-See Anne Arundel County
FREDERICK COUNTY
None
GARRETT COUNTY
None
HARFORD COUNTY
(R)-See Baltimore County
(D)-See Anne Arundel County
HOWARD COUNTY
(R)-See Baltimore County
KENT COUNTY
(D)-See Anne Arundel County
MONTGOMERY COUNTY
Decision #AP-443 (B)
37 FR 24515 - 11/17/72
Mod. #1-37 FR 25615 - 12/1/72
Mod. #2-37 FR 26198 - 12/8/72
Mod. #3-38 FR 2015 - 1/19/73
Decision #AP-450 (R)
37 FR 25117 - 11/25/72
PRINCE GEORGES COUNTY
(B)-See Montgomery County
(R)-See Montgomery County
(D)-See Anne Arundel County

MARYLAND (Cont'd)

QUEEN ANNES COUNTY
(D) - See Anne Arundel County
ST. MARYS COUNTY
(D) - See Anne Arundel County
SOMERSET COUNTY
(D)-See Anne Arundel County
TALBOT COUNTY
(D)-See Anne Arundel County
WASHINGTON COUNTY
None
WICOMICO COUNTY
(D)-See Anne Arundel County
WORCESTER COUNTY
(D)-See Baltimore County

MASSACHUSETTS

BARNSTABLE COUNTY
Decision #AP-456 (B, H, Hw & Marine)
38 FR 2051 - 1/19/73
Decision #AM-9,322 (D)
37 FR 10693-5/26/72
Mod. #1-37 FR 19871-9/22/72
BERKSHIRE COUNTY
None
BRISTOL COUNTY
(D)-See Barnstable County
DUKES COUNTY
(D)-See Barnstable County
ESSEX COUNTY
Decision #AP -457 (B, H, Hw & Marine)
38 FR 2054 - 1/19/73
(D)-See Barnstable County
FRANKLIN COUNTY
None
HAMPDEN COUNTY
Decision #AP-458 (B, H, Hw)
38 FR 2058 - 1/19/73

MASSACHUSETTS (Cont'd)

HAMPSHIRE COUNTY
None
MIDDLESEX COUNTY
Decision #AP-459 (B, H, Hw & Marine)
38 FR 2062 - 1/19/73
(D)- See Barnstable County
NANTUCKET COUNTY
(D)-See Barnstable County
NORFOLK COUNTY
(D)-See Barnstable County
PLYMOUTH COUNTY
(D)-See Barnstable County
SUFFOLK COUNTY
Decision #AP-460 (B, H, Hw & Marine)
38 FR 2066 - 1/19/73
WORCESTER COUNTY
Decision #AP-461 (B, H, Hw)
38 FR 2070 - 1/19/73

MICHIGAN

ALCONA COUNTY
Decision #AP-4 (D)
37 FR 14670 - 7-21-72
Decision #AP-78 (Highway, Bridge, Airport & Sewer Cons, excl. of Bldgs.)
37 FR 28377 - 12/22/72
Mod. #1 - 38 FR 936 - 1/5/73
ALGER COUNTY
(Hw, D) - See Alcona County
ALLEGAN COUNTY
Decision #AP-80 (B, H)
37 FR 28822 - 12/29/72
Decision #AP-398 (R)
36 FR 15891 - 8/18/71
Decision #AP-77 (Highway, Bridge, Airport & Sewer Cons, excl. of Bldgs.)
37 FR 28374 - 12/22/72
(D) - See Alcona County
ALPENA COUNTY
Decision #AP-81 (B, H)
37 FR 28825 - 12/29/72
(Hw, D) - See Alcona County
ANTRIM COUNTY
(Hw, D) - See Alcona County
ARENAC COUNTY
(Hw, D) - See Alcona County

MICHIGAN (cont'd)

BARAGA COUNTY
Decision #AP-82 (B, H)
37 FR 28850 - 12/29/72
(Hw, D) - See Alcona County
BARRY COUNTY
(Hw) - See Allegan County
BAY COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
BENZIE COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
BERRIEN COUNTY
Decision #AP-83 (B, H)
37 FR 28828 - 12/29/72
Decision #AM-399 (R)
36 FR 15892 - 8-18-71
(D) - See Alcona County
(Hw) - See Allegan County
BRANCH COUNTY
Decision #AM-401 (R)
36 FR 15894 - 8-18-71
(Hw) - See Allegon County
CALHOUN COUNTY
Decision #AP-84 (B, H)
37 FR 28831 - 12/29/72
Decision #AM-400 (R)
36 FR 15892 - 8/18/71
(Hw) - See Allegan County
CASS COUNTY
(Hw) - See Allegan County
(R)-See Branch County
CHARLEVOIX COUNTY
Decision #AP-85 (B, H)
37 FR 28834 - 12/29/72
(Hw, D) - See Alcona County
CHEBOYGAN COUNTY
(Hw, D) - See Alcona County
CHIPPEWA COUNTY
Decison #AP-86 (B, H)
37 FR 28837 - 12/29/72
(Hw, D) - See Alcona County
CLARE COUNTY
(Hw) - See Alcona County
CLINTON COUNTY
(Hw) - See Allegan County

MICHIGAN (cont'd)

CRAWFORD COUNTY
(Hw) - See Alcona County
DELTA COUNTY
(Hw, D) - See Alcona County
DICKINSON COUNTY
(Hw) - See Alcona County
EATON COUNTY
Decision #AM-8041 (R)
36 FR 24027 - 12/17/71
(Hw) - See Allegan County
EMMET COUNTY
Decision #AP-87 (B, H)
37 FR 28839 - 12/29/72
(Hw, D) - See Alcona County
GENESEE COUNTY
Decision #AP-88 (B, H)
37 FR 28870 - 12/29/72
Decision #AP-76 (Highway, Bridge, Airport & Sewer Cons., excl. of Bldgs.)
37 FR 28372 - 12/22/72
GLADWIN COUNTY
(Hw) - See Alcona County
GOGEBIC COUNTY
Decision #AP-89 (B, H)
37 FR 28844 - 12/29/72
(Hw, D) - See Alcona County
GRAND TRAVERSE COUNTY
Decision #AP-90 (H,H)
37 FR 28873 - 12/29/72
(Hw, D) - See Alcona County
GRATIOT COUNTY
(hw) - See Allegan County
HILLSDALE COUNTY
(Hw) - See Allegan County
HOUGHTON COUNTY
(B, H) - See Baraga County
(Hw, D) - See Alcona County
HURON COUNTY
Decision #AP-91 (B, H)
37 FR 28879 - 12/29/72
(D) - See Alcona County
(Hw) - See Allegan County
INGHAM COUNTY
Decision #AP-92 (B, H)
37 FR 28844 - 12/29/72
(Hw) - See Allegan County
(R) - See Eaton County
IONIA COUNTY
(Hw) - See Allegan County

MICHIGAN (cont'd)

IOSCO COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
IRON COUNTY
(Hw) - See Alcona County
ISABELLA COUNTY
(Hw) - See Alcona County
JACKSON COUNTY
(Hw) - See Allegan County
KALAMAZOO COUNTY
Decision #AP-93 (B, H)
37 FR 28847 - 12/29/72
(Hw) - See Allegan County
(R) - See Branch County
KALKASKA COUNTY
(Hw) - See Alcona County
KENT COUNTY
Decision #AP-23 (B)(H)(Hw)
37 FR 20443 - 9/29/72
Mod. # 1-37 FR 22704 - 10/20/72
Decision #AM-402 (R)
36 FR 15895 - 8/18/71
(Hw) - See Allegan County
KEWEENAW COUNTY
(B)(H)- See Baraga County
(Hw) - See Alcona County
LAKE COUNTY
(Hw) - See Alcona County
LAPEER COUNTY
(Hw) - See Allegan County
LEELANAU COUNTY
(B, H) - See Grand Traverse County
(Hw, D) - See Alcona County
LENAWEE COUNTY
(Hw) - See Allegan County
LIVINGSTON COUNTY
(Hw) - See Allegan County
LUCE COUNTY
(Hw, D) - See Alcona County
MACKINAC COUNTY
(B, H) - See Chippewa County
(Hw, D) - See Alcona County
MACOMB COUNTY
Decision #AP-600 (B, H)
37 FR 28866 - 12/29/72
(D) - See Alcona County
(Hw) - See Genessee County
Decision #AP-601 (R)
37 FR 28797 - 12/29/72

MICHIGAN (cont'd)

MANISTEE COUNTY
(Hw, D) - See Alcona County
MARQUETTE COUNTY
Decision #AP-94 (B, H)
37 FR 28852 - 12/29/72
(Hw, D) - See Alcona County
MASON COUNTY
Decision #AP-95 (B, H)
37 FR 28854 - 12/29/72
(Hw, D) - See Alcona County
MECOSTA COUNTY
(Hw) - See Alcona County
MENOMINEE COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
MIDLAND COUNTY
(Hw) - See Allegan County
MISSAUKEE COUNTY
(Hw) - See Alcona County
MONROE COUNTY
(D) - See Alcona County
(Hw) - See Genessee County
MONTCALM COUNTY
(Hw) - See Allegan County
(R) - See Kent County
MONTMORENCY COUNTY
(Hw) - See Alcona County
MUSKEGON COUNTY
Decision #AP-97 (B, H)
37 FR 28857 - 12/29/72
Decision #AM-403 (R)
36 FR 15896 - 8/18/71
(D) - See Alcona County
(Hw) - See Allegan County
NEWAYGO COUNTY
(Hw) - See Alcona County

MICHIGAN (Cont'd)

OAKLAND COUNTY
(B, H, R) - See Macomb County
(D) - See Alcona County
(Hw) - See Genessee County
OCEANA COUNTY
(B, H, R) - See Muskegon County
(HW, D) - See Alcona County
OGEMAW COUNTY
(Hw) - See Alcona County
ONTONAGON COUNTY
(B, H) - See Baraga County
(Hw, D) - See Alcona County
OSCEOLA COUNTY
(Hw) - See Alcona County
OSCODA COUNTY
(Hw) - See Alcona County
OTSEGO COUNTY
(Hw) - See Alcona County
OTTAWA COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
(R) - See Allegan County
PRESQUE ISLE COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
ROSCOMMON COUNTY
(Hw) - See Alcona County
SAGINAW COUNTY
Decision #AP-91 (B, H)
37 FR 28879 - 12/29/72
(Hw) - See Allegan County
SAINT CLAIR COUNTY
Decision #AP-98 (B, H)
37 FR 28860 - 12/29/72
(D) - See Alcona County
(Hw) - See Allegan County

MICHIGAN (cont'd)

SAINT JOSEPH COUNTY
(Hw) - See Allegan County
(R) - See Branch County
SANILAC COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
SCHOOLCRAFT COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
SHIAWASSEE COUNTY
(Hw) - See Allegan County
TUSCOLA COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
VAN BUREN COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
WASHTENAW COUNTY
Decision #AP-99 (B, H)
37 FR 28863 - 12/29/72
(Hw) - See Genesee County
WAYNE COUNTY
(B, H, R) - See Macomb County
(D) - See Alcona County
(Hw) - See Genesee County
WEXFORD COUNTY
(Hw) - See Alcona County

MINNESOTA

AITKIN COUNTY
None
ANOKA COUNTY
Decision #AP 605 (B)
38 FR 2073 - 1/19/73
Decision #AP-609 (H, Hw)
38 FR 2085 - 1/19/73
Decision #AP-611 (R)
38 FR 2091 - 1/19/73
BECKER COUNTY
Decisfon #AP-49 (Hw)
37 FR 25097 - 11/25/72
BELTRAMI COUNTY
None
BENTON COUNTY
None

MINNESOTA (Cont'd)

BIG STONE COUNTY
Decision #AP-50 (Hw)
37 FR 25098 - 11/25/72
BLUE EARTH COUNTY
None
BROWN COUNTY
None
CARLTON COUNTY
None
CARVER COUNTY
Decision #AP-606 (B)
38 FR 2074 - 1/19/73
Decision #AP-612 (R)
38 FR 2095 - 1/19/73
(H, Hw) - See Anoka County
CASS COUNTY
(Hw) - See Becker County
CHIPPEWA COUNTY
(Hw) - See Big Stone County
CHISAGO COUNTY
None
CLAY COUNTY
(Hw) - See Becker County
CLEAR WATER COUNTY
None
COOK COUNTY
Decision #AP-610 (H, Hw)
38 FR 2088 - 1/19/73
Decision #AP-4 (D)
37 FR 14670 - 7/21/72
COTTONWOOD COUNTY
None
CROW WING COUNTY
None
DAKOTA COUNTY
Decision #AP-607 (B)
38 FR 2078 - 1/19/73
Decision #AP-613 (R)
38 FR 2099 - 1/19/73
(H, Hw) - See Anoka County

MINNESOTA (Cont'd)

DODGE COUNTY
None
DOUGLAS COUNTY
(Hw) - See Big Stone County
FAIRBAULT COUNTY
None
FREEBORN COUNTY
None
GOODHUE COUNTY
None
GRANT COUNTY
(Hw) - See Big Stone County
HENNEPIN COUNTY
(B, R) - See Carver County
(H, Hw) - See Anoka County
HOUSTON COUNTY
None
HUBBARD COUNTY
(Hw) - See Becker County
ISANTI COUNTY
None
ITASKA COUNTY
None
JACKSON COUNTY
None
KANABEC COUNTY
None
KANDIYOHI COUNTY
(Hw) - See Becker County
KITTSON COUNTY
None
KOOCHICHING COUNTY
None
LAC QUI PARLE COUNTY
(Hw) - See Big Stone County
LAKE COUNTY
(H)(Hw)-See Cook County
(D)-See Cook County
LAKE OF THE WOODS COUNTY
None
LE SUEUR COUNTY
None
LINCOLN COUNTY
None

MINNESOTA (cont'd)

LYON COUNTY
None
MCLEOD COUNTY
None
MAHNOMEN COUNTY
None
MARSHALL COUNTY
None
MARTIN COUNTY
None
MEEKER COUNTY
None
MILLE LACS COUNTY
Non
MORRISON COUNTY
None
MOWER COUNTY
None
MURRAY COUNTY
None
NICOLLET COUNTY
None
NOBLES COUNTY
None
NORMAN COUNTY
None
OLMSTEAD COUNTY
None
OTTER TAIL COUNTY
(Hw) - See Becker County
PENNINGTON COUNTY
None
PINE COUNTY
None
PIPESTONE COUNTY
None
POLK COUNTY
None
POPE COUNTY
(Hw) - See Big Stone County
RAMSEY COUNTY
(R, B) - See Dakota County
(H, Hw) - See Anoka County

MINNESOTA (Cont'd)

RED LAKE COUNTY
None
REDWOOD COUNTY
None
RENVILLE COUNTY
None
RICE COUNTY
None
ROCK COUNTY
None
ROSEAU COUNTY
None
SAINT LOUIS COUNTY
(D)-See Cook County
(H)(Hw)-See Cook County
CITY OF DULUTH
Decision #AP-608 (B)
38 FR 2082 - 1/19/73
Decision #AP-614 (E)
38 FR 2103 - 1/19/73
SCOTT COUNTY
(H)(Hw)-See Anoka County
(B) - See Carver County
SHERBURNE COUNTY
None
SIBLEY COUNTY
None
STEARNS COUNTY
None
STEELE COUNTY
None
STEVENS COUNTY
(Hw) - See Big Stone County
SWIFT COUNTY
(Hw) - See Big Stone County
TODD COUNTY
(Hw) - See Becker County
TRAVERSE COUNTY
(Hw) - See Big Stone County
WABASHA COUNTY
None
WADENA COUNTY
(Hw) - See Becker County
WASECA COUNTY
None
WASHINGTON COUNTY
(B) - See Dakota County
(H, Hw) - See Anoka County
WATONWAN COUNTY
None
WILKIN COUNTY
(Hw) - See Becker County

MINNESOTA (Cont'd)

WINONA COUNTY
None
WRIGHT COUNTY
None
YELLOW MEDICINE COUNTY
None

MISSISSIPPI

STATEWIDE
Decision #AM-8589 (D)
37 FR 5654 - 3/17/72
Mod. #1-37 FR 24506 - 11/17/72
Decision #AM-8588 (F)
37 FR 5654 - 3/17/72
Mod. #1-37 FR 8601 - 4/28/72
Mod. #2-37 FR 24506 - 11/17/72
ADAMS COUNTY
Decision #AM-495 (Hw)
36 FR 16470 - 8/20/71
Mod. #1-37 FR 643 - 1/14/72
(D) - See Statewide
(F) - See Statewide
ALCORN COUNTY
Decision #AM-491 (Hw)
36 FR 16466 - 8/20/71
Mod. #1-37 FR 641 - 1/14/72
(D) - See Statewide
(F) - See Statewide
AMITE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
ATTALA COUNTY
Decision #AM-494 (Hw)
36 FR 16469 - 8/20/71
Mod. #1-37 FR 643 - 1/14/72
(D) - See Statewide
(F) - See Statewide
BENTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County

MISSISSIPPI (Cont'd)

