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(Part II begins on page 7437)

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

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List of CFR Parts Affected

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1973, and specifies how they are affected.

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(The items in these lists were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from these lists has no legal significance. Since these lists are intended as reminders, they do not include effective dates, comment deadlines, or hearing dates that occur within 14 days of publication.)

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NOTE: There were no items published after October 1, 1972, that are eligible for inclusion in this list.

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and date

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Weekly List of Public Laws

This is a listing of public bills enacted by Congress and approved by the President, together with the law number, the date of approval, and the U.S. Statutes citation. Subsequent lists will appear every Wednesday in the FEDERAL REGISTER, and copies of the laws may be obtained from the U.S. Government Printing Office.

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 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Labor

Section 213.3315 is amended to show that five positions of Security Aid to the Secretary are excepted under Schedule C.

Effective on March 21, 1973, § 213.3315 (a) (30) is added as set out below.

§ 213.3315 Department of Labor.

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

(30) Five Security Aids to the 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. 73-5344 Filed 3-20-73; 8:45 am]

Title 7—Agriculture

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1973 Crop of Upland Cotton; Base Acreage Allotments

COUNTY RESERVES

Correction

In FR Doc. 73-2469 appearing at page 3951 in the issue for Friday, February 9, 1973, in the portion of the table for Louisiana appearing in the third column on page 3952, the 11th entry in the "Parish" portion of the right-hand column, now reading "West" should be transferred to appear with the last entry, which should thus read "West Winn".

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-NW-5]

PART 71—DESCRIPTION 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 description of the North Bend, Oreg., control zone.

The city of North Bend, owner and operator of the Barview NDB, has advised the Federal Aviation Administration that they intend to cease operations of the Barview NDB on or about May 15, 1973. As part of the North Bend control zone is described by reference to a bearing from the Barview NDB, action is taken herein to reflect this change.

Since this change is minor in nature and imposes no additional burden on any person, notice and public procedure hereon is unnecessary.

In consideration of the foregoing, § 71.171 (38 FR 351) as amended in Airspace Docket No. 72-NW-2 (38 FR 5341) is further amended, as follows:

After the phrase, " * * * North Bend VORTAC 111° radial extending from the 5 mile radius zone to 4.5 miles east of the VORTAC," delete "within 3 miles each side of the 337° bearing from the Barview RBN, extending from the 5-mile radius zone to 7 miles northwest of the RBN," the remainder of the description remains as published.

Effective date. This amendment will be effective 0901 G.m.t. May 24, 1973.

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

Issued in Seattle, Wash., on March 9, 1973.

C. B. WALK, JR.,

Director, Northwest Region.

[FR Doc. 73-5341 Filed 3-20-73; 8:45 am]

[Airspace Docket No. 72-SW-77]

PART 73—SPECIAL USE AIRSPACE

Designation of Restricted Area

On January 15, 1973, a notice of proposed rule making (NPRM) was published in the **FEDERAL REGISTER** (38 FR 1511) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 73 of the Federal Aviation Regulations that would designate a new Restricted Area, R-5601D in the vicinity of Fort Sill, Okla.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Only one comment was received and it was favorable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 24, 1973, as hereinafter set forth.

In § 73.56 (38 FR 666) the following restricted area is added:

R-5601D Fort Sill, Okla.

BOUNDARIES

Beginning at latitude 34°38'15" N., longitude 98°38'00" W.; to latitude 34°36'00" N., longitude 98°46'45" W.; to latitude 34°42'15" N., longitude 98°50'00" W.; to latitude 34°45'00" N., longitude 98°40'30" W.; to latitude 34°43'30" N., longitude 98°35'39" W.; to latitude 34°41'58" N., longitude 98°39'43" W.; to latitude 34°41'58" N., longitude 98°45'20" W.; to latitude 34°38'15" N., longitude 98°45'20" W.; to point of beginning excluding the airspace above 6,000 feet MSL south of a line from latitude 34°38'15" N., longitude 98°38'00" W.; to latitude 34°38'15" N., longitude 98°48'00" W.

Designated altitude. Surface to 16,500 feet MSL.

Time of designation. Sunrise to sunset.

Controlling agency. Federal Aviation Administration, Fort Worth ARTC Center.

Using agency. Commanding General, Fort Sill, Okla.

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

Issued in Washington, D.C., on March 14, 1973.

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

[FR Doc. 73-5340 Filed 3-20-73; 8:45 am]

[Airspace Docket No. 72-EA-113]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Jet Route Segments

On December 8, 1972, a notice of proposed rule making (NPRM) was published in the **FEDERAL REGISTER** (37 FR 26126) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would realign Jet Route No. 48 between Westminster, Md., and Boston, Mass., and would revoke Jet Route No. 575 from its southern terminus at Jet Route No. 64 to Boston, Mass.

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

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 24, 1973, as hereinafter set forth.

Section 75.100 (38 FR 681) is amended as follows:

1. In Jet Route No. 48 "Sparta, N.J.; Putnam, Conn.; to Boston, Mass." is deleted and "INT Westminster 043" and Kennedy, N.Y., 252° radials; Kennedy;

INT Kennedy 042° and Boston, Mass., 252° radials; to Boston." is substituted therefor.

2. In Jet Route No. 575 Caption, "Yardley, Pa.", is deleted and "Boston, Mass.", is substituted therefor.

In the text "From INT Kennedy, N.Y., 247° and Robbinsville, N.J., 280° radials; via Kennedy; INT Kennedy 042° and Putnam, Conn., 247° radials; Putnam; Boston, Mass.;" is deleted and "From Boston, Mass.;" 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 March 14, 1973.

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

[FR Doc.73-5339 Filed 3-20-73;8:45 am]

**Title 38—Pensions, Bonuses, and
Veterans' Relief**

**CHAPTER I—VETERANS ADMINISTRATION
PART 21—VOCATIONAL REHABILITATION
AND EDUCATION**

**Combination Correspondence-Residence
Programs**

On page 2337 of the **FEDERAL REGISTER** of January 24, 1973, there was published

a notice of proposed rule making to add § 21.4279 to make explicit the definition of full-time training for combined correspondence-residence programs. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulation.

Pursuant to such notice, written comments were received from two interested parties. These comments were directed to changing the law and also referred to programs of education other than by correspondence. The proposed regulation is hereby adopted without change and is set forth below.

Effective date. This VA Regulation is effective March 15, 1973.

Approved: March 15, 1973.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

Subpart D of 38 CFR Part 21 is amended by adding a new § 21.4279 to read as follows:

§ 21.4279 Combination correspondence-residence program.

(a) A program of education may be pursued partly in residence and partly

by correspondence for the attainment of a predetermined and identified objective under the following conditions:

(1) The correspondence and residence portions are pursued sequentially; that is, not concurrently.

(2) It is the practice of the institution to permit a student to pursue a part of his course by correspondence in partial fulfillment of the requirements for the attainment of the specified objective.

(3) The total credit established by correspondence does not exceed the maximum for which the institution will grant credit toward the specified objective.

(b) The rate of educational assistance allowance payable shall be computed as set forth in §§ 21.4270 and 21.4136(a).

(1) The charges for that portion of the program pursued exclusively by correspondence will be in accordance with § 21.4136(a) with 1 month of entitlement charged for each \$220 of cost reimbursed.

(2) The charges for the residence portion of the program must be separate from those for the correspondence portion.