BOLIVAR COUNTY
Decision #AM-492 (Hw)
36 FR 16467 - 8/20/71
Mod. #1-37 FR 642 - 1/14/72
(D) - See Statewide
(F) - See Statewide
CALHOUN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
CARROLL COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
CHICKASAW COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
CHOCTAW COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
CLAIBORNE COUNTY
Decision #AM-493 (Hw)
36 FR 16469 - 8/20/71
Mod. #1-37 FR 642 - 1/14/72
Mod. #2-37 FR 3687 - 2/18/72
(D) - See Statewide
(F) - See Statewide
CLARKE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
CLAY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
COAHOMA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
COPIAH COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
COVINGTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County

MISSISSIPPI (Cont'd)

DE SOTO COUNTY
(D) - See Statewide
(F) - Se (F) - See Statewide
(Hw) - See Bolivar
FORREST COUNTY
Decision #AM-8264 (R)
37 FR 13017 - 6/30/72
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
FRANKLIN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
GEORGE COUNTY
Decision #AM-496 (Hw)
36 FR 16471 - 8/20/71
Mod. #1-37 FR 644 - 1/14/72
(D) - See Statewide
(F) - See Statewide
(R) - See Harrison County
GREENE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
GRENADA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
HANCOCK COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See George County
(R) - See Harrison County
HARRISON COUNTY
Decision #AM-8619 (R,H)
37 FR 11142 - 6/2/72
Mod. #1-37 FR 13423 - 7/7/72
Mod. #2-37 FR 16277 - 8/11/72
Mod. #3-37 FR 24510 - 11/17/72
Mod. #4-48 FR 2009 - 1/19/73
Decision #AM-8597 (R)
37 FR 5666 - 3/17/72
(D) - See Statewide
(F) - See Statewide
(Hw) - See George County
HINDS COUNTY
Decision #AM-8618 (R,H)
37 FR 11140 - 6/2/72
Mod. #1-37 FR 13423 - 7/7/72
Mod. #2-37 FR 16277 - 8/11/72

MISSISSIPPI (Cont'd)

HINDS COUNTY (Cont'd)
Mod. #3-37 FR 20388 - 9/29/72
Mod. #4-37 FR 24510 - 11/17/72
Mod. #5-38 FR 2009 - 1/19/73
Decision #AM-498 (R)
36 FR 16473 - 8/20/71
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
HOLMES COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
HUMPHREYS COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
ISSAQUENA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
ITAWAMBA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
JACKSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See George County
(R) - See Harrison County
JASPER COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
JEFFERSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
JEFFERSON DAVIS COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
JONES COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
(R) - See Forest County

MISSISSIPPI (Cont'd)

KEMPER COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
LAFAYETTE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
LAMAR COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
LAUDERDALE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
LAWRENCE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
LEAKE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attalo County
LEE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
LEFLORE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
LINCOLN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
LOWNDES COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
MADISON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County

MISSISSIPPI (Cont'd)

MARION COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
MARSHALL COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
MONROE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
MONTGOMERY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
NESHOBA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
NEWTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
NOXUBEE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
OKTIBBEHA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
PANOLA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
PEARL RIVER COUNTY
(B, H) - See Harrison County
(D) - See Statewide
(F) - See Statewide
(Hw) - See Statewide
(R) - See Harrison County
PERRY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
PIKE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County

MISSISSIPPI (Cont'd)

PONTOTOC COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn COunty
PRENTISS COUNTY
(D) - See Statewide
(F) - See Statewise
(Hw) - See Alcorn County
QUITMAN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
RANKIN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
SCOTT COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
SHARKEY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
SIMPSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
SMITH COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
STONE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Georgia County
(R) - See Harrison County
SUNFLOWER COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
TALLAHATCHIE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County

MISSISSIPPI (Cont'd)

TATE COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
TIPPAH COUNTY
(D,F)-See Statewide
(Hw)-See Alcorn County
TISHOMINGO COUNTY
(D,F)-See Statewide
(Hw)-See Alcorn County
TUNICA COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
UNION COUNTY
(D,F,)-See Statewide
(Hw)-See Alcorn County
WALTHALL COUNTY
(D,F)-See Statewide
(Hw)-See Adams County
WARREN COUNTY
(D,F)-See Statewide
(Hw)-See Claiborne County
WASHINGTON COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
WAYNE COUNTY
(D,F)-See Statewide
(Hw)-See Adams County
WEBSTER COUNTY
(D,F)-See Statewide
(Hw)-See Alcorn County
WILKINSON COUNTY
(D,F)-See Statewide
(Hw)-See Adams County
WINSTON COUNTY
(D,F)-See Statewide
(Hw)-See Attalo County
YALOBUSHA COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
YAZOO COUNTY
(D,F)-See Statewide
(Hw)-See Claiborne County
(R)-See Hinds County

MISSOURI

ADAIR COUNTY
None
ANDREW COUNTY
None
ATCHISON COUNTY
None
AUDRAIN COUNTY
None
BARRY COUNTY
None
BARTON COUNTY
Decision #AP-509 (H-Hw)
37 FR 21783 - 10/13/72
BATES COUNTY
None
BENTON COUNTY
None
BOLLINGER COUNTY
None
BOONE COUNTY
None
BUCHANAN COUNTY
None
BUTLER COUNTY
None
CALDWELL COUNTY
None
CALLAWAY COUNTY
None
CAMDEN COUNTY
None
CAPE GIRARDEAU COUNTY
Decision #AP-602 (D)
38 FR 1433-1/12/73
CARROLL COUNTY
None
CARTER COUNTY
None

MISSOURI (Cont'd)

CASS COUNTY
Decision #AP-517 (B-H-Hw)
37 FR 26218 - 12/6/72
Mod. #1-37 FR 28353-12/22/72
Mod. #2-38 FR 1435-1/12/73
Mod. #3-38 FR 4078-2/9/73
Decision #AP-516 (R)
37 FR 26206 - 12/8/72
Mod. #1-38 FR 1435-1/12/73
Mod. #2-38 FR 4078-2/9/73
CEDAR COUNTY
None
CHARITON COUNTY
None
CHRISTIAN COUNTY
None
CLARK COUNTY
None
CLAY COUNTY
(B-H-Hw) - See Cass County
(R) - See Cass County
CLINTON COUNTY
None
COLE COUNTY
None
COOPER COUNTY
None
CRAWFORD COUNTY
None
DADE COUNTY
None
DALLAS COUNTY
None
DAVIESS COUNTY
None
DE KALB COUNTY
None
DENT COUNTY
None
DOUGLAS COUNTY
None
DUNKLIN COUNTY
None
FRANKLIN COUNTY
None
GASCONADE COUNTY
None
GENTRY COUNTY
None
GREENE COUNTY
None
GRUNDY COUNTY
None
HARRISON COUNTY
None
HENRY COUNTY
None

MISSOURI (Cont'd)

HICKORY COUNTY
None
HOLT COUNTY
Decision #AP-506 (H-Hw)
37 FR 21774 - 10/13/72
HOWARD COUNTY
None
HOWELL COUNTY
None
IRON COUNTY
None
JACKSON COUNTY
(B-H-Hw) - See Cass County
(R) - See Cass County
JASPER COUNTY
None
JEFFERSON COUNTY
(D)-See Cape Girardeau County
JOHNSON COUNTY
None
KNOX COUNTY
None
LACLEDE COUNTY
(H-Hw) - See Barton County
LAFAYETTE COUNTY
None
LAWRENCE COUNTY
(H-Hw) - See Barton County
LEWIS COUNTY
None
LINCOLN COUNTY
None
LINN COUNTY
Decision #AP-508 (H-Hw)
37 FR 21779 - 10/13/72
Mod. #1-37 FR 23057 - 10/27/72
LIVINGSTON COUNTY
None
MC DONALD COUNTY
None
MACON COUNTY
None
MADISON COUNTY
None
MARIES COUNTY
None
MARION COUNTY
None
MERCER COUNTY
None
MILLER COUNTY
None

MISSOURI (Cont'd)

MISSISSIPPI COUNTY
(D)-See Cape Girardeau County
MONITEAU COUNTY
None
MONROE COUNTY
None
MONTGOMERY COUNTY
None
MORGAN COUNTY
None
NEW MADRID COUNTY
None
NEWTON COUNTY
None
NODAWAY COUNTY
None
OREGON COUNTY
None
OSAGE COUNTY
None
OZARK COUNTY
None
PEMISCOT COUNTY
None
PERRY COUNTY
(D)-See Cape Girardeau County
PETTIS COUNTY
(B-Hw) - See Linn County
PHELPS COUNTY
None
PIKE COUNTY
None
PLATTE COUNTY
(B-H-Hw) - See Cass County
(R) - See Cass County
POLK COUNTY
None
PULASKI COUNTY
None
PUTNAM COUNTY
None
RALLS COUNTY
None
RANDOLPH COUNTY
None

MISSOURI (Cont'd)

RAY COUNTY
(B-H-Hw) - See Cass County
(R) - See Cass County
REYNOLDS COUNTY
None
RIPLEY COUNTY
None
ST. CHARLES COUNTY
Decision #AP-505 (B-H-Hw)
37 FR 17933 - 9/1/72
Mod. #1-37 FR 19884 - 9/22/72
Mod. #2-38 FR 4078-2/9/73
Decision #AP-504 (R)
37 FR 17881 - 9/1/72
Mod. #1-38 FR 4078-2/9/73
(D)-See Cape Girardeau County
ST. CLAIR COUNTY
None
ST. FRANCOIS COUNTY
None
ST. LOUIS COUNTY
(B-H-Hw) - See St. Charles County
(R) - See St. Charles County
(D)-See Cape Girardeau County
ST. LOUIS CITY
(B-H-Hw) - See St. Charles County
(R) - See St. Charles County
STE. GENEVIEVE COUNTY
(D)-See Cape Girardeau County
SALINE COUNTY
None
SCHUYLER COUNTY
None
SCOTLAND COUNTY
None
SCOTT COUNTY
Decision #AP-507 (H-Hw)
37 FR 21776 - 10/13/72
Mod. #1-37 FR 25109 - 11/25/72
(D)-See Cape Girardeau County
SHANNON COUNTY
None
SHELBY COUNTY
None
STODDARD COUNTY
None
STONE COUNTY
None
SULLIVAN COUNTY
None
TANEY COUNTY
None

MISSOURI (cont'd)

TEXAS COUNTY
None
VERNON COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
None
WEBSTER COUNTY
None
WORTH COUNTY
None
WRIGHT COUNTY
None

MONTANA

BEAVERHEAD COUNTY
Decision #AP-230 (H-Hw)
37 FR 17945 - 9/1/72
Mod. #1 37 FR 21702 - 10/13/72
Mod. #2 37 FR 23502 - 11/3/72
Mod. #3 37 FR 25616 - 12/1/72
Mod. #4 37 FR 26779 12/15/72
BIG HORN COUNTY
(H-Hw)-See Beaverhead County
BLAINE COUNTY
Decision #AP-229 (H-Hw)
37 FR 17940 - 9/1/72
Mod. #1 - 37 FR 21702 - 10/13/72
Mod. #2 - 37 FR 23500 - 11/3/72
Mod. #3 - 37 FR 25616 - 12/1/72
Mod. #4 - 37 FR 26779 - 12/15/72
CARBON COUNTY
(H-Hw)-See Beaverhead County
CARTER COUNTY
(H-Hw)-See Blaine County
CASCADE COUNTY
(H-Hw)-See Beaverhead County
Decision #AP-237 (B)
37 FR 19900 - 9/22/72
Mod. #1 - 37 FR 25617 - 12/1/72
Mod. #2 - 37 FR 26780 - 12/15/72
CHATEAU COUNTY
(H-Hw)-See Beaverhead County
CUSTER COUNTY
(H-Hw)-See Blaine County
Decision #AP-241 (B)
37 FR 19916 - 9/22/72
Mod. #1 - 37 FR 25619 - 12/1/72
Mod. #2 - 37 FR 26780 - 12/15/72

MONTANA (Cont'd)

DANIELS COUNTY
(H-Hw) - See Blaine County
DAWSON COUNTY
(H-Hw) - See Blaine County
DEERLODGE COUNTY
(H-Hw) - See Beaverhead County
FALLON COUNTY
(H-Hw) - See Blaine County
FERGUS COUNTY
(H-Hw) - See Beaverhead County
FLATHEAD COUNTY
(H-Hw) - See Beaverhead County
Decision #AP-239 (B)
37 FR 19909 - 9/22/72
Mod. #1-37 FR 23506 - 11/3/72
Mod. #2-37 FR 26203 - 12/8/72
Mod. #3-37 FR 26780 - 12/15/72
GALLATIN COUNTY
(H-Hw) - See Beaverhead County
Decision #AP-240 (B)
37 FR 19912 - 9/22/72
Mod. #1-37 FR 23508 - 11/3/72
Mod. #2-37 FR 26203 - 12/8/72
GARFIELD COUNTY
(H-Hw) - See Blaine County
GLACIER COUNTY
(H-Hw) - See Beaverhead County
GOLDEN VALLEY COUNTY
(H-Hw) - See Beaverhead County
GRANITE COUNTY
(H-Hw) - See Beaverhead County
HILL COUNTY
(H-Hw) - See Beaverhead County
JEFFERSON COUNTY
(H-Hw) - See Beaverhead County
JUDITH BASIN COUNTY
(H-Hw) - See Beaverhead County
LAKE COUNTY
(H-Hw)- See Beaverhead County
LEWIS & CLARK COUNTY
(H-Hw) - See Beaverhead County
(B) - See Gallatin County
LIBERTY COUNTY
(H-Hw) - See Beaverhead County
LINCOLN COUNTY
(H-Hw) - See Beaverhead County
McCONE COUNTY
(H-Hw) - See Blaine County
MADISON COUNTY
(H-Hw) - See Beaverhead County
MEAGHER COUNTY
(H-Hw) - See Beaverhead County

MONTANA (Cont'd)

MINERAL COUNTY
(H-Hw) - See Beaverhead County
MISSOULA COUNTY
(H-Hw) - See Beaverhead County
(B) - See Flathead County
MUSSELSHELL COUNTY
(H-Hw) - See Beaverhead County
PARK COUNTY
(H-Hw) - See Beaverhead County
PETROLEUM COUNTY
(H-Hw) - See Blaine County
PHILLIPS COUNTY
(H-Hw) - See Blaine County
PONDERA COUNTY
(H-Hw) - See Beaverhead County
POWDER RIVER COUNTY
(H-Hw) - See Blaine County
POWELL COUNTY
(H-Hw) - See Beaverhead County
PRAIRIE COUNTY
(H-Hw) - See Blaine County
RAVALLI COUNTY
(H-Hw) - See Beaverhead County
RICHLAND COUNTY
(H-Hw) - See Blaine County
ROOSEVELT COUNTY
(H-Hw) - See Blaine County
ROSEBUD COUNTY
(H-Hw) - See Beaverhead County
SANDERS COUNTY
(H-Hw) - See Beaverhead County
SHERIDAN COUNTY
(H-Hw) - See Blaine County
SILVERBOW COUNTY
(H-Hw) - See Beaverhead County
Decision #AP-238 (B)
37 FR 19904 - 9/22/72
Mod. #1-37 FR 26201 - 12/8/72
STILLWATER COUNTY
(H-Hw) - See Beaverhead County
SWEETGRASS COUNTY
(H-Hw) - See Beaverhead County
TETON COUNTY
(H-Hw) - See Beaverhead County

MONTANA (Cont'd)

TOOLE COUNTY
(H-Hw) - See Beaverhead County
TREASURE COUNTY
(H-Hw) - See Beaverhead County
VALLEY COUNTY
(H-Hw) - See Blaine County
WHEATLAND COUNTY
(H-Hw) - See Beaverhead County
WIBAUX COUNTY
(H-Hw) - See Blaine County
YELLOW STONE COUNTY
(H-Hw) - See Beaverhead County
(B) - See Custer County

NEBRASKA

ADAMS COUNTY
Decision #AP-211 (Hw)
37 FR 15829 - 8/4/72
ANTELOPE COUNTY
(Hw) - See Adams County
ARTHUR COUNTY
(Hw) - See Adams County
BANNER COUNTY
(Hw) - See Adams County
BLAINE COUNTY
(Hw) - See Adams County
BOONE COUNTY
(Hw) - See Adams County
BOX BUTTE COUNTY
(Hw) - See Adams County
BOYD COUNTY
(Hw) - See Adams County
BROWN COUNTY
(Hw) - See Adams County
BUFFALO COUNTY
(Hw) - See Adams County
BURT COUNTY
(Hw) - See Adams County
BUTLER COUNTY
(Hw) - See Adams County
CASS COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

CEDAR COUNTY
(Hw) - See Adams County
CHASE COUNTY
(Hw) - See Adams County
CHERRY COUNTY
(Hw) - See Adams County
CHEYENNE COUNTY
(Hw) - See Adams County
CLAY COUNTY
(Hw) - See Adams County
COLFAX COUNTY
(Hw) - See Adams County
CUMING COUNTY
(Hw) - See Adams County
CUSTER COUNTY
(Hw) - See Adams County
DAKOTA COUNTY
(Hw) - See Adams County
DAWES COUNTY
(Hw) - See Adams County
DAWSON COUNTY
(Hw) - See Adams County
DEUEL COUNTY
(Hw) - See Adams County
DIXON COUNTY
(Hw) - See Adams County
DODGE COUNTY
(Hw) - See Adams County
DOUGLAS COUNTY
Decision #AP-210 (B-H-Hw)
37 FR 15826 - 8/4/72
DUNDY COUNTY
(Hw) - See Adams County
FILLMORE COUNTY
(Hw) - See Adams County
FRANKLIN COUNTY
(Hw) - See Adams County
FRONTIER COUNTY
(Hw) - See Adams County
FURNAS COUNTY
(Hw) - See Adams County
GAGE COUNTY
(Hw) - See Adams County
GARDEN COUNTY
(Hw) - See Adams County
GARFIELD COUNTY
(Hw) - See Adams County
GOSPER COUNTY
(Hw) - See Adams County
GRANT COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

GREELEY COUNTY
(Hw) - See Adams County
HALL COUNTY
(Hw) - See Adams County
HAMILTON COUNTY
(Hw) - See Adams County
HARLAN COUNTY
(Hw) - See Adams County
HAYES COUNTY
(Hw) - See Adams County
HITCHCOCK COUNTY
(Hw) - See Adams County
HOLT COUNTY
(Hw) - See Adams County
HOOKER COUNTY
(Hw) - See Adams County
HOWARD COUNTY
(Hw) - See Adams County
JEFFERSON COUNTY
(Hw) - See Adams County
JOHNSON COUNTY
(Hw) - See Adams County
KEARNEY COUNTY
(Hw) - See Adams County
KEITH COUNTY
(Hw) - See Adams County
KEYAPAHA COUNTY
(Hw) - See Adams County
KIMBALL COUNTY
(Hw) - See Adams County
KNOX COUNTY
(Hw) - See Adams County
LANCASTER COUNTY
(Hw) - See Adams County
Decision #AM-2,441 (B)
36 FR 16874 - 8/25/71
Mod. #1-37 FR 11117 - 6/2/72
Decision #AM-6,140 (B)
36 FR 21736 - 11/12/71
LINCOLN COUNTY
(Hw) - See Adams County
LOGAN COUNTY
(Hw) - See Adams County
LOUP COUNTY
(Hw) - See Adams County
MC PHERSON COUNTY
(Hw) - See Adams County
MADISON COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

MERRICK COUNTY
(Hw) - See Adams County
MORRILL COUNTY
(Hw) - See Adams County
NANCE COUNTY
(Hw) - See Adams County
NEMAHA COUNTY
(Hw) - See Adams County
NUCKOLLS COUNTY
(Hw) - See Adams County
OTOE COUNTY
(Hw) - See Adams County
PAWNEE COUNTY
(Hw) - See Adams County
PERKINS COUNTY
(Hw) - See Adams County
PHELPS COUNTY
(Hw) - See Adams County
PIERCE COUNTY
(Hw) - See Adams County
PLATTE COUNTY
(Hw) - See Adams County
POLK COUNTY
(Hw) - See Adams County
RED WILLOW COUNTY
(Hw) - See Adams County
RICHARDSON COUNTY
(Hw) - See Adams County
ROCK COUNTY
(Hw) - See Adams County
SALINE COUNTY
(Hw) - See Adams County
SARPY COUNTY
(B-H-Hw) - See Douglas County
SAUNDERS COUNTY
(Hw) - See Adams County
SCOTTS BLUFF COUNTY
(Hw) - See Adams County
SEWARD COUNTY
(Hw) - See Adams County
SHERIDAN COUNTY
(Hw) - See Adams County
SHERMAN COUNTY
(Hw) - See Adams County
SIOUX COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

STANTON COUNTY
(Hw) - See Adams County
THAYER COUNTY
(Hw) - See Adams County
THOMAS COUNTY
(Hw) - See Adams County
THURSTON COUNTY
(Hw) - See Adams County
VALLEY COUNTY
(Hw) - See Adams County
WASHINGTON COUNTY
(Hw) - See Adams County
WAYNE COUNTY
(Hw) - See Adams County
WEBSTER COUNTY
(Hw) - See Adams County
WHEELER COUNTY
(Hw) - See Adams County
YORK COUNTY
(Hw) - See Adams County

NEVADA

STATEWIDE (Excluding the Nevada Test Site & Tonopah Test Range)
Decision #AP-236 (H-Hw)
37 FR 19919 - 9/22/72
Mod. #1-37 FR 21219 - 10/6/72
Mod. #2-37 FR 23973-11/10/72
Mod. #3-37 FR 28353-12/22/72
CHURCHILL COUNTY
Decision #AP-242 (B)
37 FR 19934 - 9/22/72
(H-Hw) - See Statewide
CLARK COUNTY
Decision #AM-6197 (R)(Excluding N.T.S)
36 FR 22130 - 11/19/71
Decision #AP-243 (B) (Excluding N.T.S)
37 FR 19945 - 9/22/72
Mod. #1-37 FR 19945 - 9/22/72
Mod. #2-37 FR 23973-11/10/72
Mod. #3-37 FR 28353-12/22/72
(H-Hw) - See Statewide
Decision #AP-225 (B-H-Hw) (Nevada Test Site including the Tonopah Test Site
37 FR 17355 - 8/25/72
DOUGLAS COUNTY
(H-Hw) - See Statewide

NEVADA (Cont'd)

ELKA COUNTY
(H-Hw) - See Statewide
ESMERALDA COUNTY
(H-Hw) - See Statewide
EUREKA COUNTY
(H-Hw) - See Statewide
HUMBOLDT COUNTY
(H-Hw) - See Statewide
LANDER COUNTY
(H-Hw) - See Statewide
LINCOLN COUNTY
(B) - See Clark County (AP-243)
(H-Hw) - See Statewide
LYON COUNTY
(H-Hw) - See Statewide
MINERAL COUNTY
(H-Hw) - See Statewide
(B) - See Churchill County
NYE COUNTY
(B) - See Clark County(#AP-243)
(B-H-Hw) - See Clark County(#AP-225)
(H-Hw) - See Statewide
PERSHING COUNTY
(H-Hw) - See Statewide
STOREY COUNTY
(H-Hw) - See Statewide
WASHAE COUNTY
Decision #AM-6198 (B)
36 FR 22112 - 11/19/72
(H-Hw) - See Statewide
(B) - See Churchill County
WHITE PINE COUNTY
(H-Hw) - See Statewide
CARSON CITY (Ind.)
(H-Hw) - See Statewide

NEW HAMPSHIRE

BELKNAP COUNTY
None
CARROLL COUNTY
None
CHESHIRE COUNTY
None
COOS COUNTY
None

NEW HAMPSHIRE (Cont'd)

GRAFTON COUNTY
None
HILLSBORO COUNTY
None
MERRIMACK COUNTY
None
ROCKINGHAM COUNTY
DEcision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
STRAFFORD COUNTY
None
SULLIVAN COUNTY
None

NEW JERSEY

ATLANTIC COUNTY
Decision #AM-1,706 (B,H,Hw)
36 FR-14799 - 8/11/71
Mod. #1-36 FR 20078 - 10/15/71
Mod. #2-37 FR 966 - 1/21/72
Mod. #3-37 FR 5660 - 3/17/72
Mod. #4-37 FR 6132 - 3/24/72
Mod. #5-37 FR 17315 - 8/25/72
Decision #AM-9,322 (D)
37 FR 10693 - 5/26/72
Mod. #1-37 FR 19871 - 9/22/72
BERGEN COUNTY
Decision #AM-1,707 (B,H,Hw)
36 FR 14805 - 8/11/71
Mod. #1-36 FR 19649 - 10/8/71
Mod. #2-36 FR 20462 - 10/22/71
Mod. #3-37 FR 966 - 1/21/72
Mod. #4-37 FR 6132 - 3/24/72
Mod. #5-37 FR 17315 - 8/25/72
(D) - See Atlantic County
BURLINGTON COUNTY
Decision #AM-1,708 (B,H,Hw)
36 FR 14812 - 8/11/71
Mod. #1-36 FR 19285 - 10/1/71
Mod. #2-37 FR 967 - 1/21/72
Mod. #3-37 FR 5660 - 3/17/72
Mod. #4-37 FR 7029 - 4/7/72
Mod. #5-37 FR 7922 - 4/21/72
Mod. #6-37 FR 17315 - 8/25/72
(D) - See Atlantic County

NEW JERSEY (cont'd)

CAMDEN COUNTY
Decision #AM-1,709 (B,H,Hw)
36 FR 14820 - 8/11/71
Mod. #1-36 FR 18274 - 9/10/71
Mod. #2-37 FR 20078 - 10/15/72
Mod. #3-37 FR 967 - 1/21/72
Mod. #4-37 FR 5661 - 3/17/72
Mod. #5-37 FR 6133 - 3/24/72
(D) - See Atlantic County
CAPE MAY COUNTY
(B,H,Hw,D) - See Atlantic County
CUMBERLAND COUNTY
Decision #AM-1,710 (B,H,Hw)
36 FR 14827 - 8/11/71
Mod. #1-36 FR 20079 - 10/15/71
Mod. #2-37 FR 968 - 1/21/72
Mod. #3-37 FR 5661 - 3/17/72
Mod. #4-37 FR 6133 - 3/24/72
Mod. #5-37 FR 17315 - 8/25/72
(D) - See Atlantic County
ESSEX COUNTY
Decision #AM-1711 (B, H, Hw)
36 FR 14834 - 8/11/71
GLOUCESTER COUNTY
(B,H,Hw) - See Camden County
(D) - See Atlantic County
HUDSON COUNTY
Decision #AM-1,712 (B,H,Hw)
36 FR 14841 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-37 FR 968 - 1/21/72
Mod. #3-37 FR 6134 - 3/24/72
Mod. #4-37 FR 17903 - 9/1/72
Mod. #5-37 FR FR 25621 - 12/1/72
(D) - See Atlantic County
HUNTERDON COUNTY
None
MERCER COUNTY
Decision #AM-1,714 (B,H,Hw)
36 FR 14848 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20079 - 10/15/71
Mod. #3-37 FR 969 - 1/21/72
Mod. #4-37 FR 6135 - 3/24/72
Mod. #5-37 FR 17316 - 8/25/72
Mod. #6-37 FR 7922 - 4/21/72
Mod. #7-38 FR 3251 - 2/2/73
(D)-See Atlantic County

NEW JERSEY (Cont'd)

MIDDLESEX COUNTY
Decision #AM-1,714 (B,H,Hw)
36 FR 14848 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20079 - 10/15/71
Mod. #3-37 FR 969 - 1/21/72
Mod. #4-37 FR 6135 - 3/24/72
Mod. #5-37 FR 17316 - 8/25/72
(D) - See Atlantic County
MONMOUTH COUNTY
Decision #AM-1,715 (B,H,Hw)
36 FR 14863 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20079 - 10/15/71
Mod. #3-36 FR 20462 - 10/22/71
Mod. #4-37 FR 970 - 1/21/72
Mod. #5-37 FR 6135 - 3/24/72
Mod. #6-37 FR 17903 - 9/1/72
(D) - See Atlantic County
MORRIS COUNTY
Decision #AM-1,716 (B,H,Hw)
36 FR 14870 - 8/11/71
Mod. #1-36 FR 19285 - 10/1/71
Mod. #2-36 FR 19650 - 10/8/71
Mod. #3-36 FR 20079 - 10/15/71
Mod. #4-37 FR 970 - 1/21/72
Mod. #5-37 FR 6136 - 3/24/72
Mod. #6-37 FR 17904 - 9/1/72
(D) - See Atlantic County
OCEAN COUNTY
Decision #AM-1,717 (B,H,Hw)
36 FR 14878 - 8/11/71
Mod. #1-36 19650 - 10/8/71
Mod. #2-36 20079 - 10/15/71
Mod. #3-36 20462 - 10/22/71
Mod. #4-37 971 - 1/21/72
Mod. #5-37 6136 - 3/24/72
Mod. #6-37 17904 - 9/1/72
(D) - See Atlantic County
PASSAIC COUNTY
Decision #AM-1,718 (B,H,Hw)
36 FR 14885 - 8/11/71
Mod. #1-36 FR 20080 - 10/15/71
Mod. #2-37 FR 971 - 1/21/72

NEW JERSEY (Cont'd)

PASSAIC COUNTY (Cont'd)
Mod. #3-37 FR 5662 - 3/17/72
Mod. #4-37 FR 6137 - 3/24/72
(D) - See Atlantic County
SALEM COUNTY
(D) - See Atlantic County
SOMERSET COUNTY
Decision #AM-1,719 (B,H,Hw)
36 FR 14892 - 8/11/71
Mod. #1-36 FR 19285 - 10/1/71
Mod. #2-36 FR 20080 - 10/15/71
Mod. #3-37 FR 972 - 1/21/72
Mod. #4-37 FR 6137 - 3/24/72
(D) - See Atlantic County
SUSSEX COUNTY
None
UNION COUNTY
Decision #AM-1,720 (B,H,Hw)
36 FR 14900 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20080 - 10/15/71
Mod. #3-37 FR 972 - 1/21/72
Mod. #4-37 FR 5662 - 3/17/72
Mod. #5-37 FR 6137 - 3/24/72
Mod. #6-37 FR 17316 - 8/25/72
(D) - See Atlantic County
WARREN COUNTY
None

NEW MEXICO

STATEWIDE
Decision #AM-11,406 (Streets, Highways, Utilities and Light Engineering Construction)
37 FR 6139 - 3/24/72
Mod. #1-37 FR 7429 - 4/14/72
Mod. #2-37 FR 9169 - 5/5/72
Mod. #3-37 FR 11621 - 6/9/72
Decision #AP-700 (Building & Heavy Engineering Construction)
38 FR 4162-2/9/73
BERNALILLO COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
CATRON COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
CHAVES COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
COLFAX COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
CURRY COUNTY
(B,HE,S,Hw,U,LE)-See Statewide

NEW MEXICO (Cont'd)

DE BACA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
DONA ANA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
Decision #AP-340 (E)
37 FR 19869-9/22/72
EDDY COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
GRANT COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
GUADALUPE COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
HARDING COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
HIDALGO COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
LEA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
LINCOLN COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
LOS ALAMOS COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
LUNA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
McKINLEY COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
MORAW COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
OTERO COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
QUAY COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
RIO ARRIBA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
ROOSEVELT COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SANDOVAL COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SAN JUAN COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SAN MIGUEL COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SANTA FE COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SIERRA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SOCORRO COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
TAOS COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
TORRANCE COUNTY
(B,HE,S,Hw,U,LE)-See Statewide

NEW MEXICO (Cont'd)

UNION COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
VALENCIA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide

NEW YORK

ALBANY COUNTY
Decision #AP-452 (B,H,Hw)
37 FR 26782 - 12/15/72
ALLEGANY COUNTY
None
BRONX COUNTY
Decision #AM-1,721 (B,H,Hw)
36 FR 14908 - 8/11/71
Mod. #1-36 FR 18988 - 9/24/71
Mod. #2-37 FR 1434 - 1/28/72
Mod. #3-37 FR 5169-3/10/72
Mod. #4-37 FR 12019 - 6/16/72
Mod. #5-37 FR 23510 - 11/3/72
Decision #AP-400 (E)
37 FR 13913 - 7/14/72
Mod. #1-37 FR 23510-11/3/72
Decision #AM-9,322 (D)
37 FR 10693 - 5/26/72
Mod. #1-37 FR 19871 - 9/22/72
BROOME COUNTY
Decision #AP-469 (B,H,Hw)
38 FR 4169-2/9/73
CATTARAUGUS COUNTY
None
CAYUGA COUNTY
Decision #AP-14 (D)
37 FR 14670 - 7/21/72
CHAUTAUQUA COUNTY
(D) - See Cayuga County
CHEMUNG COUNTY
None
CHENANGO COUNTY
None

NEW YORK (Cont'd)

CLINTON COUNTY
None
COLUMBIA COUNTY
None
CORTLAND COUNTY
None
DELAWARE COUNTY
None
DUTCHESS COUNTY
Decision #AM-1,724 (B,H,Hw)
36 FR 14921 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-37 FR 973 - 1/21/72
Mod. #3-37 FR 7029 - 4/7/72
(D) - See Bronx County
ERIE COUNTY
Decision #AM-1,725 (B,H,Hw)
36 FR 14928 - 8/11/71
Mod. #1-36 FR 19287 - 10/1/71
Mod. #2-36 FR 20462 - 10/22/71
Mod. #3-37 FR 973 - 1/21/72
Mod. #4-37 FR 6611 - 3/31/72
Mod. #5-37 FR 22705 - 10/20/72
(D) - See Cayuga County
ESSEX COUNTY
None
FRANKLIN COUNTY
(D) - See Cayuga County
FULTON COUNTY
None
GENESSE COUNTY
None
GREENE COUNTY
None
HAMILTON COUNTY
None
HERKIMER COUNTY
None
JEFFERSON COUNTY
Decision #AM-1,726 (B,H,Hw)
36 FR 14932 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20839 - 10/29/71
Mod. #3-37 FR 973 - 1/21/72
Mod. #4-37 FR 6611 - 3/31/72
Mod. #5-37 FR 19886 - 8/22/72
(D) - See Cayuga County

NEW YORK (Cont'd)