[FR Doc.73-5364 Filed 3-20-73;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 Stabilization and Conservation Service

[7 CFR Part 726]

BURLEY TOBACCO

Determination To Be Made With Respect to Marketing Quota Regulations, 1971-72 and Subsequent Marketing Years

Pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), the Department is preparing to amend the Burley tobacco marketing quota regulations pertaining to identification of kinds of tobacco.

The purpose of this document is to give notice of the proposed change in the regulation.

Section 726.80 would be amended to provide that any tobacco produced in the Burley area that is to be marketed in an area where quotas are not in effect, will be considered as Burley unless it is classified by a USDA inspector as another type of tobacco prior to its removal from the Burley area.

Section 726.80 is amended to read as follows:

§ 726.80 Identification of kinds of tobacco.

Any tobacco that has the same characteristics and corresponding qualities, colors, and lengths of Burley tobacco shall be considered Burley tobacco without regard to any factors of historical or geographical nature which cannot be determined by examination of the tobacco. The term "tobacco" with respect to any farm located in an area in which Burley tobacco as classified in Service and Regulatory Announcement No. 118 (Part 30 of this title) of the former Bureau of Agricultural Economics of the U.S. Department of Agriculture, is normally produced shall include all tobacco, excluding other kinds subject to marketing quotas, produced on a farm unless the county committee with the approval of the State committee determines from satisfactory proof furnished by the operator of the farm that a part or all of such tobacco is certified by the Agricultural Marketing Service, U.S. Department of Agriculture, under the Tobacco Inspection Act (7 U.S.C. 511), and regulations issued pursuant thereto, as a kind of tobacco not subject to marketing quotas. Any tobacco produced in the Burley area that is to be marketed in an area where quotas are not in effect, will be considered as Burley unless it is classified by a USDA inspector as another type

of tobacco prior to its removal from the Burley area.

Prior to the issuance of the proposed change in the regulation, data, views or recommendation pertaining thereto which are submitted to the Director, Commodity Stabilization Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, will be given consideration. To be sure of consideration, such submission should be postmarked not later than April 2, 1973. All written submissions made pursuant to this notice will be made available for public inspection from 8:15 a.m. to 4:45 p.m. Monday through Friday, in Room 3629, South Building, 14th and Independence Avenue, SW., Washington, D.C.

Signed at Washington, D.C. on March 15, 1973.

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

[FR Doc. 73-5396 Filed 3-20-73; 8:45 am]

Agricultural Marketing Service

[7 CFR Part 27]

PRICE QUOTATIONS AND DIFFERENCES

Proposed Change in Base Quality

Notice is hereby given, in accordance with administrative procedure provisions in 5 U.S.C. 553, that the Agricultural Marketing Service is considering amendment of §§ 27.96 and 27.97 of the Regulations for Cotton Classification Under Cotton Futures Legislation (7 CFR Part 27, subpart A) to change the base quality from Middling 1 inch to Strict Low Middling 1 $\frac{1}{16}$ inches, pursuant to authority contained in the cotton futures provisions in sections 4862 and 4863 of the Internal Revenue Code of 1954 (68A Stat. 581, 582; 26 U.S.C. 4862, 4863).

Statement of considerations. Over the years it has been necessary from time to time to change the base quality used in cotton price quotations because of changes in the qualities of cotton produced and marketed. In 1939 the base quality was changed from Middling seven-eighths inch to Middling fifteen-sixteenths inch and in 1956 to the present Middling 1 inch.

In cotton quotations work the price or quotation for the base quality is determined first and stated in cents per pound. Differences are then determined for other qualities and are stated in points per pound (100 points equals 1 cent) as premiums and discounts on or off the base price. To facilitate the estab-

lishment of a more accurate base price and provide more meaningful premiums and discounts the base quality should be a quality for which price information is readily obtainable. Production of the current base quality, Middling 1 inch, has amounted to less than 1 percent of annual U.S. production since 1961. In 7 of the last 10 years the predominant quality has been Strict Low Middling 1 $\frac{1}{16}$ inches.

Under the proposal, § 27.96 and paragraph (a) of § 27.97 would be amended by changing "Middling 1 inch" wherever it appears to read "Strict Low Middling 1 $\frac{1}{16}$ inches."

It is proposed that these amendments would be made effective August 1, 1973, to coincide with the beginning of the 1973 cotton marketing year.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them in duplicate with the Office of the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, not later than April 6, 1973. All written submissions made pursuant to this notice of rule making shall be made available for public inspection in said office during regular business hours in a manner convenient to the public business (7 CFR 1.27).

Dated: March 16, 1973.

JOHN C. BLUM,
Acting Administrator.

[FR Doc. 73-5348 Filed 3-20-73; 8:45 am]

[7 CFR Part 981]

ALMONDS GROWN IN CALIFORNIA

Notice of Additional Time for Filing of Written Data, Views, or Arguments

Pursuant to the provisions of the marketing agreement, as amended, and Order No. 981, as amended (7 CFR Part 981), regulating the handling of almonds grown in California, a notice of proposed rule making was published in the March 9, 1973, issue of the **FEDERAL REGISTER** (38 FR 6395), regarding a proposal to permit crediting handlers' assessment obligations for advertising almond products. The notice afforded interested persons opportunity to file written data, views, or arguments with respect thereto by March 15, 1973. Request for additional time for filing comments has been made. It is necessary that this request be granted so as to afford interested persons an opportunity to further consider the proposal and to file written comment thereon.

PROPOSED RULE MAKING

Notice is hereby given that additional time is granted to file written data, views, or arguments on the proposal with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. Such comments must be received by the Hearing Clerk by 5 p.m., e.s.t., April 2, 1973.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular hours (7 CFR 1.27(b)).

Dated: March 15, 1973.

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

[FR Doc.73-5350 Filed 3-20-73;8:45 am]

[7 CFR Part 1099]

[Docket No. AO 183-A28]

MILK IN THE PADUCAH, KY., MARKETING AREA

Decision on Proposed Amendments to Marketing Agreement and To Order

A public hearing was held upon proposed amendments to the marketing agreement and the order regulating the handling of milk in the Paducah, Ky., marketing area. The hearing was held, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice (7 CFR Part 900), at Paducah, Ky., on December 12, 1972, pursuant to notice thereof issued on November 15, 1972 (37 FR 24760).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on February 13, 1973 (38 FR 4671), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issue, findings and conclusions, ruling, and general findings of the recommended decision are hereby approved and adopted and are set forth in full herein.

The material issue on the record of the hearing relates to the Class I price.

FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issue are based on evidence presented at the hearing and the record thereof:

The Class I price should be the basic formula price (Minnesota-Wisconsin manufacturing milk price) for the second preceding month plus \$1.70.

This formula will effect a 15-cent reduction in the Paducah Class I price, which is now determined by adding 25 cents to the St. Louis-Ozarks order Class I price for the same month. Under the St. Louis-Ozarks order, the Class I price is the basic formula price for the second preceding month plus \$1.60. Thus, in effect, the current Paducah Class I price

is the basic formula price for the second preceding month plus \$1.85.

The 15-cent Class I price reduction was proposed by a major handler in the market whose plant is located at Paducah, Ky. He contended that the present Class I price (\$7.17 per hundredweight in January 1973) is improperly aligned with Class I prices paid by handlers in surrounding Federal order markets and that the resulting price relationships place him at a disadvantage in competing for fluid sales with such handlers.