KINGS COUNTY
(B,H,Hw,R,D) - See Bronx County
LEWIS COUNTY
None
LIVINGSTON COUNTY
None
MADISON COUNTY
None
MONROE COUNTY
Decision #AP-453 (B,H,Hw)
37 FR 28380-12/22/72
(D) - See Cayuga County
MONTGOMERY COUNTY
None
NASSAU COUNTY
Decision #AM-1,728 (B,H,Hw)
Mod. #1-36 FR 18988 - 9/24/71
Mod. #2-37 FR 973 - 1/21/72
Mod. #3-37 FR 1434 - 1/28/72
Mod. #4-37 FR 4021 - 2/25/72
Mod. #5-37 FR 6612 - 3/31/72
Mod. #6-37 FR 13018 - 6/30/72
(D) - See Bronx County
NEW YORK COUNTY
(B,H,Hw,R,D) - See Bronx County
NIAGARA COUNTY
Decision #AM-1,729 (B,H,Hw)
36 FR 14950 - 8/11/71
Mod. #1-36 FR 19651 - 10/8/71
Mod. #2-36 FR 20462 - 10/22/71
Mod. #3-37 FR 973 - 1/21/72
Mod. #4-37 FR 6612 - 3/31/72
(D) - See Cayuga County
ONEIDA COUNTY
Decision #AM-1,730 (B,H,Hw)
36 FR 14955 - 8/11/71
Mod. #1-36 FR 19651 - 10/8/71
Mod. #2-36 FR 20839 - 10/29/71
Mod. #3-37 FR 973 - 1/21/72
Mod. #4-37 FR 1434 - 1/28/72
Mod. #5-37 FR 6612 - 3/31/72

NEW YORK (Cont'd)

ONEIDA COUNTY
Decision #AM-1,730 (B,H,Hw)(Cont'd)
Mod. #6-37 FR 9595 - 5/12/72
Mod. #7-37 FR 19887 - 9/22/72
ONONDAGA COUNTY
Decision #AM-1,731 (B,H,Hw)
36 FR 14960 - 8/11/71
Mod. #1-36 19287 - 10/1/71
Mod. #2-36 FR 20463 - 10/22/71
Mod. #3-36 FR 20839 - 10/29/71
Mod. #4-37 FR 974 - 1/21/72
Mod. #5-37 FR 6613 - 3/31/72
Mod. #6-27 FR 19888 - 9/22/72
ONTARIO COUNTY
None
ORANGE COUNTY
Decision #AM-1,732 (B,H,Hw)
36 FR 14965 - 8/11/71
Mod. #1-36 FR 20080 - 10/15/71
Mod. #2-37 FR 974 - 1/21/72
Mod. #3-37 FR 7030 - 4/7/72
Mod. #4-37 FR 22705 - 10/20/72
Mod. #5-38 FR 2010-1/19/73
(D) - See Bronx County
ORLEANS COUNTY
(D) - See Cayuga County
OSWEGO COUNTY
(D) - See Cayuga County
OTSEGA COUNTY
None
PUTNAM COUNTY
None
QUEENS COUNTY
(B,H,Hw,R,D) - See Bronx County
RENSSELAER COUNTY
Decision #AM-1,733 (B,H,Hw)
36 FR 14972 - 8/11/71
Mod. #1-36 FR 19288 - 8/11/71
Mod. #2-36 FR 20839 - 10/29/71
Mod. #3-37 FR 974 - 1/21/72
Mod. #4-37 FR 6613 - 3/31/72
Mod. #5-37 FR 22706 - 10/20/72
Mod. #6-37 FR 23058 - 10/27/72
RICHMOND COUNTY
(B,H,Hw,R,D) - See Bronx County
ROCKLAND COUNTY
(D) - See Albany County

NEW YORK (cont'd)

ST LAWRENCE COUNTY
(D)-See Cayuga County
SARATOGA COUNTY
Decision #AP-451 (B,H,Hw)
37 FR 25099 - 11/25/72
SCHENECTADY COUNTY
Decision #AM-1734 (B,H,Hw)
36 FR 14976 - 8/11/71
Mod. #1 - 36 FR 19288 - 10/1/71
Mod. #2 - 36 FR 20839 - 10/29/71
Mod. #3-37 FR 974-1/21/72
Mod. #4-37 FR 6613-3/31/72
Mod. #5 - 37 FR 23062 - 10/27/72
SCHOHARIE COUNTY
None
SCHUYLER COUNTY
None
SENECA COUNTY
None
STEUBEN COUNTY
None
SUFFOLK COUNTY
Decision #AM-1735 (B,H,Hw)
36 FR 14890 - 8/11/71
Mod. #1 - 36 FR 18988 - 9/24/71
Mod. #2 - 37 FR 4021 - 2/2 /72
Mod. #3 - 37 FR 22706 - 10/20/72
Mod. #4 - 37 FR 23973 - 11/10/72
(D)-See Bronx County
SULLIVAN COUNTY
None
TIOGA COUNTY
None
TOMPKINS COUNTY
None
ULSTER COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
(D) - See Cayuga County
WESTCHESTER COUNTY
Decision #AM-1,736 (B,H,Hw)
36 FR 14985 - 8/11/71
Mod. #1-36 FR 19652 - 8/11/71
Mod. #2-36 FR 20463 - 10/22/71
Mod. #3-37 FR 974 - 1/21/72
Mod. #4-37 FR 6613 - 3/31/72
(D) - See Bronx County

NEW YORK (Cont'd)

WYOMING COUNTY
None
YATES COUNTY
None

NORTH CAROLINA

STATEWIDE
Decision #AM-1847 (Hw)
36 FR 16474 - 8/20/71
ALAMANCE COUNTY
(Hw) - See Statewide
ALEXANDER COUNTY
(Hw) - See Statewide
ALLEGHANY COUNTY
(Hw) - See Statewide
ANSON COUNTY
(Hw) - See Statewide
ASHE COUNTY
(Hw) - See Statewide
AVERY COUNTY
(Hw) - See Statewide
BEAUFORT COUNTY
Decision #AP-439 (D)
37 FR 22101 - 10/20/72
(Hw) - See Statewide
BERTIE COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
BLADEN COUNTY
(Hw) - See Statewide
BRUNSWICK COUNTY
(D) - See Beaufort County
BUNCOMBE COUNTY
(Hw) - See Statewide
BURKE COUNTY
(Hw) - See Statewide
CABARRUS COUNTY
(Hw) - See Statewide
CALDWELL COUNTY
(Hw) - See Statewide
CAMDEN COUNTY
(Hw) - See Statewide
CARTERET COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
CASWELL COUNTY
(Hw) - See Statewide
CATAWBA COUNTY
(Hw) - See Statewide
CHATHAM COUNTY
(Hw) - See Statewide

NORTH CAROLINA (Cont'd)

CHEROKEE COUNTY
(Hw) - See Statewide
CHOWAN COUNTY
(D) - See Beaufort County
(Hw)-See Statewide
CLAY COUNTY
(Hw) - See Beaufort County
CLEVELAND COUNTY
(Hw) - See Statewide
COLUMBUS COUNTY
(Hw) - See Statewide
CRAVEN COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
CUMBERLAND COUNTY
(Hw) - See Statewide
CURRITUCK COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
DARE COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
DAVIDSON COUNTY
(Hw) - See Statewide
DAVIE COUNTY
(Hw) - See Statewide
DUPLIN COUNTY
(Hw) - See Statewide
DURHAM COUNTY
(Hw) - See Statewide
EDGECOMBE COUNTY
(Hw) - See Statewide
FORSYTH COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
GASTON COUNTY
(Hw) - See Statewide
GATES COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
GRAHAM COUNTY
(Hw) - See Statewide
GRANVILLE COUNTY
(Hw) - See Statewide
GREENE COUNTY
(Hw) - See Statewide
GUILFORD COUNTY
(Hw) - See Statewide

NORTH CAROLINA (Cont'd)

HALIFAX COUNTY
(Hw) - See Statewide
HARNETT COUNTY
(Hw) - See Statewide
HAYWOOD COUNTY
(Hw) - See Statewide
HENDERSON COUNTY
(Hw) - See Statewide
HERTFORD COUNTY
(D) - See Beaufort County
(Hw) - See Statewide County
HOKE COUNTY
(Hw) - See Statewide
HYDE COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
IREDELL COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide
JOHNSTON COUNTY
(Hw) - See Statewide
JONES COUNTY
(Hw) - See Statewide
LEE COUNTY
(Hw) - See Statewide
LENOIR COUNTY
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
McDOWELL COUNTY
(Hw) - See Statewide
MACON COUNTY
(Hw) - See Statewide
MADISON COUNTY
(Hw) - See Statewide
MARTIN COUNTY
(Hw) - See Statewide
MECKLENBURG COUNTY
(Hw) - See Statewide
MITCHELL COUNTY
(Hw) - See Statewide
MONTGOMERY COUNTY
(Hw) - See Statewide
MOORE COUNTY
(Hw) - See Statewide
NASH COUNTY
(Hw) - See Statewide

NORTH CAROLINA (Cont'd)

NEW HANOVER COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
NORTHAMPTON COUNTY
(Hw) - See Statewide
ONSLOW COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
ORANGE COUNTY
(Hw) - See Statewide
PAMLICO COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
PASQUOTANK COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
PENDER COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
PERQUIMANS COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
PERSON COUNTY
(Hw) - See Statewide
PITT COUNTY
(Hw) - See Statewide
POLK COUNTY
(Hw) - See Statewide
RANDOLPH COUNTY
(Hw) - See Statewide
RICHMOND COUNTY
(Hw) - See Statewide
ROBESON COUNTY
(Hw) - See Statewide
ROCKINGHAM COUNTY
(Hw) - See Statewide
ROWAN COUNTY
(Hw) - See Statewide
RUTHERFORD COUNTY
(Hw) - See Statewide
SAMPSON COUNTY
(Hw) - See Statewide
SCOTLAND COUNTY
(Hw) - See Statewide
STANLY COUNTY
(Hw) - See Statewide

NORTH CAROLINA (Cont'd)

STOKES COUNTY
(Hw) - See Statewide
SURRY COUNTY
(Hw) - See Statewide
SWAIN COUNTY
(Hw) - See Statewide
TRANSYLVANIA COUNTY
(Hw) - See Statewide
TYRRELL COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
VANCE COUNTY
(Hw) - See Statewide
WAKE COUNTY
(Hw) - See Statewide
WARREN COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
WATAUGA COUNTY
(Hw) - See Statewide
WAYNE COUNTY
(Hw) - See Statewide
WILKS COUNTY
(Hw) - See Statewide
WILSON COUNTY
(Hw) - See Statewide
YADKIN COUNTY
(Hw) - See Statewide
YANCEY COUNTY
(Hw) - See Statewide

NORTH DAKOTA

STATEWIDE
Decision #AM-2,509 (Hw)
36 FR 17133 - 8/27/71
Mod. #1-37 FR 974 - 1/21/72
Mod. #2-37 FR 3662 - 2/18/72
Mod. #3-37 FR 21703 - 10/13/72
ADAMS COUNTY
(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

BARNES COUNTY
(Hw) - See Statewide
BENSON COUNTY
(Hw) - See Statewide
BILLINGS COUNTY
(Hw) - See Statewide
BOTTINEAU COUNTY
(Hw) - See Statewide
BOWMAN COUNTY
(Hw) - See Statewide
BURKE COUNTY
(Hw) - See Statewide
BURLEIGH COUNTY
(Hw) - See Statewide
Decision #AM-2,510 (B)
36 FR 17119 - 8/27/71
Mod. #1-37 FR 974 - 1/21/72
Mod. #2-37 FR 4022-2/25/72
Mod. #3-37 FR 12017 - 6/16/72
Mod. #4-37 FR 21704 - 10/13/72
CASS COUNTY
(Hw) - See Statewide
Decision #AM-2,511 (B)
36 FR 17122 - 8/27/71
Mod. #1-37 FR 974 - 1/21/72
Mod. #2-37 FR 4023 - 2/25/72
Mod. #3-37 FR 21706 - 10/13/72
CAVALIER COUNTY
(Hw) - See Statewide
DICKEY COUNTY
(Hw) - See Statewide
DIVIDE COUNTY
(Hw) - See Statewide
DUNN COUNTY
(Hw) - See Statewide
EDDY COUNTY
(Hw) - See Statewide
EMMONS COUNTY
(Hw) - See Statewide
FOSTER COUNTY
(Hw) - See Statewide
GOLDEN VALLEY COUNTY
(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

GRAND FORKS COUNTY
(Hw) - See Statewide
Decision #AM-2,512 (B)
36 FR 17125 - 8/27/71
Mod. #1-37 FR 974 - 1/21/72
Mod. #2-37 FR 4024 - 2/25/72
Mod. #3-37 FR 21708 - 10/13/72
GRANT COUNTY
(Hw) - See Statewide
GRIGGS COUNTY
(Hw) - See Statewide
HETTINGER COUNTY
(Hw) - See Statewide
KIDDER COUNTY
(Hw) - See Statewide
LAMOURE COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
McHENRY COUNTY
(Hw) - See Statewide
McINTOSH COUNTY
(Hw) - See Statewide
McKENZIE COUNTY
(Hw) - See Statewide
McLEAN COUNTY
(Hw) - See Statewide
MERCER COUNTY
(Hw) - See Statewide
MORTON COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
MOUNTRAIL COUNTY
(Hw) - See Statewide
NELSON COUNTY
(Hw) - See Statewide
OLIVER COUNTY
(Hw) - See Statewide
PEMBINA COUNTY
(Hw) - See Statewide
PIERCE COUNTY
(Hw) - See Statewide
RAMSEY COUNTY
(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

RANSOM COUNTY
(Hw) - See Statewide
RENVILLE COUNTY
(Hw) - See Statewide
RICHLAND COUNTY
(Hw) - See Statewide
(B) - See Cass County
ROLETTE COUNTY
(Hw) - See Statewide
SARGENT COUNTY
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SIOUX COUNTY
(Hw) - See Statewide
SLOPE COUNTY
(Hw) - See Statewide
STARK COUNTY
(Hw) - See Statewide
STEELE COUNTY
(Hw) - See Statewide
(B) - See Grand Forks County
STUTSMAN COUNTY
(Hw) - See Statewide
TOWNER COUNTY
(Hw) - See Statewide
TRAILL COUNTY
(Hw) - See Statewide
WALSH COUNTY
(Hw) - See Statewide
(B) - See Grand Forks County
WARD COUNTY
(Hw) - See Statewide
Decision #AM-2,513 (B)
36 FR 17129 8/27/71
Mod. #1-37 FR 975 - 1/21/72
Mod. #2-37 FR 4025 - 2/25/72
Mod. #3-37 FR 8619 - 4/28/72
Mod. #4-27 FR 21710 - 10/13/72
WELLS COUNTY
(Hw) - See Statewide
WILLIAMS COUNTY
(Hw) - See Statewide

OHIO

ADAMS COUNTY
Decision #AP-602 (D)
38 FR 1433-1/12/73
ALLEN COUNTY
None
ASHLAND COUNTY
None

OHIO (Cont'd)

ASHTABULA COUNTY
Decision #AP-4 (D)
37 FR 14670 - 7/21/72
ATHENS COUNTY
(D)-See Adams County
AUGLAIZE COUNTY
None
BELMONT COUNTY
None
BROWN COUNTY
(D)-See Adams County
BUTLER COUNTY
Decision #AP-34 (B)(H)(Hw)
37 FR 24563 - 11/17/72
Mod. #1-37 FR 28354-12/22/72
Mod. #2-38 FR 936-1/5/73
Decision #AM-418 (B)
36 FR 15961 - 8/18/71
CARROLL COUNTY
None
CHAMPAIGN COUNTY
None
CLARK COUNTY
Decision #AP-35 (B)(H)(Hw)
37 FR 24568 - 11/17/72
Mod. #1-37 FR 28354-12/22/72
Mod. #2-38 FR 936-1/5/73
Decision #AM-419 (B)
36 FR 15962 - 8/18/71
CLERMONT COUNTY
Decision #AM-421 (B)
36 FR 15964 - 8/18/71
(D)-See Adams County
CLINTON COUNTY
None
COLUMBIANA COUNTY
None
COSHOCTON COUNTY
None
CRAWFORD COUNTY
None
CUYAHOGA COUNTY
Decision #AP-36 (B)(H)(Hw)
37 FR 24572 - 11/17/72
Mod. #1-37 FR 28354-12/22/72
Mod. #2-38 FR 936-1/5/73
Decision #AP-48 (B)
37 FR 24503 - 11/17/72
Mod. #1-38 FR 3252-2/2/73
(D) - See Ashtabula County

OHIO (Cont'd)

DARKE COUNTY
None
DEFIANCE COUNTY
None
DELAWARE COUNTY
Decision #AM-420 (E)
36 FR 15963 - 8/18/71
ERIE COUNTY
(D) - See Ashtabula County
FAIRFIELD COUNTY
(R) - See Delaware County
FAYETTE COUNTY
None
FRANKLIN COUNTY
Decision #AP-37 (B)(H)(Hw)
37 FR 24576 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28354-12/22/72
Mod. #3-38 FR 937-1/5/73
Mod. #4-38 FR 3252-2/2/73
(R) - See Delaware County
FULTON COUNTY
None
GALLIA COUNTY
(D)-See Adams County
GEAUGA COUNTY
None
GREENE COUNTY
Decision #AP-38 (B)(H)(Hw)
37 FR 24580 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28354-12/22/72
Mod. #3-38 FR 937-1/5/73
Mod. #4-38 FR 3252-2/2/73
Decision #AM-422 (R)
36 FR 15965 - 8/18/71
Mod. #1-37 FR 8619 - 4/28/72
GUERNSEY COUNTY
None
HAMILTON COUNTY
Decision #AP-39 (E)(H)(Hw)
37 FR 24585 - 11/17/72
Mod. #1-38 FR 937-1/5/73
Mod. #2-38 FR 3252-2/2/73
(D)-See Adams County
(R) - See Clermont County
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
None
HENRY COUNTY
None

OHIO (Cont'd)

HIGHLAND COUNTY
None
HOCKING COUNTY
None
HOLMES COUNTY
None
HURON COUNTY
None
JACKSON COUNTY
None
JEFFERSON COUNTY
None
KNOX COUNTY
None
LAKE COUNTY
(D) - See Ashtabula County
LAWRENCE COUNTY
(D)-See Adams County
LICKING COUNTY
Decision #AP-40 (B)(H)(Hw)
37 FR 24590 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28355-12/22/72
Mod. #3-38 FR 937-1/5/73
(R) - See Delaware County
LOGAN COUNTY
None
LORAIN COUNTY
(D) - See Ashtabula County
LUCAS COUNTY
Decision #AP-41 (B)(H)(Hw)
37 FR 24594 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28355-12/22/72
Mod. #3-38 FR 937-1/5/73
(D) - See Ashtabula County
MADISON COUNTY
(R) - See Delaware County
MAHONING COUNTY
Decision #AP-42 (B)(H)(Hw)
37 FR 24599 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28355-12/22/72
Mod. #3-38 FR 937-1/5/73
Mod. #4-38 FR 3252-2/2/73
MARION COUNTY
None
MEDINA COUNTY
None
MEIGS COUNTY
(D)-See Adams County
MERCER COUNTY
None

OHIO (Cont'd)

MIAMI COUNTY
(R) - See Greene County
MONROE COUNTY
(D)-See Adams County
MONTGOMERY COUNTY
(B)(H)(Hw) - See Greene County
(R) - See Greene County
MORGAN COUNTY
None
MORROW COUNTY
None
MUSKINGUM COUNTY
Decision #AP-43 (B)(H)(Hw)
37 FR 24602 - 11/17/72
Mod. #1-37 FR 25622 - 11/17/72
Mod. #2-38 FR 938-1/5/73
NOBLE COUNTY
None
OTTAWA COUNTY
(D) - See Ashtabula County
PAULDING COUNTY
None
PERRY COUNTY
None
PICKAWAY COUNTY
(B)(H)(Hw) - See Franklin County
(R) - See Delaware County
PIKE COUNTY
None
PORTAGE COUNTY
Decision #AP-44 (B)(H)(Hw)
37 FR 24608 - 11/17/72
Mod. #1-37 FR 28354-12/22/72
Mod. #2-38 FR 938-1/5/73
Mod. #3-38 FR 3252-2/2/73
PREBLE COUNTY
(R) - See Greene County
PUTNAM COUNTY
None
RICHLAND COUNTY
None
ROSS COUNTY
None
SANDUSKY COUNTY
(D) - See Ashtabula County
SCIOTO COUNTY
(D)-See Adams County
SENECA COUNTY
None

OHIO (Cont'd)

SHELBY COUNTY
None
STARK COUNTY
Decision #AP-45 (B)(H)(Hw)
37 FR 24613 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28355-12/22/72
Mod. #3-38 FR 938-1/5/73
SUMMITT COUNTY
Decision #AP-46 (B)(H)(Hw)
37 FR 24618 - 11/17/72
Mod. #1-37 FR 28355-12/22/72
Mod. #2-38 FR 938-1/5/73
TRUMBULL COUNTY
Decision #AP-47 (B)(H)(Hw)
37 FR 24623 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-38 FR 938-1/5/73
Mod. #3-38 FR 3252-2/2/73
TUSCARAWAS COUNTY
None
UNION COUNTY
None
VAN WERT COUNTY
None
VINTON COUNTY
None
WARREN COUNTY
(R) - See Butler County
WASHINGTON COUNTY
(D)-See Adams County
WAYNE COUNTY
None
WILLIAMS COUNTY
None
WOOD COUNTY
None
WYANDOT COUNTY
None

OKLAHOMA

ADAIR COUNTY
Decision #AM-3603 (Hw)
36 FR 16761 - 8/25/71
ALFALFA COUNTY
Decision #AM-3608 (Hw)
36 FR 16766 - 8/25/71
ATOKA COUNTY
Decision #AM-3605 (Hw)
36 FR 16763 - 8/25/71

OKLAHOMA (cont'd)

BEAVER COUNTY
(Hw)-See Alfalfa County
BECKHAM COUNTY
DECISION #AM-3606 (Hw)
36 FR 16764 - 8/25/71
BLAINE COUNTY
(Hw)-See Beckham County
BRYAN COUNTY
(Hw)-See Atoka County
Decision #AP-341 (R)
37 FR 19870 - 9/22/72
CADDO COUNTY
Decision #AM- 3609 (hw)
36 FR 16767 - 8/25/71
CANADIAN COUNTY
Decision #AM-3607 (Hw)
36 FR 16765 - 8/25/71
(R)-See Oklahoma County
CARTER COUNTY
(Hw)-See Caddo County
CHEROKEE COUNTY
(Hw)-See Adair County
CHOCTAW COUNTY
(hw)-See Atoka County
CIMARRON COUNTY
(Hw)-See Alfalfa County
CLEVELAND COUNTY
Decision #AM-3604 (hw)
36 FR 16762 - 8/25/71
(R)-See Oklahoma County
COAL COUNTY
(Hw)-See Cleveland County
COMANCHE COUNTY
(Hw)-See Caddo County
Decision #AP-309 (R)
37 FR 16715 - 8/18/72
COTTON COUNTY
(Hw)-See Caddo County
CRAIG COUNTY
Decision #AM-3610 (Hw)
36 FR 16768 - 8/25/72
CREEK COUNTY
(Hw)-See Canadian County
CUSTER COUNTY
(Hw)-See Beckham County
DELAWARE COUNTY
(Hw)-See Craig County

OKLAHOMA (cont'd)

DEWEY COUNTY
(Hw)-See Beckham County
ELLIS COUNTY
(Hw)-See Alfalfa County
GARFIELD COUNTY
(Hw)-See Canadian County
GARVIN COUNTY
(Hw)-See Cleveland County
GRADY COUNTY
(Hw)-See Caddo County
GRANT COUNTY
(Hw)-See Canadian County
GREER COUNTY
(Hw)-See Beckham County
HARMON COUNTY
(Hw)-See Beckham County
HARPER COUNTY
(Hw)-See Alfalfa County
HASKELL COUNTY
(Hw)-See Adair County
HUGHES COUNTY
(Hw)-See Cleveland County
JACKSON COUNTY
(Hw)-See Beckham County
JEFFERSON COUNTY
(Hw)-See Caddo County
JOHNSTON COUNTY
(Hw)-See Cleveland County
KAY COUNTY
(Hw)-See Canadian County
KINGFISHER COUNTY
(Hw)-See Canadian County
KIOWA COUNTY
(Hw)-See Beckham County
LATIMER COUNTY
(Hw)-See Atoka County
LEFLORE COUNTY
(Hw)-See Atoka County
LINCOLN COUNTY
(Hw)-See Canadian County)
(R)-See Oklahoma County
LOGAN COUNTY
(Hw)-See Canadian County
LOVE COUNTY
(hw)-See Caddo County
MCCLAIN COUNTY
(Hw)-See Cleveland County
MCCURTAIN COUNTY
(Hw)-See Atoka County

OKLAHOMA (cont'd)

MCINTOSH COUNTY
(Hw)-See Adair County
MAJOR COUNTY
(Hw)-See Alfalfa County
MARSHALL COUNTY
(Hw)-See Atoka County
MAYES COUNTY
(Hw)- See Craig County
MURRAY COUNTY
(Hw)-See Cleveland County
MUSKOGEE COUNTY
(hw)-See Adair County
NOBLE COUNTY
(hw)-See Canadian County
NOWATA COUNTY
(Hw)-See Craig County
OKFUSKEE COUNTY
(hw)-See Cleveland County
OKLAHOMA COUNTY
Decision #AP-702 (R)
38 FR 4173-2/9/73
Decision #AM-3612 (Hw)
36 FR 16770 - 8/25/71
Mod. #1 - 37 FR 1435 - 1/28/72
Decision #AP-304 (R)
37 FR 15789 - 8/4/72
Mod. #1-37 FR 28799-12/29/72
Mod. #2-38 FR 4078-2/9/73
OKMULGEE COUNTY
(Hw)-See Adair County
OSAGE COUNTY
(Hw)-See Craif County
OTTAWA COUNTY
(Hw)- See Craig County
PAWNEE COUNTY
(Hw)-See Craig County
PAYNE COUNTY
(Hw)-See Canadian County
PITTSBURG COUNTY
(Hw)-See Adair County
PONTOTOC COUNTY
(Hw)-See Cleveland County
POTTAWATOMIE COUNTY
(Hw)- See Cleveland County
(R)-See Oklahoma County
PUSHMATAHA COUNTY
(Hw)-See Atoka County
ROGER MILLS COUNTY
(Hw)-See Beckham County
ROGERS COUNTY
(Hw)-See Craig County

OKLAHOMA (Cont'd)

SEMINOLE COUNTY
(Hw) - See Cleveland County
SEQUOYAH COUNTY
(Hw) - See Adair County
STEPHENS COUNTY
(Hw) - See Caddo County
TEXAS COUNTY
(Hw) - See Alfalfa County
TILLMAN COUNTY
(Hw) - See Beckham County
TULSA COUNTY
Decision #AP-364 (R)
37 FR 26249 - 12/8/72
Mod. #1-37 FR 28356-12/22/72
Mod. #2-38 FR 2010-1/19/73
Decision #AM-3611 (Hw)
36 FR 16769 - 8/25/71
Mod. #1-37 FR 1435 - 1/28/72
Decision #AP-320 (R)
37 FR 17899 - 9/1/72
WAGONER COUNTY
(Hw) - See Adfar County
WASHINGTON COUNTY
(Hw) - See Craig County
WASHITA COUNTY
(Hw) - See Beckham County
WOODS COUNTY
(Hw) - See Alfalfa County
WOODWARD COUNTY
(Hw) - See Alfalfa County

OREGON

STATEWIDE
Decision #AP-249 (B,H,Hw,D)
37 FR 23998 - 11/10/72
Mod. #1-37 FR 25112 - 11/25/72
BAKER COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CLACKAMAS COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COOS COUNTY
(B,H,Hw,D) - See Statewide
CROOK COUNTY
(B,H,Hw,D) - See Statewide
CURRY COUNTY
(B,H,Hw,D) - See Statewide

OREGON (Cont'd)

DESCHUTES COUNTY
(B-H-Hw-D) - See Statewide
DOUGLAS COUNTY
(B-H-Hw-D) - See Statewide
GILLIAM COUNTY
(B-H-Hw-D) - See Statewide
GRANT COUNTY
(B-H-Hw-D) - See Statewide
HARNEY COUNTY
(B-H-Hw-D) - See Statewide
HOOD COUNTY
(B-H-Hw-D) - See Statewide
JACKSON COUNTY
(B-H-Hw-D) - See Statewide
JEFFERSON COUNTY
(B-H-Hw-D) - See Statewide
JOSEPHINE COUNTY
(B-H-Hw-D) - See Statewide
KLAMATH COUNTY
(B-H-Hw-D) - See Statewide
LAKE COUNTY
(B-H-Hw-D) - See Statewide
LANE COUNTY
(B-H-Hw-D) - See Statewide
LINCOLN COUNTY
(B-H-Hw-D) - See Statewide
LINN COUNTY
(B-H-Hw-D) - See Statewide
MALHEUR COUNTY
(B-H-Hw-D) - See Statewide
MARION COUNTY
(B-H-Hw-D) - See Statewide
MORROW COUNTY
(B-H-Hw-D) - See Statewide
MULTNOMAH COUNTY
(B-H-Hw-D) - See Statewide
POLK COUNTY
(B-H-Hw-D) - See Statewide
SHERMAN COUNTY
(B-H-Hw-D) - See Statewide
TILLAMOOK COUNTY
(B-H-Hw-D) - See Statewide
UMATILLA COUNTY
(B-H-Hw-D) - See Statewide
UNION COUNTY
(B-H-Hw-D) - See Statewide

OREGON (Cont'd)

WALLOWA COUNTY
(B-H-Hw-D) - See Statewide
WASCO COUNTY
(B-H-Hw-D) - See Statewide
WASHINGTON COUNTY
(B-H-Hw-D) - See Statewide
WHEELER COUNTY
(B-H-Hw-D) - See Statewide
YAMHILL COUNTY
(B-H-Hw-D) - See Statewide

PENNSYLVANIA

ADAMS COUNTY
Decision #AM-1,866 (Hw)
36 FR 16335 - 8/20/72
Mod. #1-37 FR 980 - 1/21/72
Mod. #2-37 FR 7450 - 4/14/72
Mod. #3-37 FR 7922 - 4/21/72
Mod. #4-37 FR 8621-4/28/72
Mod. #5-38 FR 1437-1/12/73
Mod. #6-38 FR 2010-1/19/73
ALLEGHENY COUNTY
Decision #AP-421 (B,H,Hw)
37 FR 20447 - 9/29/72
Mod. #1-37 FR 21712 - 10/13/72
Mod. #2-37 FR 23065 - 10/27/72
Mod. #3-37 FR 24511 - 11/17/72
Mod. #4-37 FR 25114 - 11/25/72
ARMSTRONG COUNTY
Decision #AP-454 (H,Hw)
38 FR 943-1/5/73
Mod. #1-38 FR 2570-1/26/73
BEAVER COUNTY
Decision #AP-467 (Hw)
38 FR 2618-1/26/73
BEDFORD COUNTY
Decision #AP-465 (H,Hw)
38 FR 2612-1/26/73
BERKS COUNTY
Decision #AP-429 (B,H,Hw)
37 FR 21255-10/6/72
Mod. #1-38 FR 1436-1/12/73
Mod. #2-38 FR 2012-1/19/73
Mod. #3-38 FR 4079-2/9/73

PENNSYLVANIA (Cont'd)

BLAIR COUNTY
(H,Hw)-See Armstrong County
BRADFORD COUNTY
(Hw)-See Adams County
BUCKS COUNTY
Decision #AP-404 (R)
37 FR 15229-7/28/72
Mod. #1-38 FR 20121/19/73
BUTLER COUNTY
Decision #AP-464 (H,Hw)
38 FR 2609-1/26/73
CAMBRIA COUNTY
(Hw)-See Butler County
CAMERON COUNTY
(Hw)-See Bedford County
CARBON COUNTY
(Hw)-See Adams County
CENTRE COUNTY
Decision #AP-466 (H,Hw)
38 FR 2615-1/26/73
CHESTER COUNTY
(Hw,R)-See Bucks County
CLARION COUNTY
(H,Hw)-See Bedford County
CLEARFIELD COUNTY
(H,Hw)-See Centre County
CLINTON COUNTY
(H,Hw)-See Bedford County
COLUMBIA COUNTY
(Hw)- See Adams County
CRAWFORD COUNTY
(H * Hw)-See Armstrong County
CUMBERLAND COUNTY
Decision #AP-424 (B, H, Hw)
37 FR 20460 - 9/29/72
Mod. #1 - 37 FR 25626 - 12/1/72
Mod. #2-38 FR 1438-1/12/73
Mod. #3-38 FR 2012-1/19/73
Mod. #4-38 FR 4079-2/9/73
(Hw)-See Adams County
DAUPHIN COUNTY
Decision #AP-423 (B, H, Hw)
37 FR 20458 - 9/29/72
Mod. #1 - 37 FR 25626 - 12/1/72
Mod. #2-38 FR 1438-1/12/73
Mod. #3-38 FR 2012-1/19/73
Mod. #4-38 FR 4079-2/9/73
(Hw)-See Adams County
DELAWARE COUNTY
Decision #AP-408 (B, H, Hw)
37 FR 15275 - 7/28/72
Mod. #1 - 37 FR 17319 - 8/25/72
Mod. #2 - 37 FR 22707 - 10/20/72
Mod. #3-38 FR 2012-1/19/73
(R)(Hw)-See Bucks County

PENNSYLVANIA (Cont'd)

ELK COUNTY
(H & Hw)-See Bedford County
ERIE COUNTY
Decision #AP-422 (B, H, Hw)
37 FR 20454 - 9/29/72
FAYETTE COUNTY
(Hw)-See Butler County
FOREST COUNTY
(Hw)-See Bedford County
FRANKLIN COUNTY
Decision #AM-1854 (B, H, Hw)
36 FR 16276 - 8/20/71
Mod. #1 - 37 FR 1436 - 1/28/72
Mod. #2 - 37 FR 7448 - 4/14/72
Mod. #3 - 37 FR 13930 - 7/14/72
Mod. #4 - 37 FR 16282 - 8/11/72
Mod. #5 - 37 FR 19890 - 9/22/72
Mod. #6 - 37 FR 22707 - 10/20/72
Mod. #7 - 37 FR 24511 - 11/17/72
Mod. #8 - 37 FR 25623 - 12/1/72
FULTON COUNTY
(Hw)-See Bedford County
GREENE COUNTY
(Hw)-See Centre County
HUNTINGDON COUNTY
(Hw)-See Bedford County
INDIANA COUNTY
(Hw)-See Armstrong County
JEFFERSON COUNTY
(Hw) - See Centre County
JUNIATA COUNTY
(Hw) - See Adams County
LACKAWANNA COUNTY
Decision #AP-462 (B)
38 FR 2605-1/26/73
LANCASTER COUNTY
(Hw) - See Adams County
LAWRENCE COUNTY
Decision #AP-425 (B,H,Hw)
37 FR 20464 - 9/29/72
Mod. #1-37 FR 25114 - 11/25/72
LEBANON COUNTY
(Hw) - See Adams County
LEHIGH COUNTY
Decision #AP-430 (B,H,Hw)
37 FR 21259 - 10/6/72
Mod. #1-38 FR 1436-1/12/73
Mod. #2-38 FR 2012-1/19/73
Mod. #3-38 FR 4079-2/9/73