Proponent competes for Class I sales both within and outside the Paducah marketing area with handlers regulated under the St. Louis-Ozarks, Central Arkansas, Southern Illinois, Memphis, Louisville-Lexington-Evansville, Nashville, and Paducah orders. Handlers from each of these markets currently have route disposition in the Paducah marketing area. In each of the first 10 months of 1972, the number of other order plants having regular route disposition in the Paducah marketing area never fell below 12.

Paducah handlers compete with these same plants outside the marketing area. To the immediate north, in southern Illinois, Paducah handlers compete with handlers out of St. Louis where the price is 25 cents less than the Paducah f.o.b. market price and with Indiana plants regulated under the Louisville-Lexington-Evansville order with a 36-cent lesser price. They also compete with a Southern Illinois regulated plant located at Harrisburg, Ill. The Class I price at the Harrisburg plant is also 25 cents less than the Paducah Class I price.

Similarly, to the west of the marketing area in southeastern Missouri, proponent competes with St. Louis-based handlers. Proponent also competes with a St. Louis regulated handler whose plant is located at Cape Girardeau, Mo. At the present time, the price at Cape Girardeau is 10 cents less than the Paducah Class I price. However, official notice is taken that the Assistant Secretary has determined in a decision issued February 8, 1973, that the St. Louis-Ozarks Class I price applicable at Cape Girardeau be reduced 8 cents. This would result in the Cape Girardeau plant having an 18-cent lesser price than Paducah handlers.

To the east of the Paducah marketing area, Paducah handlers compete with handlers regulated under the Louisville-Lexington-Evansville and Nashville orders where lower prices likewise apply.

The Paducah marketing area is located in a predominantly agricultural region. Milk production in and around the market substantially exceeds the market's fluid requirements. Neighboring fluid milk markets also draw milk from the same region. The plants of Paducah regulated handlers are scattered through the milkshed in close proximity to the farm supply. Farm to plant hauling costs are generally less when milk is delivered to Paducah regulated plants, than when delivered to plants in surrounding markets. Hence, it is clear that a price substantially higher than in surrounding markets is not necessary to maintain an adequate supply for the Paducah market.

Price alignment among regulated markets where intermarket handler competition occurs can be an important factor affecting market stability for producers supplying a given market. Handlers regulated under an order providing for a Class I price greatly exceeding the minimum prices required of competing handlers under other orders are in less favorable position to retain or expand Class I sales. Producers supplying the former therefore could, as a result of an order price requirement, face a possible loss of Class I market and disorderly marketing conditions. The potential for such disruptive conditions in this area has increased in recent years as handlers under milk orders in the region have begun servicing large volume accounts for various types of retail outlets, including supermarket and convenience store chains, with less home delivery of milk. Many of these accounts are serviced on a contract basis and may shift from one handler to another, or from one market to another, on the expiration of a contract.

It is quite possible under today's conditions that the shift of a single such contract from a handler regulated under one order to a handler regulated under a different order may leave producers supplying the former handler with a considerable amount of milk for which there is no fluid outlet. This could have serious adverse impact on producer prices, particularly in a market such as Paducah. A closer alignment of prices in this location will provide a reasonable basis for intermarket competition for Class I sales insofar as producer prices affect such competition, and consequent allocation of Class I sales among dairy farmers in the region serving Paducah and competing markets.

That Paducah handlers have had some difficulty competing for fluid sales is evident from the fact that Class I sales in the Paducah marketing area from plants regulated under surrounding orders have increased significantly over the past 3 years. These sales increased by approximately 12 percent between 1969 and 1970 and by an additional 10.5 percent between 1970 and 1971. This trend continued through 1972. In 9 of the first 10 months of 1972, sales in the Paducah marketing area from plants located under other orders exceeded those of the corresponding month of 1971. Conversely, in both 1970 and 1971, the volume, as well as the percentage, of producer milk under the Paducah order utilized in Class I declined from the previous year.

Although the number of producers for the Paducah market decreased significantly in the latter part of 1972, this decrease does not indicate necessarily any inadequacy of supplies for the market. Virtually all milk supplied to the Paducah market is marketed through a regional cooperative association that also carries on similar operations in neighboring markets. It can adjust supplies on the Paducah market by shifting producers under its regional marketing program to other markets that maintain

manufacturing facilities and can handle supplies not required by Paducah handlers.

There were no opposing briefs filed by producers for the Paducah market or by Paducah regulated handlers.

A proprietary handler operating a plant at Paragould, Ark., and regulated under the Central Arkansas order opposed the Class I price reduction in a brief filed subsequent to the hearing. The handler contended that a price reduction of this magnitude would affect adversely his ability to compete for fluid milk sales. He proposed that any Class I price decrease made as a result of this proceeding should not exceed 7 cents.

Although the Class I price reduction adopted herein will not have the same effect in each competitive situation, the competitive circumstances described above warrant such a reduction. There is no indication from the evidence presented at the hearing that Paducah handlers, as a result of this action, will have any significant competitive advantage over handlers regulated by surrounding orders.

In a brief filed on behalf of a cooperative association with member producers in several of the order markets surrounding the Paducah market, it was argued that a misalignment of price in this several-market region should not be corrected by reducing the Class I price, but rather by increasing the Class I price in other order markets. The cooperative consequently opposed any change in the Paducah Class I price at this time.

There is insufficient evidence in the record that increases in the Class I price levels for the surrounding markets relative to Paducah are needed at this time. The evidence does indicate, however, that the Paducah Class I price exceeds the level needed to maintain an adequate supply and to insure orderly marketing for producers in view of competitive conditions in and around the Paducah market.

It is concluded therefore that a reduction in the Paducah Class I price is appropriate to improve the relationship of the Class I prices in this region for the reasons stated above and thereby will promote orderly marketing in the Paducah market.

RULINGS ON PROPOSED FINDINGS AND CONCLUSIONS

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

GENERAL FINDINGS

The findings and determinations hereinafter set forth are supplementary and

in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the tentative marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

RULINGS ON EXCEPTIONS

No exceptions were filed. A document supporting the recommended decision was filed by proponent.

MARKETING AGREEMENT AND ORDER

Annexed hereto and made a part hereof are two documents, a Marketing Agreement regulating the handling of milk, and an Order amending the order regulating the handling of milk in the Paducah, Ky., marketing area which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That this entire decision, except the attached marketing agreement, be published in the *FEDERAL REGISTER*. The regulatory provisions of the marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which is published with this decision.

DETERMINATION OF PRODUCER APPROVAL AND REPRESENTATIVE PERIOD

January 1973 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Paducah, Ky., marketing area is approved or favored by producers, as defined under the terms of the order (as amended and as hereby proposed to be amended), who during such representative period were engaged in the production of milk for

sale within the aforesaid marketing area.

Signed at Washington, D.C., on March 15, 1973.

CLAYTON YEUTTER,
Assistant Secretary.

ORDER¹ AMENDING THE ORDER, REGULATING THE HANDLING OF MILK IN THE PADUCAH, KY., MARKETING AREA.

FINDINGS AND DETERMINATIONS

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings*. A public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Paducah, Ky., marketing area. The hearing was held pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure (7 CFR Part 900).