PENNSYLVANIA (Cont'd)

LUZERNE COUNTY
Decision #AM-1,858 (B,H,Hw)
36 FR 16294 - 8/30/71
Mod. #1-37 FR 3117 - 2/11/72
Mod. #2-37 FR 7449 - 4/14/72
Mod. #3-37 FR 8621 - 4/28/72
Mod. #4-37 FR 10279 - 5/19/72
Mod. #5-37 FR 16730 - 8/18/72
Mod. #6-37 FR 18834 - 9/14/72
Mod. #7-38 FR 1436-1/12/73
Mod. #8-38 FR 2011-1/19/73
LYCOMING COUNTY
(Hw) - See Adams County
McKEAN COUNTY
(Hw) - See Adams County
MERCER COUNTY
Decision #AM-1,859 (B,H,Hw)
36 FR 16299 - 8/20/72
Mod. #1-37 FR 3117 - 2/11/72
Mod. #2-37 FR 5169 - 3/10/72
Mod. #3-37 FR 7922 - 4/21/72
Mod. #4-37 FR 13932 - 7/14/72
Mod. #5-37 FR 16284 - 8/11/72
Mod. #6-37 FR 20393 - 9/29/72
Mod. #7-37 FR 23064 - 10/27/72
Mod. #8-37 FR 24511 - 11/17/72
Mod. #9-37 FR 25623 - 12/1/72
MIFFLIN COUNTY
(Hw) - See Adams County
MONROE COUNTY
(Hw)-See Adams County

PENNSYLVANIA (Cont'd)

MONTGOMERY COUNTY
Decision #AM-9,681 (B,H,Hw)
37 FR 4030 - 2/25/72
Mod. #1-37 FR 10284 - 5/19/72
Mod. #2-37 FR 11623 - 6/9/72
Mod. #3-37 FR 12020 - 6/16/72
Mod. #4-37 FR 15238 - 7/28/72
Mod. #5-37 FR 17318 - 8/25/72
Mod. #6-37 FR 18273 - 9/8/72
Mod. #7-37 FR 22707 - 10/20/72
Mod. #8-38 FR 2012-1/19/73
MONTOUR COUNTY
(Hw) - See Adams County
NORTHAMPTON COUNTY
Decision #AP-463 (B)
38 FR 2607-1/26/73
NORTHUMBERLAND COUNTY
(Hw) - See Adams County
PERRY COUNTY
(Hw) - See Adams County
PHILADELPHIA COUNTY
Decision #AM-9,323 (B,H,Hw)
37 FR 12023 - 6/16/72
Mod. #1-37 FR 15238 - 7/28/72
Mod. #2-37 FR 17318 - 8/25/72
Mod. #3-37 FR 22707 - 10/20/72
Mod. #4-38 FR 2011-1/19/73
(D)-See Statewide
PIKE COUNTY
(Hw) - See Adams County

PENNSYLVANIA (Cont'd)

POTTER COUNTY
(H & Hw) - See Bedford County
SCHUYLKILL COUNTY
(Hw) - See Adams County
SNYDER COUNTY
(Hw) - See Adams County
SOMERSET COUNTY
(H & Hw) - See Butler County
SULLIVAN COUNTY
(Hw) - See Adams County
SUSQUEHANNA COUNTY
(Hw) - See Adams County
TIOGA COUNTY
(Hw) - See Adams County
UNION COUNTY
(Hw) - See Adams County
VENANGO COUNTY
(Hw) - See Armstrong County
WARREN COUNTY
(Hw) - See Armstrong County
WASHINGTON COUNTY
Decision #AM-1,863 (B,H,Hw)
36 FR 16319 - 8/20/71
Mod. #1-37 FR 1436 - 1/28/72
Mod. #2-37 FR 13933 - 7/14/72
Mod. #3-37 FR 16285 - 8/11/72
Mod. #4-37 FR 19892 - 9/22/72
Mod. #5-37 FR 23065 - 10/27/72
WAYNE COUNTY
(Hw)-See Adams County
WESTMORELAND COUNTY
Decision #AM-1864 (B, H, Hw)
36 FR 16325 - 8/20/71
Mod. #1-37 FR 1336 - 1/28/72
Mod. #2- 37 FR 13935 - 7/14/72
Mod. #3-37 FR 16286 - 8/11/72
Mod. #4-37 FR 18834 - 9/15/72
Mod. #5-37 FR 19893 - 9/22/72
Mod. #6-37 FR 23065 - 10/27/72
Mod. #7-37 FR 24511 - 11/17/72
Mod. #8-37 FR 25117 - 11/25/72
WYOMING COUNTY
(Hw)-See Adams County
YORK COUNTY
(Hw)-See Adams County

PUERTO RICO

PUERTO RICO
Decision #AP-412 (B, H, Hw)
37 FR 16778 - 8/18/72

RHODE ISLAND

STATEWIDE
Decision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
BRISTOL COUNTY
Decision #AP-426 (B, H, Hw, Marine)
37 FR 20471 - 9/29/72
Mod. #1 - 37 FR 21713 - 10/13/72
(D)-See Statewide
KENT COUNTY
(B, H, Hw, Marine)- See Bristol Cty.
(D)-See Statewide
NEWPORT COUNTY
Decision #AP-428 (B, H, Hw, Marine)
37 FR 20480 - 9/29/72
Mod. #1 - 37 FR 21713 - 10/13/72
(D)-See Statewide
PROVIDENCE COUNTY
(B, H, Hw, Marine)-See Bristol Cty.
(D)-See Statewide
WASHINGTON COUNTY
Decision #AP-427 (B, H, Hw, Marine)
37 FR 20476 - 9/27/72
Mod. #1 - 37 FR 21713 - 10/13/72
(D)-See Statewide

SOUTH CAROLINA

STATEWIDE
Decision #AM-1867 (Hw)
36 FR 16475 - 8/20/71
ABBEVILLE COUNTY
(Hw)-See Statewide
AIKEN COUNTY
(Hw)-See Statewide
ALLENDALE COUNTY
(Hw)-See Statewide
ANDERSON COUNTY
(Hw)-See Statewide

SOUTH CAROLINA (cont'd)

BAMBERG COUNTY
(Hw)-See Statewide
BARNWELL COUNTY
(Hw)-See Statewide
BEAUFORT COUNTY
Decision #AP-459 (D)
37 FR 22701 - 10/20/72
(Hw)-See Statewide
BERKELEY COUNTY
(D)-See Beaufort County
(Hw)-See Statewide
Decision #AP-114 (R)
37 FR 15794 - 8/4/72
CALHOUN COUNTY
(Hw)-See Statewide
CHARLESTON COUNTY
(D)-See Beaufort County
(Hw)-See Statewide
(R)-See Berkeley County
CHEROKEE COUNTY
(Hw)-See Statewide
CHESTER COUNTY
(Hw)-See Statewide
CHESTERFIELD COUNTY
(Hw)-See Statewide
CLARENDON COUNTY
(Hw)-See Statewide
COLLETON COUNTY
(D)-See Beaufort County
(Hw)-See Statewide
DARLINGTON COUNTY
(Hw)-See Statewide
DILLON COUNTY
(Hw)-See Statewide
DORCHESTER COUNTY
(Hw)-See Statewide
EDGEFIELD COUNTY
(Hw)-See Statewide
FAIRFIELD COUNTY
(Hw)-See Statewide
FLORENCE COUNTY
(Hw)-See Statewide
GEORGETOWN COUNTY
(D)-See Beaufort County
(Hw)-See Statewide
GREENVILLE COUNTY
(Hw)-See Statewide

SOUTH CAROLINA (Cont'd)

GREENWOOD COUNTY
(Hw)-See Statewide
HAMPTON COUNTY
(Hw)-See Statewide
HORRY COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
JASPER COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
KERSHAW COUNTY
(Hw) - See Statewide
LANCASTER COUNTY
(Hw) - See Statewide
LAURENS COUNTY
(Hw) - See Statewide
LEE COUNTY
(Hw) - See Statewide
LEXINGTON COUNTY
(Hw) - See Statewide
McCORMICK COUNTY
(Hw) - See Statewide
MARION COUNTY
(Hw) - See Statewide
MARLBORO COUNTY
(Hw) - See Statewide
NEWBERRY COUNTY
(Hw) - See Statewide
OCONEE COUNTY
(Hw) - See Statewide
ORANGEBURG COUNTY
(Hw) - See Statewide
PICKENS COUNTY
(Hw) - See Statewide
RICHLAND COUNTY
(Hw) - See Statewide
SALUDA COUNTY
(Hw) - See Statewide
SPARTANBURG COUNTY
(Hw) - See Statewide
SUMTER COUNTY
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
WILLIAMSBURG COUNTY
(Hw) - See Statewide
YORK COUNTY
(Hw) - See Statewide

SOUTH DAKOTA

STATEWIDE
Decision #AM-6,719 (Hw)
37 FR 7463 - 4/14/72
AURORA COUNTY
(Hw) - See Statewide
BEADLE COUNTY
(Hw) - See Statewide
BENNETT COUNTY
(Hw) - See Statewide
BON HOMME COUNTY
(Hw) - See Statewide
BROOKINGS COUNTY
(Hw) - See Statewide
BROWN COUNTY
(Hw) - See Statewide
BRULE COUNTY
(Hw) - See Statewide
BUFFALO COUNTY
(Hw) - See Statewide
BUTTE COUNTY
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CHARLES COUNTY
(Hw) - See Statewide
CLARK COUNTY
(Hw) - See Statewide
CODINGTON COUNTY
(Hw) - See Statewide
CORSON COUNTY
(Hw) - See Statewide
CUSTER COUNTY
(Hw) - See Statewide
DAVISON COUNTY
(Hw) - See Statewide
DAY COUNTY
(Hw) - See Statewide
DEUEL COUNTY
(Hw) - See Statewide
DEWEY COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

EDMUNDS COUNTY
(Hw) - See Statewide
FALL RIVER COUNTY
(Hw) - See Statewide
FAULK COUNTY
(Hw) - See Statewide
GRANT COUNTY
(Hw) - See Statewide
GREGORY COUNTY
(Hw) - See Statewide
HAAKON COUNTY
(Hw) - See Statewide
HAMLIN COUNTY
(Hw) - See Statewide
HAND COUNTY
(Hw) - See Statewide
HANSON COUNTY
(Hw) - See Statewide
HARDING COUNTY
(Hw) - See Statewide
HUGHES COUNTY
(Hw) - See Statewide
HUTCHINSON COUNTY
(Hw) - See Statewide
HYDE COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide
JERAULD COUNTY
(Hw) - See Statewide
JONES COUNTY
(Hw) - See Statewide
KINGSBURY COUNTY
(Hw) - See Statewide
LAKE COUNTY
(Hw) - See Statewide
LAWRENCE COUNTY
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
LYMAN COUNTY
(Hw) - See Statewide
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36 FR 16493 - 8/20/71
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(Hw)-See Statewide
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(R) - See Armstrong County
LIVE OAK COUNTY
(Hw) - See Aransas County
LLANO COUNTY
(Hw, water & sewer utilities) - See Austin County
LOVING COUNTY
(Hw) - See Andrews County
(R) - See Crane County
LUBBOCK COUNTY
Decision #AP-394 (B)
38 FR 2640-]/26/73
(Hw) - See Bailey County
(R) - See Bailey County
LYNN COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
MCCULLOCH COUNTY
(Hw) - See Andrews County
MCLENNAN COUNTY
(Hw) - See Bell County
MCMULLEN COUNTY
(Hw), water & sewer utilities) - See Atascosa County
MADISON COUNTY
(Hw) - See Brazos County
MARION COUNTY
(Hw) - See Bowie County
MARTIN COUNTY
(Hw) - See Andrews County

TEXAS (Cont'd)

MASON COUNTY
(Hw, water & sewer utilities) - See Austin County
MATAGORDA COUNTY
(H & Hw) - See Brazoria County
(R) - See Brazoria County
(D) - See Aransas County
MAVERICK COUNTY
(Hw, water & sewer utilities) - See Atascosa County
MEDINA COUNTY
(Hw, water & sewer utilities) - See Atascosa County
MENARD COUNTY
(Hw) - See Andrews County
MIDLAND COUNTY
(Hw) - See Andrews County
(R) - See Crane County
MILAM COUNTY
(Hw) - See Brazos County
MILLS COUNTY
(Hw) - See Andrews County
MITCHELL COUNTY
(Hw) - See Andrews County
MONTAGUE COUNTY
(Hw) - See Archer County
MONTGOMERY COUNTY
(H & Hw) - See Brazoria County
(R)-See Brazoria County
MOORE COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
MORRIS COUNTY
(Hw) - See Bowie County
MOTLEY COUNTY
(Hw) - See Bailey County
NACOGDOCHES COUNTY
(Hw) - See Anderson County
NAVARRO COUNTY
(Hw) - See Bell County
NEWTON COUNTY
(Hw) - See Anderson County
NOLAN COUNTY
(Hw) - See Andrews County

TEXAS (Cont'd)

NUECES COUNTY
Decision #AP-392 (B)
38 FR 2634-1/26/73
(Hw) - See Aransas County
(D) - See Aransas County
OCHILTREE COUNTY
(B) - See Armstrong County
(Hw)-See Archer County
(R)-See Armstrong County
OLDHAM COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
ORANGE COUNTY
(B) - See Jefferson County
(Hw) - See Chambers County
(R) - See Jefferson County
(D) - See Aransas County
PALO PINTO COUNTY
(B) - See Collin County
(Hw) - See Cooke County
(R) - See Hood County
PANOLA COUNTY
(Hw) - See Anderson County
PARKER COUNTY
(B) - See Collin County
(Hw) - See Cooke County
(R) - See Hood County
PARMER COUNTY
(Hw) - See Archer County
PECOS COUNTY
(Hw) - See Brewster County
(R) - See Crane County
POLK COUNTY
(Hw) - See Anderson County
POTTER COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County

TEXAS (Cont'd)

PRESIDIO COUNTY
(Hw) - See Brewster County
RAINS COUNTY
(Hw) - See Bowie County
RANDALL COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
REAGAN COUNTY
(Hw) - See Andrews County
REAL COUNTY
(Hw, water & sewer utilities) - See Atascosa County
RED RIVER COUNTY
(Hw) - See Bowie County
REEVES COUNTY
(Hw) - See Brewster County
(R) - See Crane County
REFUGIO COUNTY
(Hw) - See Aransas County
(D) - See Aransas County
ROBERTS COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
ROBERTSON COUNTY
(Hw) - See Brazos County
ROCKWALL COUNTY
(B) - See Collin County
(H & Hw) - See Collin County
(R) - See Collin County
RUNNELS COUNTY
(Hw) - See Andrews County
RUSK COUNTY
(Hw) - See Bowie County
SABINE COUNTY
(Hw) - See Anderson County
SAN AUGUSTINE COUNTY
(Hw) - See Anderson County
SAN JACINTO COUNTY
(Hw) - See Anderson County
SAN PATRICIO COUNTY
(Hw) - See Aransas County
(D) - See Aransas County
SAN SABA COUNTY
(Hw) - See Andrews County
SCHLEICHER COUNTY
(Hw) - See Andrews County

TEXAS (Cont'd)

SCURRY COUNTY
(Hw) - See Bailey County
SHACKELFORD COUNTY
(Hw) - See Bailey County
SHELBY COUNTY
(Hw) - See Anderson County
SHERMAN COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
SMITH COUNTY
(Hw) - See Bowie County
SOMERVELL COUNTY
(Hw) - See Cooke County
STARR COUNTY
(B) - See Cameron County
(Hw) - See Brooks County
(R) - See Cameron County
STEPHENS COUNTY
(Hw) - See Bailey County
STERLING COUNTY
(Hw) - See Andrews County
STONEWALL COUNTY
(Hw) - See Bailey County
SUTTON COUNTY
(Hw) - See Andrews County
SWISHER COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
TARRANT COUNTY
(B) - See Collin County
(Hw) - See Cooke County
Decision #AM-11423 (R)
37 FR 11617 - 6/9/72
Mod. #1 - 37 FR 20394 - 9/29/72
TAYLOR COUNTY
(Hw) - See Andrews County
TERRELL COUNTY
(Hw) - See Brewster County
TERRY COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
THROCKMORTON COUNTY
(Hw) - See Bailey County
TITUS COUNTY
(Hw) - See Bowie County
TOM GREEN COUNTY
(Hw) - See Andrews County

TEXAS (Cont'd)