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Paducah, Ky., marketing area shall be in conformity to and in compliance with the terms and conditions of the order, as amended, and as hereby amended, as follows:

¹ This order shall not become effective unless and until the requirements of I 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

PROPOSED RULE MAKING

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on February 13, 1973, and published in the *FEDERAL REGISTER* on February 20, 1973 (38 FR 4671), shall be and are the terms and provisions of this order, amending the order, and are set forth in full herein:

In § 1099.51, paragraph (a) is revised as follows:

§ 1099.51 Class prices.

(a) *Class I price.* The Class I price shall be the basic formula price for the second preceding month plus \$1.70.

[FPR Doc.73-5349 Filed 3-20-73;8:45 am]

[7 CFR Part 1125]

[Docket No. AO 226-A25]

MILK IN THE PUGET SOUND, WASH., MARKETING AREA

Extension of Time for Filing Exceptions to Recommended Decision on Proposed Amendments to Marketing Agreement and Order

Notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Puget Sound, Wash., marketing area, which was issued February 26, 1973 (38 FR 5882), is hereby extended to April 2, 1973.

This notice is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937 as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

Signed at Washington, D.C., on March 15, 1973.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FPR Doc.73-5395 Filed 3-20-73;8:45 am]

Animal and Plant Health Inspection Service

[9 CFR Parts 317, 381]

PROHIBITIONS AND REQUIREMENTS FOR LABELS AND CONTAINERS

Open Dating

Pursuant to the authority conferred by the Federal Meat Inspection Act (34 Stat. 1260, as amended; 21 U.S.C. 601 et seq.) and by the Poultry Products Inspection Act (71 Stat. 441, as amended; 21 U.S.C. 451 et seq.) and delegated in 37 FR 28464 and 28477, notice is hereby given in accordance with the administrative procedures provisions in 5 U.S.C. 553

that the Animal and Plant Health Inspection Service is considering amending Part 317 of the meat inspection regulations and Part 381—subpart N of the poultry products inspection regulations (9 CFR Parts 317 and 381) to require an explanation of the meaning of any date shown on the labeling of a meat or poultry product.

Statement of considerations. For many years meat and poultry processors have been using closed date codes on their products to advise retailers of the time they felt products would remain in a condition suitable for sale. The Department offered no objection to the practice provided the date shown on the labeling was a closed code.

Lately some processors have been placing open dates on the labeling of meat and poultry products without prior approval by the Department. These firms have classified products into several categories and assigned an open date to be shown on the package. Generally, these open dates identify the date of packaging, the last date the product should be consumed, or the date to remove the product from sale. Showing a date, without a clear explanation with respect to its meaning, may render the labeling to be false or misleading to the consumer. This would be in conflict with the misbranding provision of both the Federal Meat Inspection Act and the Poultry Products Inspection Act. Both Acts apply the term "misbranded" to any such article if, among other things, its labeling is false or misleading in any particular.

Consumer representatives have been advocating open dating of foods. They all agree that the open dating is in the interest of consumers. However, they are not in full agreement with respect to whether the date should represent the packaging date, or the last date the product should be consumed or removed from sale.

In proposing the following amendment the Department wishes to determine the consumers' reaction to such labeling and what he or she would normally expect such dating to mean.

Therefore, it is proposed to amend § 317.8(b) of the meat inspection regulations (9 CFR Part 317) by adding a following new subparagraph (32).

§ 317.8 False or misleading labeling or practices generally; specific prohibitions and requirements for labels and containers.

(b) * * *

(32) When a calendar date is shown on the labeling it shall be further qualified by a statement explaining the meaning of the date immediately adjacent to the open date. Any qualifying statement used in conjunction with the open date shall be approved by the Administrator as prescribed in § 317.4. If the date refers to the continued wholesomeness of the product within the time period of the open date, the manufacturer shall furnish adequate test data and control of the

product under normal marketing conditions to justify the date and statement.

Further, it is proposed to amend § 381-129 of the poultry products inspection regulations (9 CFR Part 381, Subpart N) by adding a following new paragraph (c).

§ 381.129 False or misleading labeling or containers.

(c) When a calendar date is shown on the labeling it shall be further qualified by a statement explaining the meaning of the date immediately adjacent to the open date. Any qualifying statement used in conjunction with the open date shall be approved by the Administrator as prescribed in § 381.132 of this part. If the date refers to the continued wholesomeness of the product within the time period of the open date, the processor shall furnish adequate test data and control of the product under normal marketing conditions to justify the date and statement.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, before May 22, 1973.

Persons desiring opportunity for oral presentation of views should address such requests to the Labels and Packaging Staff, Scientific and Technical Services, Meat and Poultry Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250, so that arrangements may be made for such oral presentations not later than the date specified in the preceding paragraph. A record will be made of all views orally presented.

All written submissions and records of oral views made pursuant to this notice will be made available for public inspection unless the person makes the submission to the Staff identified in the preceding paragraph and requests that it be held confidential. A determination will be made whether a proper showing in support of the request has been made on the grounds that its disclosure could adversely affect such person by disclosing information in the nature of trade secrets or commercial or financial information obtained from any person and privileged or confidential. If it is determined that a proper showing has been made in support of the request, the material will be held confidential; otherwise, notice will be given of denial of such a request and an opportunity afforded for withdrawal of the submission. Requests for confidential treatment will be held confidential (7 CFR 1.27(c)).

Comments on the proposal should bear a reference to the date and page number of this issue of the *FEDERAL REGISTER*.

Done at Washington, D.C., on March 15, 1973.

F. J. MULHERN,
Administrator, Animal and
Plant Health Inspection Service.

[FPR Doc.73-5351 Filed 3-20-73;8:45 am]

Farmers Home Administration

[7 CFR Parts 1806, 1863]

[FHA Instructions 426.1, 426.1]

REAL PROPERTY INSURANCE AND REAL
ESTATE TAX SERVICING

Insurance and Tax Requirements

Notice is hereby given that the Farmers Home Administration (FHA) has under consideration a proposal to amend the insurance and tax requirements on real property securing the interest of FHA in connection with Farm Ownership (PO), Rural Housing (RH), Labor Housing (LH), Rural Rental Housing (RRH), Other Real Estate (ORE), Soil and Water (SW), Domestic Water (D), Waste Disposal (W), Grazing Association (G), Site Development (SD), Recreation (R), Emergency (EM), Operating (OL), Timber Development (TD), and Resource Conservation and Development (RCD) loans secured by real estate mortgages. The proposal to amend the insurance requirements involves §§ 1806.2(f), 1806.4(a)(2); and 1806.6 in its entirety; the proposal to amend the tax requirements involves only § 1863.4.

As proposed, the major policy changes involving insurance and tax requirements on real property securing the interest of FHA loans secured by real estate mortgages are summarized as follows:

1. Require all new or renewal insurance policies to contain an automatic renewal clause with provisions substantially as follows: "This policy will be automatically extended for successive terms at expiration of the original term and of each extension thereof, upon payment of renewal premium. It is a condition of this policy that if the policy expires or is canceled for nonpayment of premium, or for any other reason, it will remain in effect for 30 days after the mortgagor is notified by registered mail."

2. Contract with one insurance company to provide a 1-year insurance policy, upon notification by FHA, for any mortgagor who fails to secure and/or pay for acceptable coverage. The cost of such insurance plus a service fee will be charged to the mortgagor's account.

3. Contract for a delinquent tax reporting service which provides for the contractor to notify FHA when taxes are delinquent on any real property securing the interest of FHA. Upon notification of a tax delinquency, FHA will contact the mortgagor to arrange for payment. If the mortgagor is unable to pay the tax, FHA will pay the tax and charge the amount paid plus a service fee to the mortgagor's account.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed amendment to the Deputy Administrator Comptroller, Farmers Home Administration, U.S. Department of Agriculture, Room 5007, South Building, Washington, D.C. 20250, on or before April 20, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Deputy Administrator Comptroller dur-

ing regular business hours (8:15 a.m. to 4:45 p.m.)

(Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; sec. 510, 63 Stat. 437, 42 U.S.C. 1480; sec. 4, 64 Stat. 100, 40 U.S.C. 442; sec. 301, 80 Stat. 379, 5 U.S.C. 301; Orders of Acting Secretary of Agriculture, 36 FR 21529, 37 FR 22008; and Order of Assistant Secretary of Agriculture for Rural Development and Conservation, 36 FR 21529.)

Dated: March 14, 1973.

DARREL A. DUNN,
Associate Administrator,
Farmers Home Administration.

[FR Doc. 73-5354 Filed 3-20-73; 8:45 am]

[7 CFR Part 1823]

[FHA Instruction 442.11]

LOANS TO INDIAN TRIBES AND TRIBAL
CORPORATIONS

Notice of Proposed Rule Making

Notice is hereby given that the Farmers Home Administration has under consideration a proposed amendment to Subchapter B, Loans and Grants Primarily for Real Estate Purposes by adding a new Subpart N to Part 1823, Association Loans and Grants—Community Facilities, Development, Conservation, Utilization. This new Subpart N, Loans to Indian Tribes and Tribal Corporations, provides regulations for making loans to Indian tribes or tribal corporations for land acquisition.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed amendment to the Deputy Administrator Comptroller, Farmers Home Administration, U.S. Department of Agriculture, Room 5007, South Building, Washington, D.C. 20250, on or before April 20, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Deputy Administrator Comptroller during regular business hours (8:15 a.m.-4:45 p.m.).

As proposed, the new Subpart N will read as follows:

Subpart N—Loans to Indian Tribes and Tribal
Corporations

Sec.

- 1823.401 General.
- 1823.402 Supplementing regulations.
- 1823.403 Eligibility.
- 1823.404 Loan purposes.
- 1823.405 Loan limitations.
- 1823.406 Land rights.
- 1823.407 Title clearance.
- 1823.408 Special conditions.
- 1823.409 Security.
- 1823.410 Loan approval authority.
- 1823.411 Purchase price.
- 1823.412 Appraisals.
- 1823.413 Civil rights.
- 1823.414 Review by National Office.
- 1823.415 Docket forms.
- 1823.416 State requirements.
- 1823.417 Check request and loan closing.
- 1823.418 Loan supervision and servicing.

AUTHORITY: Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; sec. 301, 80 Stat. 379, 5 U.S.C. 301; orders of the Acting Secretary of Agriculture, 36 FR 21529, 37 FR 22008

Subpart N—Loans to Indian Tribes and
Tribal Corporations

§ 1823.401 General.

This subpart provides policies and procedures applicable to the making of initial and subsequent insured loans to Indian tribes or tribal corporations for the acquisition of land (including interests therein) within the reservation or community. Whether lands lie within a tribal reservation or community under this subpart will be determined by the Secretary of the Interior or his authorized representative. Indian tribes or tribal corporations are not tax-exempt public bodies as defined in § 1823.252(a)(7).

§ 1823.402 Supplementing regulations.

Except for provisions inconsistent with this subpart, Subpart I applies to loans under this subpart, including in particular the provisions regarding repayment terms and deferred payments and professional services.

§ 1823.403 Eligibility.

(a) Eligibility for such a loan is limited to any Indian tribe recognized by the Secretary of the Interior or tribal corporation established pursuant to the Indian Reorganization Act (hereinafter referred to as the tribe or the applicant) which does not have adequate uncommitted funds to acquire land or an interest therein in an area, as determined by the Secretary of the Interior located within:

(1) The tribe's reservation.

(2) A community in Alaska incorporated by the Secretary of the Interior pursuant to the Indian Reorganization Act (hereinafter also referred to as the reservation).

(b) The applicant must be unable to obtain sufficient credit elsewhere at reasonable rates and terms to finance the proposed land acquisition.

(c) The proposed land acquisition must show reasonable prospects of success in the form of:

(1) A feasible plan for the use of the land acquired.

(2) Satisfactory evidence of financial ability to develop and operate the land.

(3) A satisfactory management plan.

§ 1823.404 Loan purposes.

Loan funds may be used by the applicant:

(a) To acquire lands or interest therein within the reservation for use of the applicant or its members, such as for:

(1) Lease to tribal members or others for dwelling, farming, grazing, or other purposes so long as the lease is for the benefit of the tribe or tribal members.

(2) Lease to cooperative grazing units.

(3) Recreational purposes.

(4) Rounding out grazing units.

(5) Elimination of fractional heirships.

(6) Other purposes approved in advance by the National Office.

(b) To pay costs incident to land acquisition including but not necessarily limited to appraisals, title, legal, surveys, and loan closing.

PROPOSED RULE MAKING

§ 1823.405 Loan limitations.

No loan funds can be used for:

- Development.
- Equipment.
- Operating costs.

§ 1823.406 Land rights.

Title to land acquired may, with the approval of the Secretary of the Interior, be in the name of the United States in trust for the applicant.

§ 1823.407 Title clearance.

Section 1823.268 is applicable regarding title clearance if the recorded title to the land to be acquired has ever been held by anyone other than the United States of America in trust or restricted status, it will not be necessary to secure title insurance, an abstract of title, or the usual title opinion. In such cases, the condition of the title and the necessity for taking curative steps will be disclosed on the Title Status Report prepared by the Bureau of Indian Affairs.

§ 1823.408 Special conditions.

Loans made under this subpart are subject to the following conditions:

(a) The proposed plan for use of the land must have the approval of the tribal council or other authorized governing body. If the plan involves land development, it should be in accordance with the recommendations of the appropriate Bureau of Indian Affairs (BIA) official after consultation with soil conservation specialists of BIA.

(b) The plan should be consistent with the land use pattern in the area. Any variations must be justified.

(c) The plan should make maximum use of cost sharing and technical assistance of Federal and State government programs, such as the Great Plains program.

(d) The loan dockets will be developed by the Farmers Home Administration (FHA) with the assistance of the BIA as requested.

§ 1823.409 Security.

All loans will be secured in a manner which will adequately protect the interest of the FHA and unless otherwise authorized by the Administrator, will consist of:

(a) *Assignment of income.* (1) An assignment of income from proven sources, verified from BIA records, will be taken in an amount sufficient to cover the annual FHA repayment plus a 25-percent margin.

(2) Collection of all income assigned to FHA will be handled as follows:

(i) A properly bonded official of the tribe or of the tribal land acquisition enterprise will receive the monies and issue receipts; therefore,

(ii) This bonded official will deposit such funds in a countersignature account in a commercial bank. The account would require signature of appropriate tribal and FHA officials for withdrawal. In lieu of establishing a countersignature account, such funds may be deposited in a reserve fund as shown in paragraph (b) of this section.