TRAVIS COUNTY
Decision #AP-391 (B)
38 FR 2631-1/26/73
Mod. #1-38 FR 4081-2/9/73
(Hw, water & sewer utilities) - See Austin County
(R) - See Bastrop County
TRINITY COUNTY
(Hw) - See Anderson County
TYLER COUNTY
(Hw) - See Anderson County
UPSHUR COUNTY
(Hw) - See Bowie County
UPTON COUNTY
(Hw) - See Andrews County
(R) - See Crane County
UVALDE COUNTY
(Hw, water & sewer utilities) - See Atascosa County
VAL VERDE COUNTY
(Hw, water & sewer utilities) - See Atascosa County
VAN ZANDT COUNTY
(Hw) - See Bowie County
VICTORIA COUNTY
(Hw) - See Aransas County
(D) - See Aransas County
WALKER COUNTY
(Hw) - See Brazos County
(R) - See Brazoria County
WALLER COUNTY
(H & Hw) - See Brazoria County
WARD COUNTY
(Hw) - See Andrews County
(R) - See Andrews County
WASHINGTON COUNTY
(Hw) - See Brazos County
WEBB COUNTY
(Hw) - See Brooks County
WHARTON COUNTY
(H & Hw) - See Brazoria County

TEXAS (Cont'd)

WHEELER COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
WICHITA COUNTY
(Hw) - See Archer County
WILBARGER COUNTY
(Hw) - See Archer County
WILLACY COUNTY
(B) - See Cameron County
(Hw) - See Brooks County
(R) - See Cameron County
(D) - See Arroyas County
WILLIAMSON COUNTY
(Hw, water & sewer utilities) - See Austin County
(R) - See Bastrop County
WILSON COUNTY
(Hw, water & sewer utilities) - See Atascosa County
WINKLER COUNTY
(Hw) - See Andrews County
(R) - See Crane County
WISE COUNTY
(B) - See Collin County
(Hw) - See Cooke County
(R) - See Hood County
WOOD COUNTY
(Hw) - See Bowie County
YOAKUM COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
YOUNG COUNTY
(Hw) - See Bailey County
ZAPATA COUNTY
(Hw) - See Brooks County
ZAVALA COUNTY
(Hw, water & sewer utilities) - See Atascosa County

UTAH

STATEWIDE
Decision #AP-254 (B-H-Hw)
37 FR 26255 - 12/8/72
Mod. #1-38 FR 939-1/5/73
BEAVER COUNTY
(B, H, Hw) - See Statewide
BOX ELDER COUNTY
(B, H, Hw) - See Statewide
CACHE COUNTY
(B, H, Hw) - See Statewide
CARBON COUNTY
(B, H, Hw) - See Statewide
DAGGETT COUNTY
(B, H, Hw) - See Statewide
DAVIS COUNTY
(B, H, Hw) - See Statewide
DUCHESNE COUNTY
(B, H, Hw) - See Statewide
EMERY COUNTY
(B, H, Hw) - See Statewide
GARFIELD COUNTY
(B, H, Hw) - See Statewide
GRAND COUNTY
(B, H, Hw) - See Statewide
IRON COUNTY
(B, H, Hw) - See Statewide
JUAB COUNTY
(B, H, Hw) - See Statewide
KANE COUNTY
(B, H, Hw) - See Statewide
MILLARD COUNTY
(B, H, Hw) - See Statewide
MORGAN COUNTY
(B, H, Hw) - See Statewide
PIUTE COUNTY
(B, H, Hw) - See Statewide
RICH COUNTY
(B, H, Hw) - See Statewide
SALT LAKE COUNTY
(B, H, Hw) - See Statewide
SAN JUAN COUNTY
(B, H, Hw) - See Statewide
SANPETE COUNTY
(B, H, Hw) - See Statewide
SEVIER COUNTY
(B, H, Hw) - See Statewide
SUMMIT COUNTY
(B, H, Hw) - See Statewide

UTAH (cont'd)

TOOELE COUNTY
(B, H, Hw) - See Statewide
UNITAH COUNTY
(B, H, Hw) - See Statewide
UTAH COUNTY
(B, H, Hw) - See Statewide
WASATCH COUNTY
(B, H, Hw) - See Statewide
WASHINGTON COUNTY
(B, H, Hw) - See Statewide
WAYNE COUNTY
(B, H, Hw) - See Statewide
WEBER COUNTY
(B, H, Hw) - See Statewide

VERMONT

STATEWIDE
Decision #AP-438 (Hw)
37 FR 21693 - 10/13/72
Mod. #1 - 37 FR 25116 - 11/25/72
Mod. #2-38 FR 2013-1/19/73
ADDISON COUNTY
(Hw) - See Statewide
BENNINGTON COUNTY
(Hw) - See Statewide
CALEDONIA COUNTY
(Hw) - See Statewide
CHITTENDEN COUNTY
(Hw) - See Statewide
ESSEX COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
GRAND ISLE COUNTY
(Hw) - See Statewide
LAMOILLE COUNTY
(Hw) - See Statewide
ORANGE COUNTY
(Hw) - See Statewide
ORLEANS COUNTY
(Hw) - See Statewide
RUTLAND COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(Hw) - See Statewide
WINDHAM COUNTY
(Hw) - See Statewide
WINDSOR COUNTY
(Hw) - See Statewide

VIRGINIA

ACCOMACK COUNTY
Decision #AM-1872 (Hw)
36 FR 16340 - 8/20/71
Mod. #1 - 36 FR 23106 - 12/3/71
Mod. #2 - 37 FR 5663 - 3/17/72
Decision #AP-439 (D)
37 FR 22701 - 10/20/72
ALBERMARLE COUNTY
Decision #AM-1874 (Hw)
36 FR 16342 - 8/20/71
ALEXANDRIA CITY
Decision #AP-443 (b)
37 FR 24515 - 11/17/72
Mod. #1 - 37 FR 25615 - 12/1/72
Mod. #2 - 37 FR 26198 - 12/8/72
Mod. #3-38 FR 2015-1/19/73
Decision #AP-450 (R)
37 FR 25117 - 11/25/72
(D) - See Accomack County
ALLEGHENY COUNTY
Decision #AM-1875 (Hw)
36 FR 16343 - 8/20/71
Mod. #1 - 37 FR 5169 - 3/10/72
AMELIA COUNTY
Decision #AM-1871 (Hw)
36 FR 16339 - 8/20/71
AMHERST COUNTY
Decision #AM-1870 (Hw)
36 FR 16338 - 8/20/71
APPOMATTOX COUNTY
(Hw) - See Amherst County
ARLINGTON COUNTY
(B) - See Alexandria City
(R) - See Alexandria City
(D) - See Accomack County
AUGUSTA COUNTY
Decision #AM-9320 (R)
37 FR 10267 - 5/19/72
(Hw) - See Allegheny County
BATH COUNTY
(Hw) - See Allegheny County
BEDFORD COUNTY
Decision #AM-1869 (Hw)
36 FR 16337 8/20/71
Mod. #1 - 36 FR 18274 - 9/10/71
BLAND COUNTY
Decision #AM-1868 (Hw)
36 FR 16336 - 8/20/71

VIRGINIA (Cont'd)

BOTECOURT COUNTY
(Hw) - See Bedford County
BRISTOL COUNTY
(Hw) - See Bland County
BRUNSWICK COUNTY
(Hw) - See Amelia County
BUCHANAN COUNTY
(Hw) - See Bland County
BUCKINGHAM COUNTY
(Hw) - See Amherst County
BUENA VISTA CITY
(Hw) - See Allegheny County
CAMPBELL COUNTY
(Hw) - See Amherst County
CAROLINE COUNTY
Decision #AM-1873 (Hw)
36 FR 16341 - 8/20/71
Mod. #1 - 37 FR 15238 - 7/28/72
CARROLL COUNTY
(Hw) - See Bedford County
CHARLES CITY COUNTY
(Hw) - See Amelia County
CHARLOTTE COUNTY
(Hw) - See Amherst County
CHARLOTTESVILLE CITY
(Hw) - See Albermarle County
CHESAPEAKE CITY
Decision #AP-468 (B)
38 FR 4177-2/9/73
(Hw) - See Accomack County
(D) - See Accomack County
CHESTERFIELD COUNTY
(Hw) - See Amelia County
CLARKE COUNTY
Decision #AP-406 (R)
37 FR 15234 - 7/28/72
(Hw) - See Allegheny County
CLIFTON FORGE CITY
(Hw) - See Allegheny County
COLONIAL HEIGHTS CITY
(Hw) - See Amelia County
COVINGTON CITY
(Hw) - See Allegheny County
CRAIG COUNTY
(Hw) - See Bedford County

VIRGINIA (cont'd)

CULPEPER COUNTY
(Hw) - See Albermarle County
CUMBERLAND COUNTY
(Hw) - See Amherst County
DANVILLE CITY
(Hw) - See Amherst County
DICKERSON COUNTY
(Hw) - See Bland County
DINWIDDIE COUNTY
(Hw) - See Amelia County
ESSEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
FAIRFAX COUNTY
(B) - See Alexandria City
(R) - See Alexandria City
(D) - See Accomack County
FAIRFAX CITY
(B) - See Alexandria City
(R) - See Alexandria City
FALLS CHURCH CITY
(B) - See Alexandria City
(R) - See Alexandria City
FAUQUIER COUNTY
(Hw) - See Albermarle County
FLOYD COUNTY
(Hw) - See Bedford County
FLUVANNA COUNTY
(Hw) - See Albermarle County
FORT MONROE CITY
(Hw) - See Accomack County
FRANKLIN CITY
(Hw) - See Accomack County
FRANKLIN COUNTY
(Hw) - See Bedford County
FREDERICK COUNTY
(R) - See Clarke County
(Hw) - See Allegheny County
FREDERICKSBURG CITY
(Hw) - See Caroline County
GALAX CITY
(Hw) - See Bland County
GILES COUNTY
(Hw) - See Bedford County
GLOUCESTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County

VIRGINIA (Cont'd)

GOOCHLAND COUNTY
(Hw) - See Amelia County
GREENE COUNTY
(Hw) - See Albemarle County
GREENSVILLE COUNTY
(Hw) - See Accomack County
HALIFAX COUNTY
(Hw) - See Amherst County
HAMPTON CITY
(Hw) - See Accomack County
(D) - See Accomack County
HANOVER COUNTY
(Hw) - See Amelia County
HARRISONBURG CITY
(Hw) - See Alleghany County
HENRICO COUNTY
Decision #AP-441 (B)
37 FR 23495 - 11/3/72
Mod. #1-37 FR 25627 - 12/1/72
Mod. #2-37 FR 28804-12/29/72
Mod. #3-38 FR 939-1/5/73
Mod. #4-38 FR 2014-1/19/73
Mod. #5-38 FR 3253-2/2/73
(Hw) - See Amelia County
HENRY COUNTY
(Hw) - See Bedford County
HIGHLAND COUNTY
(Hw) - See Alleghany County
HOPEWELL CITY
(Hw) - See Amelia County
ISLE OF WIGHT COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
JAMES CITY COUNTY
Decision #AP-407 (K)
37 FR 15235 - 7/28/72
(Hw) - See Accomack County
(D) - See Accomack County
KING AND QUEEN COUNTY
(Hw) - See Caroline County
KING GEORGE COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
KING WILLIAM COUNTY
(Hw) - See Caroline County
LANCASTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County

VIRGINIA (Cont'd)

LEE COUNTY
(Hw) - See Bland County
LOUDOUN COUNTY
(Hw) - See Albemarle County
LOUISA COUNTY
(Hw) - See Albemarle County
LUNENBURG COUNTY
(Hw) - See Amelia County
LYNCHBURG CITY
(Hw) - See Amherst County
MADISON COUNTY
(Hw) - See Albemarle County
MARTINSVILLE CITY
(Hw) - See Bedford County
MATHEWS COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MECKLENBURG COUNTY
(Hw) - See Amelia County
MIDDLESEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MONTGOMERY COUNTY
(Hw) - See Bedford County
NANSEMOND COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
NELSON COUNTY
(Hw) - See Amherst County
NEW KENT COUNTY
(Hw) - See Amelia County
NEWPORT NEWS CITY
(Hw) - See Accomack County
(D) - See Accomack County
NORFOLK CITY
(B)-See Chesapeake City
(Hw) - See Accomack County
(D) - See Accomack County
NORTHAMPTON COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
NORTON CITY
(Hw) - See Bland County

VIRGINIA (cont'd)

NORTHUMBERLAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
NOTTOWAY COUNTY
(Hw) - See Amelia County
ORANGE COUNTY
(Hw) - See Albemarle County
PAGE COUNTY
(Hw) - See Alleghany County
PATRICK COUNTY
(Hw) - See Bedford County
PETERSBURG COUNTY
(Hw) - See Amelia County
PITTSYLVANIA COUNTY
(Hw) - See Amherst County
PORTSMOUTH CITY
(B) - See Chesapeake City
(Hw) - See Accomack County
(D) - See Accomack County
POWHATAN COUNTY
(Hw) - See Amelia County
PRINCE EDWARD COUNTY
(Hw) - See Amherst County
PRINCE GEORGE COUNTY
(Hw) - See Amelia County
PRINCE WILLIAM COUNTY
(Hw) - See Albemarle County
(D) - See Accomack County
PULASKI COUNTY
(Hw) - See Bedford County
RADFORD CITY
(Hw) - See Bedford County
RAPAHANNOCK COUNTY
(Hw) - See Albemarle County
RICHMOND CITY
(B) - See Henrico County
(Hw) - See Amelia County
RICHMOND COUNTY
(Hw) - See Caroline County
ROANOKE CITY
(Hw) - See Bedford County
ROANOKE COUNTY
(Hw) - See Bedford County
ROCKBRIDGE COUNTY
(Hw) - See Alleghany County

VIRGINIA (Cont'd)

ROCKINGHAM COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
RUSSELL COUNTY
(Hw) - See Bland County
SCOTT COUNTY
(Hw) - See Bland County
SHENANDOAH COUNTY
(Hw) - See Alleghany County
(R) - See Clarke County
SMYTH COUNTY
(Hw) - See Bland County
SOUTHAMPTON COUNTY
(Hw) - See Accomack County
SOUTH BOSTON CITY
(Hw) - See Amherst County
SPOTSYLVANIA COUNTY
(Hw) - See Caroline County
STAUNTON CITY
(Hw) - See Alleghany County
STAFFORD COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
SUFFOLK CITY
(Hw) - See Accomack County
SURRY COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
SUSSEX COUNTY
(Hw) - See Accomack County
TAZEWELL COUNTY
(Hw) - See Bland County
VIRGINIA BEACH CITY
Decision #AM-9321 (R)
37 FR 10266 - 5/19/72
(Hw) - See Accomack County
(D) - See Accomack County
WARREN COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
WASHINGTON COUNTY
(Hw) - See Bland County
WAYNESBORO CITY
(Hw) - See Alleghany County
WESTMORELAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County

VIRGINIA (Cont'd)

WILLIAMSBURG CITY
(Hw) - See Accomack County
WINCHESTER CITY
(Hw) - See Allegheny County
WISE COUNTY
(Hw) - See Bland County
WYTHE COUNTY
(Hw) - See Bland County
YORK COUNTY
(R) - See James City County
(Hw) - See Accomack County
(D) - See Accomack County

WASHINGTON

STATEWIDE
Decision #AP-261 (B,H,Hw,D)
38 FR 3265-2/2/73
ADAMS COUNTY
(B,H,Hw,D)-See Statewide
ASOTIN COUNTY
(B,H,Hw,D)-See Statewide
BENTON COUNTY
(B,H,Hw,D)-See Statewide
CHELAN COUNTY
(B,H,Hw,D)-See Statewide
CLALLAM COUNTY
(B,H,Hw,D)-See Statewide
CLARK COUNTY
(B,H,Hw,D)-See Statewide
COLUMBIA COUNTY
(B,H,Hw,D)-See Statewide
COWLITZ COUNTY
(B,H,Hw,D)-See Statewide
DOUGLAS COUNTY
(B,H,Hw,D)-See Statewide
FERRY COUNTY
(B,H,Hw,D)-See Statewide
FRANKLIN COUNTY
(B,H,Hw,D)-See Statewide
GARFIELD COUNTY
(B,H,Hw,D)-See Statewide
GRANT COUNTY
(B,H,Hw,D)-See Statewide
GRAYS HARBOR COUNTY
(B,H,Hw,D)-See Statewide
ISLAND COUNTY
(B,H,Hw,D)-See Statewide
JEFFERSON COUNTY
(B,H,Hw,D)-See Statewide

WASHINGTON (Cont'd)

KING COUNTY
(B,H,Hw,D)-See Statewide
KITSAP COUNTY
(B,H,Hw,D)-See Statewide
KITTITAS COUNTY
(B,H,Hw,D)-See Statewide
KLICKITAT COUNTY
(B,H,Hw,D)-See Statewide
LEWIS COUNTY
(B,H,Hw,D)-See Statewide
LINCOLN COUNTY
(B,H,Hw,D)-See Statewide
MASON COUNTY
(B,H,Hw,D)-See Statewide
OKANOGAN COUNTY
(B,H,Hw,D)-See Statewide
PACIFIC COUNTY
(B,H,Hw,D)-See Statewide
PEND OREILLE COUNTY
(B,H,Hw,D)-See Statewide
PIERCE COUNTY
(B,H,Hw,D)-See Statewide
SAN JUAN COUNTY
(B,H,Hw,D)-See Statewide
SKAGIT COUNTY
(B,H,Hw,D)-See Statewide
SKAMANIA COUNTY
(B,H,Hw,D)-See Statewide
SNOHOMISH COUNTY
(B,H,Hw,D)-See Statewide
SPOKANE COUNTY
(B,H,Hw,D)-See Statewide
STEVENS COUNTY
(B,H,Hw,D)-See Statewide
THURSTON COUNTY
(B,H,Hw,D)-See Statewide
WAHKIAKUM COUNTY
(B,H,Hw,D)-See Statewide
WALLA WALLA COUNTY
(B,H,Hw,D)-See Statewide
WHATCOM COUNTY
(B,H,Hw,D)-See Statewide
WHITMAN COUNTY
(B,H,Hw,D)-See Statewide
YAKIMA COUNTY
(B,H,Hw,D)-See Statewide

WASHINGTON, D. C.