(b) *Reserve fund.* (1) Prior to loan closing, the tribe will be required to establish a reserve fund equal to a full annual installment on its FHA debt. This reserve fund can be put in interest-bearing savings or investments, but no portion of the principal deposited or invested can be withdrawn for any purpose, except a payment on the FHA debt, without the written consent of FHA.

(2) The reserve fund will be drawn upon only in case of default on the annual payment, and any such withdrawals will be replaced out of the first income received by the tribe after the withdrawal.

(c) *Real estate security.* (1) A first lien may be taken on the land acquired with loan funds and, if additional security is needed, a lien will be taken on additional real estate, except that a mortgage will not be required on any portion of a tract where fractional interests being purchased plus any interests that may be already owned by the tribe will give the tribe less than 100-percent ownership; or it is determined that, except for the Indian tribe or tribal corporation, there does not now exist and will not exist within the foreseeable future a market for the resale of the property. In making such determination, the State Director will consider the size of the tract and whether any part of it is adjacent to land owned by non-Indians, in addition to all other factors normally considered in determining the value and marketability of real estate.

(2) If a real estate mortgage is not taken, an agreement executed by the borrower will be recorded in the public records office serving the county in which the real estate is located. A copy of the agreement will be provided the BIA office serving the borrower tribe, provided that:

(i) The borrower will not at any future time mortgage any part of its land acquired at the time of the agreement or later acquired to anyone else without prior written permission of FHA.

(ii) The borrower will not modify its agreement involving income pledged to FHA with the tribal land acquisition enterprise or any other subsidiary without FHA's written consent.

(iii) The borrower will not assign any of the income from sources from which FHA is to receive its payments to any other creditor without FHA's written consent.

(iv) If the borrower should default in its annual payment to FHA, then FHA shall be authorized to take over and manage the lands from which income is assigned until sufficient income is received to cover FHA's costs of managing the lands and the amount due on the loan. The authorization to manage the lands shall include the authority to lease and collect rentals from the lands being managed and to contract with a person who will manage the property.

(d) *Waiver of immunity.* (1) The appropriate tribal official will execute on behalf of the tribe a waiver of immunity from suit in connection with the FHA loan.

(2) The waiver will be approved by the Secretary of Interior or his authorized representative.

§ 1823.410 Loan approval authority.

All loans must be authorized by the National Office before approval.

§ 1823.411 Purchase price.

The purchase price of land and rights and interest in land (such as easements, leases, permits, rights-of-way, water rights, and existing facilities for example) will not exceed their present market value, or, in condemnation cases the price established by the court.

§ 1823.412 Appraisals.

Present market value will be determined only after review of an appraisal report prepared in accordance with Subpart I of this part. Exceptions to the requirements of Subpart I of this part will be made in the case of loans to Indian tribes to the extent of permitting appraisal by approved BIA appraisers or qualified private appraisers approved jointly by the BIA and FHA representatives. In all cases, the BIA agency superintendent and the FHA State Director will concur on the appraised present market value.

§ 1823.413 Civil rights.

Indian tribes and tribal corporations as applicant-borrower-beneficiaries under this subpart, are not subject to Title VI of the Civil Rights Act of 1964 so long as the expected use of the land acquired does not include operation of a facility which would be open to the public and therefore, such applicant, subject to this condition, is not subject to Part 1816 of this chapter.

§ 1823.414 Review by National Office.

The complete docket including the proposed letter of conditions and the comments of the regional attorney on the attorney-in-charge will be submitted for review by the National Office prior to loan approval. The memorandum of transmittal must include the State Director's recommendations regarding approval.

§ 1823.415 Docket information.

(a) Material provided by applicant.

(b) Material provided by appropriate FHA personnel.

(1) Form FHA 442-1, "Appraisal Report (Farm Tract)."

(2) Form FHA 442-49, "Project Summary—Loans to Indian Tribes and Tribal Corporations."

(3) Form FHA 440-1, "Payment Authorization."

(4) Form FHA 440-3, "Record of Actions."

(5) Form FHA 440-14, "Association Project Fund Analysis."

(6) Letter of Conditions.

(7) Form FHA 440-2, "County Committee Certification or Recommendation."

(8) Form FHA 442-46, "Letter of Intent to Meet Conditions."

§ 1823.416 State requirements.

Each State Director will, with the assistance of the Office of the General Counsel, supplement this subpart with State requirements, forms, worksheets, sample documents, and such other guidance as necessary to successfully carry out the program.

§ 1823.417 Check request and loan closing.

Checks will be requested and loans will be closed in accordance with §§ 1823.271 and 1823.272. Before any loan can be closed, the District Supervisor must notify the State Director in writing that all loan closing conditions have been met.

§ 1823.418 Loan supervision and servicing.

Loans will be supervised in accordance with Subpart G of Part 1802 of this chapter and serviced in accordance with Subpart F of Part 1861 of this chapter. The cooperation, assistance, and advice of appropriate BIA officials will be sought at all times.

DARREL A. DUNN,
Associate Administrator,
Farmers Home Administration.

MARCH 13, 1973.

[FIR Doc.73-5353 Filed 3-20-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 73-SW-18]

TRANSITION AREA**Proposed Alteration**

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter controlled airspace in the Lufkin, Tex., terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, TX 76101. All communications received on or before April 20, 1973, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. 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, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination by interested persons at the

nation at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as herein-after set forth.

In § 71.181 (38 FR 435), the Lufkin, Tex., transition area is amended to read:

LUFKIN, TEX.

That airspace extending upward from 700 feet above the surface within 8 miles east and 5 miles west of the Lufkin VOR 157° radial, extending from the VOR to 12 miles southeast; within 5 miles each side of the Lufkin VOR 337° radial extending from the VOR to 11 miles northwest and within 2 miles each side of the 254° bearing from the Angelina County Airport (latitude 31°14'05" N., longitude 94°45'00" W.) extending to 6 miles west of the airport.

Amendments to controlled airspace will provide the necessary additional airspace for aircraft executing the proposed RNAV RWY 15 (original) and RNAV RWY 17 (original) instrument approach procedures.

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

Issued in Fort Worth, Tex., on March 12, 1973.

R. V. REYNOLDS,
Acting Director, Southwest Region.

[FIR Doc.73-5334 Filed 3-20-73;8:45 am]

[14 CFR Part 171]

[Docket No. 12649; Notice No. 73-9]

NON-FEDERAL NAVIGATION FACILITIES**Notice of Proposed Rule Making**

The Federal Aviation Administration is considering amending Part 171 of the Federal Aviation Regulations to require that certain non-Federal navigation aids conform to revised standards for facility performance. The FAA has determined that future requirements for air navigation aids in the National Airspace System cannot be met with the number of frequencies now available for assignment. Examination of alternative solutions to this problem indicates that reduction of radio channel spacing from the present 100 kHz spacing to 50 kHz spacing is the most economical and practicable method of increasing the number of assignable frequencies. Concurrent with implementation of 50 kHz channel spacing, suppression of certain harmonic radiation and increased stabilization of radio frequencies will be essential to satisfactory operation of adjacent-channel facilities with 50 kHz channel spacing.