WASHINGTON, D.C.
Decision #AP-442 (B,Hw,Sewer & water)
37 FR 24512 - 11/17/72
Mod. #1-37 FR 25627 - 12/1/72
Mod. #2-37 FR 26198 - 12/8/72
Mod. #3-38 FR 2014-1/19/73
Decision #AP-450 (R)
37 FR 25117 - 11/25/72

WEST VIRGINIA

BARBOUR COUNTY
(H & Hw) - See Kanawha County
BERKELEY COUNTY
(H & Hw) - See Kanawha County
BOONE COUNTY
(H & Hw) - See Kanawha County
BRAXTON COUNTY
(H & Hw) - See Kanawha County
BROOKE COUNTY
(H & Hw) - See Kanawha County
CABELL COUNTY
Decision #AP-403 (B)
37 FR 14661 - 7/21/72
Mod. #1-37 FR 16722 - 8/18/72
Mod. #2-37 FR 21720 - 10/13/72
Decision #AP-602 (D)
38 FR 1433-1/12/73
(H & Hw) - See Kanawha County
CALHOUN COUNTY
(H & Hw) - See Kanawha County
CLAY COUNTY
(H & Hw) - See Kanawha County

WEST VIRGINIA (Cont'd)

DODDRIDGE COUNTY
(H & Hw) - See Kanawha County
FAYETTE COUNTY
(H & Hw) - See Kanawha County
GILMER COUNTY
(H & Hw) - See Kanawha County
GRANT COUNTY
(H & Hw) - See Kanawha County
GREENBRIER COUNTY
(H & Hw) - See Kanawha County
HAMPSHIRE COUNTY
(H & Hw) - See Kanawha County
HANCOCK COUNTY
(H & Hw) - See Kanawha County
HARDY COUNTY
(H & Hw) - See Kanawha County
HARRISON COUNTY
(H & Hw) - See Kanawha County
JACKSON COUNTY
(D)-See Cabell County
(H & Hw) - See Kanawha County
JEFFERSON COUNTY
(H & Hw) - See Kanawha County
KANAWHA COUNTY
Decision #AP-402 (B)
37 FR 14659 - 7/21/72
Mod. #1-37 FR 20401 - 9/29/72
Mod. #2-37 FR 21720 - 10/13/72
Mod. #3-38 FR 4082-2/9/73
Decision #AP-405 (R)
37 FR 15236 - 7/28/72
Mod. #1-37 FR 20401 - 9/29/72
Mod. #2-37 FR 21720 - 10/13/72
Mod. #3-38 FR 4082-2/9/73

WEST VIRGINIA (Cont'd)

KANAWHA COUNTY (Cont'd)
Decision #AP-9,690 (H & Hw)
37 FR 6140 - 3/24/72
Mod. #1-37 FR 7030 - 4/7/72
Mod. #2-37 FR 7923 - 4/21/72
Mod. #3-37 FR 9170 - 5/5/72
Mod. #4-37 FR 26781 - 12/15/72
LEWIS COUNTY
(H & Hw) - See Kanawha County
LINCOLN COUNTY
(H & Hw) - See Kanawha County
LOGAN COUNTY
(H & Hw) - See Kanawha County
McDOWELL COUNTY
(H & Hw) - See Kanawha County
MARION COUNTY
(H & Hw) - See Kanawha County
MARSHALL COUNTY
(H & Hw) - See Kanawha County
MASON COUNTY
(D)-See Cabell County
(H & Hw) - See Kanawha County
MERCER COUNTY
(H & Hw) - See Kanawha County
MINERAL COUNTY
(H & Hw) - See Kanawha County
MINGO COUNTY
(H & Hw) - See Kanawha County
MONONGALIA COUNTY
(H & Hw) - See Kanawha County
MONROE COUNTY
(H & Hw) - See Kanawha County
MORGAN COUNTY
(H & Hw) - See Kanawha County
NICHOLAS COUNTY
(H & Hw) - See Kanawha County
OHIO COUNTY
(H & Hw) - See Kanawha County
PENDLETON COUNTY
(H & Hw) - See Kanawha County
PLEASANT COUNTY
(D)-See Cabell County
(H & Hw) - See Kanawha County
PRESTON COUNTY
(H & Hw) - See Kanawha County
PUTNAM COUNTY
(H & Hw) - See Kanawha County
RALEIGH COUNTY
(H & Hw) - See Kanawha County
RANDOLPH COUNTY
(H & Hw) - See Kanawha County
RITCHIE COUNTY
(H & Hw) - See Kanawha County
ROANE COUNTY
(H & Hw) - See Kanawha County

WEST VIRGINIA (Cont'd)

SUMMERS COUNTY
(H & Hw) - See Kanawha County
TAYLOR COUNTY
(H & Hw) - See Kanawha County
TUCKER COUNTY
(H & Hw) - See Kanawha County
TYLER COUNTY
(H & Hw) - See Kanawha County
UPSHUR COUNTY
(H & Hw) - See Kanawha County
WAYNE COUNTY
(H & Hw) - See Kanawha County
WEBSTER COUNTY
(H & Hw) - See Kanawha County
WETZEL COUNTY
(D)-See Cabell County
(H & Hw) - See Kanawha County
WIRT COUNTY
(H & Hw) - See Kanawha County
WOOD COUNTY
(D)-See Cabell County
(H & Hw) - See Kanawha County
WYOMING COUNTY
(H & Hw) - See Kanawha County

WISCONSIN

ADAMS COUNTY
Decision #AP-72 (Hw)
37 FR 26273 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
ASHLAND COUNTY
Decision #AP-4 (D)
37 FR 14670 - 7/21/72
Decision #AP-70 (Hw)
37 FR 26269 - 12/8/72
Mod. #1-38 FR 2018-1/19/73
BARRON COUNTY
Decision #AP-71 (Hw)
37 FR 26271 - 12/8/72
Mod. #1-38 FR 2018-1/19/73
BAYFIELD COUNTY
(D) - See Ashland County
(Hw) - See Ashland County
BROWN COUNTY
Decision #AP-53 (B)(H)(Hw)
37 FR 25643 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2015-1/19/73
(D) - See Ashland County
BUFFALO COUNTY
(Hw) - See Barron County
BURNETT COUNTY
(Hw) - See Ashland County

WISCONSIN (Cont'd)

CALUMET COUNTY
Decision #AP-74 (Hw)
37 FR 26277 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
CHIPPEWA COUNTY
(Hw) - See Barron County
CLARK COUNTY
(Hw) - See Barron County
COLUMBIA COUNTY
Decision #AP-73 (Hw)
37 FR 26275 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
CRAWFORD COUNTY
(Hw) - See Columbia County
DANE COUNTY
Decision #AP-54 (B)(H)(Hw)
37 FR 25647 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2015-1/19/73
Decision #AP-65 (R)
37 FR 25606 - 12/1/72
Mod. #1 - 37 FR 28358 - 12/22/72
Mod. #2 - 38 FR 2018 - 1/19/73
DODGE COUNTY
(Hw) - See Columbia County
DOOR COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
DOUGLAS COUNTY
(D) - See Ashland County
(Hw) - See Ashland County
DUNN COUNTY
(Hw) - See Barron County
EAU CLAIRE COUNTY
Decision #AP-55 (B)(H)(Hw)
37 FR 25650 - 12/1/72
Mod. #1-38 FR 2016-1/19/73
FLORENCE COUNTY
(Hw) - See Calumet County
FOND DU LAC COUNTY
Decision #AP-75 (Hw)
37 FR 26279 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
FOREST COUNTY
(Hw) - See Ashland County
GRANT COUNTY
(Hw) - See Columbia County
GREEN COUNTY
(Hw) - See Columbia County
GREEN LAKE COUNTY
(Hw) - See Adams County

WISCONSIN Cont'd)

IOWA COUNTY
(Hw) - See Columbia County
IRON COUNTY
(D) - See Ashland County
(Hw) - See Ashland County
JACKSON COUNTY
(Hw) - See Columbia County
JEFFERSON COUNTY
(Hw) - See Columbia County
JUNEAU COUNTY
Decision #AP-56 (B)(H)(Hw)
37 FR 25654 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2016-1/19/73
KENOSHA COUNTY
Decision #AP-57 (B)(H)(Hw)
37 FR 25658 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2016-1/19/73
KEWAUNEE COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
LA CROSSE COUNTY
Decision #AP-58 (B)(H)(Hw)
37 FR 25662 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2016-1/19/73
Decision #AP-66 (R)
37 FR 25609 - 12/1/72
Mod. #1 - 37 FR 28358 - 12/22/72
Mod. #2 - 38 FR 2018 - 1/19/73
LAFAYETTE COUNTY
(Hw) - See Columbia County
LANGLADE COUNTY
(Hw) - See Adams County
LINCOLN COUNTY
(Hw) - See Ashland County
MANITOWOC COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
MARATHON COUNTY
Decision #AP-59 (B)(H)(Hw)
37 FR 25666 - 12/1/72
Mod. #1-38 FR 2017-1/19/73
MARINETTE COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
MARQUETTE COUNTY
(Hw) - See Adams County
MENOMINEE COUNTY
(Hw) - See Adams County

WYOMING (Cont'd)

WYOMING (Cont'd)

WISCONSIN (Cont'd)

MILWAUKEE COUNTY
Decision #AP-60 (B)(H)(Hw)
37 FR 25669 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2017-1/19/73
(D) - See Ashland County
Decision #AP-67 (R)
37 FR 25612 - 12/1/72
Mod. #1-38 FR 2018-1/19/73
MONROE COUNTY
(Hw) - See Columbia County
OCONTO COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
ONEIDA COUNTY
(Hw) - See Ashland County
OUTAGAMIE COUNTY
(Hw) - See Calumet County
OZAUKEE COUNTY
(B)(H)(Hw) - See Milwaukee County
(D) - See Ashland County
(Hw) - See Fond du Lac County
(R) - See Milwaukee County
PEPIN COUNTY
(Hw) - See Barron County
PIERCE COUNTY
(Hw) - See Barron County
POLK COUNTY
Decision #AP-61 (B)(H)(Hw)
37 FR 25674 - 12/1/72
Mod. #1-38 FR 2017-1/19/73
PORTAGE COUNTY
(Hw) - See Adams County
PRICE COUNTY
(Hw) - See Ashland County
RACINE COUNTY
Decision AP-62 (B)(H)(Hw)
37 FR 25678 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2017-1/19/73
(D) - See Ashland County
RICHLAND COUNTY
(Hw) - See Columbia County
ROCK COUNTY
Decision #AP-63 (B)(H)(Hw)
37 FR 25682 - 12/1/72
Mod. #1-37 FR 28358-12/22/72
Mod. #2-38 FR 2018-1/19/73
RUSK COUNTY
(Hw) - See Ashland County
SAINT CROIX COUNTY
(Hw) - See Barron County

WISCONSIN (Cont'd)

SAUK COUNTY
(Hw) - See Columbia County
SAWYER COUNTY
(Hw) - See Ashland County
SHAWANO COUNTY
(Hw) - See Adams County
SHEBOYGAN COUNTY
(D) - See Ashland County
(Hw) - See Fond du Lac County
TAYLOR COUNTY
(Hw) - See Ashland County
TREMPEALEAU COUNTY
(Hw) - See Barron County
VERNON COUNTY
(Hw) - See Columbia County
VILAS COUNTY
(Hw) - See Ashland County
WALWORTH COUNTY
(Hw) - See Fond du Lac County
WASHBURN COUNTY
(Hw) - See Ashland County
WASHINGTON COUNTY
(B)(H)(Hw) - See Milwaukee County
(Hw) - See Fond du Lac County
(R) - See Milwaukee County
WAUKESHA COUNTY
(B)(H)(Hw) - See Milwaukee County
(R) - See Milwaukee County
WAUPACA COUNTY
(Hw) - See Adams County
WAUSHARA COUNTY
(Hw) - See Adams County
WINNEBAGO COUNTY
Decision #AP-64 (B)(H)(Hw)
37 FR 25686 - 12/1/72
Mod. #1 - 37 FR 28358 - 12/22/72
Mod. #2 - 38 FR 2018 - 1/19/73
WOOD COUNTY
(Hw) - See Adams County

WYOMING

STATEWIDE
Decision #AM-2,476 (Hw)
36 FR 17159 - 8/27/71
Mod. #1-37 FR 4470 - 3/3/72
Mod. #2-37 FR 28805-12/29/72
Mod. #3-38 FR 2020-1/19/73

WYOMING (Cont'd)

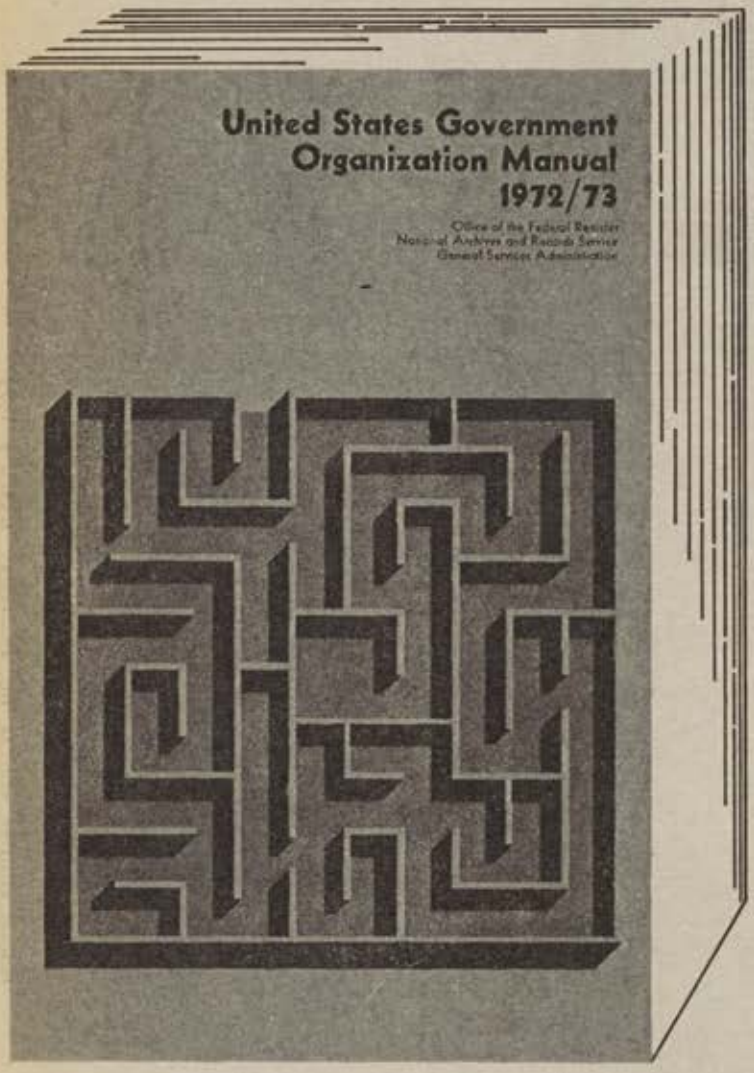
ALBANY COUNTY
(Hw) - See Statewide
BIG HORN COUNTY
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CARBON COUNTY
(Hw) - See Statewide
CONVERSE COUNTY
(Hw) - See Statewide
CROOK COUNTY
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GOSHEN COUNTY
(Hw) - See Statewide
HOT SPRINGS COUNTY
(Hw) - See Statewide
JOHNSON COUNTY
(Hw) - See Statewide
LARAMIE COUNTY
Decision #AP-250 (B,H,Hw)
37 FR 24011 - 11/10/72
Mod. #1 - 38 FR 940 - 1/5/73
Mod. #2 - 38 FR 2021 - 1/19/73
LINCOLN COUNTY
(Hw) - See Statewide

WYOMING (Cont'd)

NATRONA COUNTY
(Hw) - See Statewide
NIOBRARA COUNTY
(Hw) - See Statewide
PARK COUNTY
(Hw) - See Statewide
PLATTE COUNTY
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SUBLETTE COUNTY
(Hw) - See Statewide
SWEETWATER COUNTY
(Hw) - See Statewide
TETON COUNTY
(Hw) - See Statewide
UINTA COUNTY
(Hw) - See Statewide
WASHAKIE COUNTY
(Hw) - See Statewide
WESTON COUNTY
(Hw) - See Statewide
YELLOWSTONE NATIONAL PARK COUNTY
(Hw) - See Statewide

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