The Federal Communications Commission by regulation (47 CFR Parts 2 and 87) assigns frequencies in the aeronautical radio navigation band 108-117.975 MHz for non-Federal instrument landing systems (ILS), simplified directional facilities (SDF), and very high frequency omnidirectional radio ranges (VOR). The present provision in the FCC regulations for 100 kHz channel spacing results in the availability of 20 ILS channels and 80 VOR channels. The FCC by notice adopted on September 20, 1972

(Docket No. 19590, RM 1888; 37 FR 20872, Oct. 4, 1972), and at the request of the FAA, has proposed amendment of Parts 2 and 87 of the FCC regulations to provide for 50 kHz channel spacing in this frequency band. Adoption of the proposed amendments would double the availability of assignable channels for VOR and ILS.

The rapid expansion of aviation services has resulted in the need for additional terminal and en-route navigation aids. The limited number of assignable frequencies now available makes it impossible to provide for proposed and required navigation aids. This shortage of frequencies is most acute in the Boston-New York-Washington, Chicago-Detroit, and the San Francisco-Los Angeles areas, and effects both Federal and non-Federal installation programs. Installation of additional ILS and VOR facilities in these congested areas and elsewhere in the National Airspace System can only be accomplished with additional frequencies.

The FAA announced at the FAA Planning Review Conference in April 1970 that split channeling for the VOR, ILS, and TACAN/DME ("Y" channel) bands would be a necessity. FAA Advisory Circular AC 170-12 issued in October 1970 indicated that implementation of 50 kHz channel spacing was proposed to begin January 1, 1973, and that the new frequencies would be used initially only where necessary to accommodate new facilities in congested areas.

Advisory Circular 170-12 was also intended to serve as advance notice to aircraft operators that aircraft receiving equipment not designed for split channel operation would have limited service life expectancy in an expanding 50 kHz frequency environment.

Implementation of 50 kHz channel spacing will require an increase of frequency stability for the glide slope, localizer, SDF, and VOR ground transmitters. In order to provide for satisfactory adjacent-channel operation, the frequency tolerances of these transmitters must necessarily be reduced from the present 0.005 percent to 0.002 percent, and 9960-Hz subcarrier harmonics must be suppressed to the levels specified for 50-kHz frequency environment in Annex 10 to the Convention on International Aviation (ICAO).

With respect to VOR and ILS facilities operated by the United States (Department of Defense and FAA), stabilization of frequencies is expected to be accomplished by July 1, 1973, and in those areas where 50-kHz channel spacing is to be implemented and a requirement exists for suppression of harmonics, 9960-Hz subcarrier harmonics will be reduced to the levels specified in ICAO Annex 10. Additionally, it is expected that 50-kHz/Y channel assignments for new facilities to be operated by the United States will be made by the Office of Telecommunications Policy in areas where frequency saturation makes assignment of 100-kHz-spaced channels impossible. These channel assignments are to be made in

PROPOSED RULE MAKING

such a manner as will avoid adjacent channel interference for as long a period as is possible, and to enable aircraft equipped with avionics designed for 100-kHz channel spacing to continue to utilize all tunable frequencies in the area. It is anticipated that with the additional options available as a result of 50-kHz spacing, the requirement for suppression of harmonics at non-Federal facilities can be avoided until 1975.

Accordingly, while it is proposed that these amendments to Part 171 of the Federal Aviation Regulations be made effective on July 1, 1973, the requirement for suppression of harmonics would arise only with assignment of a nearby adjacent channel. In such a case, the operator of the non-Federal navigation facility would be given advance notice by the Administrator that 50-kHz channel spacing is to be implemented in the area and that a requirement for suppression of harmonics existed. Suppression of 9960-Hz subcarrier harmonics to the levels specified in Annex 10 to the Convention on International Aviation within 180 days would then be required by the proposed rule.

The FAA is informed that stabilization of the radio frequency in most non-Federal ILS, VOR, or SDF installations can be accomplished at a cost for materials of less than \$75. The cost of suppressing harmonics will vary depending on the equipment installed. It is suggested that facility operators consult with the manufacturer of the equipment installed to ascertain the cost and feasibility of harmonics suppression.

In consideration of the foregoing, it is proposed to amend Part 171 of the Federal Aviation Regulations as follows:

1. By amending paragraph (a) of § 171.7 and by adding a new paragraph (e) to § 171.7 to read as follows:

§ 171.7 Performance requirements.

(a) The VOR must perform in accordance with the "International Standards and Recommended Practices, Aeronautical Telecommunications," Part I, paragraph 3.3 (Annex 10 to the Convention on International Civil Aviation), except that part of paragraph 3.3.2.1 specifying a radio frequency tolerance of 0.005 percent, and that part of paragraph 3.3.7 requiring removal of only the bearing information. In place thereof, the frequency tolerance of the radio frequency carrier must not exceed plus or minus 0.002 percent, and all radiation must be removed during the specified deviations from established conditions and during periods of monitor failure.

(e) Within 180 days after receipt of notice from the Administrator that 50-kHz channel spacing is to be implemented in the area and that a requirement exists for suppression of 9960-Hz subcarrier harmonics, the owner of the VOR shall modify the facility to perform in accordance with paragraph 3.3.5.7 of

Annex 10 to the Convention on International Civil Aviation.

2. By adding a new paragraph (a) (4) to § 171.47 to read as follows:

§ 171.47 Performance requirements.

(a) * * *

(4) The frequency tolerance of the radio frequency carrier must not exceed plus or minus 0.002 percent.

* * * * 3. By amending paragraph (a) (4) of § 171.109 to read as follows:

§ 171.109 Performance requirements.

(a) * * *

(4) The SDF must operate on odd tenths or odd tenths plus a twentieth MHz within the frequency band 108.1 MHz to 111.95 MHz. The frequency tolerance of the radio frequency carrier must not exceed plus or minus 0.002 percent.

* * * * 4. By amending paragraph (a) (1) of § 171.111 to read as follows:

§ 171.111 Ground standards and tolerances.

(a) * * *

(1) The SDF must operate on odd tenths or odd tenths plus a twentieth MHz within the frequency band 108.1 MHz to 111.95 MHz. The frequency tolerance of the radio frequency carrier must not exceed plus or minus 0.002 percent.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW, Washington, DC 20591. All communications received on or before April 20, 1973, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

These amendments are proposed under the authority of sections 305, 307, 313(a), 601, and 606 of the Federal Aviation Act of 1958 (49 U.S.C. 1345, 1348, 1354(a), 1421, and 1426), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on March 14, 1973.

J. W. COCHRAN,
Director,

Airways Facilities Service.

[FR Doc. 73-5333 Filed 3-20-73; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 87]

[Docket No. 19699, FCC 73-253]

AVIATION SERVICES

Notification Procedures of Aircraft Operating Under Fleet License

In the matter of amendment to Part 87 of the rules to provide for procedures to notify the Commission of the aircraft operating under a fleet license, Docket No. 19699.

1. The Commission has encountered difficulty in determining the owner or operator of aircraft radio stations operating in violation of the rules. Thus, in some cases it is not possible to notify the responsible person when a correction is needed in the operation of a station. In many cases it is particularly difficult to determine the owner or operator of aircraft containing radio equipment which was originally authorized under a fleet license. Such licenses are available to qualified applicants with two or more aircraft under their control. Changes to the complement of the aircraft fleets frequently occur during the term of a fleet license and usually the aircraft radio equipment is retained aboard the aircraft delivered to the new owner or operator.

2. Because of the transfer of aircraft from the control of one entity to another, the operation of contained aircraft radio transmitters also shifts from the originally authorized licensee to a new operator who may or may not be authorized to operate an aircraft radio station. The important point, however, is that transmissions from many aircraft are identified not by the usual radio call sign but by reference to the aircraft identification number. Thus, a transfer of aircraft to a new owner or operator requires a tracing procedure to determine and locate the current entity who has control over the aircraft and the contained radio. This imposes an impracticable and sometimes impossible burden on the Commission personnel concerned with the monitoring of aircraft radio transmissions in their efforts to locate the party responsible for operation of a station.

3. At one of the FCC field offices, it has lately been found that several aircraft transmitters were operating as much as 20 kHz off of their assigned frequencies, a dangerous condition which they were not able to bring to the attention of the owners. That particular office has a file of 97 aircraft numbers which it has not been able to trace to the owners or operators. This situation creates a hazard to the system which is, in many cases, quite unintentional on the part of the operators who would correct the out-of-tolerance condition if notified of the problem.

4. The Commission's rules provide for a fleet licensee to operate a number of

radio equipped aircraft without specifically identifying the radio transmitters by serial number. Transfer of a radio transmitter from one aircraft owner to another as part of an aircraft sales transaction does not transfer authorization to use the transmitter. The license is, of course, not transferable from one owner or operator to another. Each new owner or operator of the aircraft must get his own license from the FCC unless he already holds a valid authorization. The previous owner or operator of the aircraft must notify the Commission that the aircraft is no longer covered by his fleet license.

5. Accordingly, it is proposed to establish notification procedures as set forth below. In preparing the proposed rules below, the Commission recognized that many aircraft stations are identified by radio telephone identifiers in accordance with § 87.115(e) of the Commission's rules. Nothing would be gained by notification of the aircraft that are identified in that manner, and they are exempt for the proposed procedure.

6. The proposed amendment, as set forth below, is issued pursuant to authority contained in section 4(i), and 303(b), (f) and (r) of the Communications Act of 1934, as amended.

7. Pursuant to procedures set forth in § 11415 of the Commission's rules, interested parties may file comments on or before April 23, 1973, and reply comments on or before May 3, 1973. All relative 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. Responses will be available for public inspection during regular business hours in the Commission's Broadcast and Docket Reference Room at its headquarters in Washington, D.C.

8. In accordance with the provisions of § 11419 of the Commission's rules, an original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: March 7, 1973.

Released: March 12, 1973.

FEDERAL COMMUNICATIONS

COMMISSION,¹

BEN F. WAPLE,

Secretary.

1. Amend Part 87, § 87.29(a) (2) to read as follows:

§ 87.29 Application for aircraft radio station license.

(a) * * *

(2) An applicant, in applying for aircraft radio station license may specify on a single FCC Form 404, the total number

of aircraft stations in his fleet. Under these circumstances, a single instrument of authorization (fleet license) may be issued for operation of all radio stations aboard the aircraft of the fleet. The Commission shall be advised of the specific aircraft included in the fleet in accordance with § 87.140.

2. Amend Part 87 by adding new § 87.140 as follows:

§ 87.140 Notification of aircraft in fleet.

(a) Except as provided in paragraph (b) of this section, each applicant for a fleet license shall include, with the application for a fleet aircraft radio station license, the composition of the fleet. Each such application shall contain the aircraft registration number for each aircraft in the fleet. Additionally, each holder of a fleet license shall provide the Commission with notification of changes in the composition of the fleet immediately following the transfer of aircraft from the license holder to another owner or operator. Each change notice shall include for each aircraft the following:

(1) Aircraft registration number.
(2) New registered aircraft owners' name and address.

(3) Fleet license holder.

(4) FCC control number of the fleet license.

For change notification purposes, FCC Form—is available at the Commission's Washington office and at each of its field offices. Change notices shall be sent to the Commission's office in Washington, D.C. 20554.

(b) The notification procedure set forth in paragraph (a) of this section does not apply to any aircraft station which will be identified solely by a radio-telephone designation in accordance with § 87.115(e).

[FR Doc. 73-5377 Filed 3-20-73; 8:45 am]

VETERANS ADMINISTRATION

[38 CFR Part 21]

EDUCATIONAL ASSISTANCE ALLOWANCE

Eligibility and Computation

The following proposed regulatory change to § 21.3021(a) provides that a child and wife of a serviceman who has a total disability evaluated as total and permanent in nature resulting from a service-connected disability are eligible for educational assistance benefits. The change to § 21.4272(d) also clarifies the present regulation concerning use of the measurement equivalency formula for computation of the educational assistance allowance when the veteran or eligible person pursues a program on other than the standard semester or quarter.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans' Affairs (232H), Veterans Administration, 810 Vermont Avenue NW, Washington, DC

20420. All relevant material received before April 20, 1973, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in Room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is also given that it is proposed to make any regulations that are adopted effective the date of approval.

It is proposed to amend Part 21, Title 38, Code of Federal Regulations to read as follows:

1. In § 21.3021(a), paragraphs (1) (III) and (3) (I) are amended to read as follows:

§ 21.3021 Definitions.

(a) "Eligible person" means:

(1) A child of a:

(ii) Veteran or serviceman who has a total disability permanent in nature resulting from a service-connected disability.

(3) The wife of a:

(i) Veteran or serviceman who has a total disability permanent in nature resulting from a service-connected disability.

2. In § 21.4272, paragraph (d) is amended to read as follows:

§ 21.4272 Collegiate undergraduate; credit-hour basis.

(d) *Courses; measurement equivalency.* Where a term is not a standard semester or quarter as defined in § 21.4200(b), the equivalent for full-time training will be measured by multiplying the credits to be earned in the session by 18 if credit is granted in semester hours, or by 12 if credit is granted in quarters, and dividing the product by the number of whole weeks in the session. The resulting quotient will be the semester hours on which educational assistance allowance will be computed using the criteria of § 21.4270 proper or the criteria of footnote 3 to that section, whichever is appropriate. In determining whole weeks for this formula, 3 days or less will be disregarded and 4 days or more will be considered a full week.

Approved: March 15, 1973.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

[FR Doc. 73-5365 Filed 3-20-73; 8:45 am]

¹Commissioner Reid absent.

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 TREASURY

Office of the Secretary

PERMANENT MAGNETS OF ALNICO OR CERAMIC MATERIAL FROM JAPAN

Determination of Sales at Not Less Than Fair Value

MARCH 15, 1973.

On December 16, 1972, there was published in the **FEDERAL REGISTER** a "Notice of Tentative Negative Determination" (37 FR 26841) that permanent magnets of alnico or ceramic material from Japan are not being, nor are likely to be, sold at less than fair value within the meaning of section 201(a) of the Anti-dumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as "the Act").

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

After consideration of all views and arguments, I hereby determine that, for the reasons stated in the tentative determination, permanent magnets of alnico or ceramic material from Japan are not being, nor are likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)) and § 153.33(b), Customs regulations (19 CFR 153.33(b)).

[SEAL] **EDWARD L. MORGAN,**
Assistant Secretary of the Treasury.
[FR Doc.73-5389 Filed 3-20-73;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

AERONAUTICAL SYSTEMS DIVISION ADVISORY GROUP F-4E COMMITTEE

Notice of Meeting

MARCH 14, 1973.

The Aeronautical Systems Division Advisory Group F-4E Committee will hold a closed meeting on March 21 and 22, 1973, from 8 a.m. until 5 p.m., at the McDonnell-Douglas Corp., St. Louis, Mo.

The committee will receive classified briefings on the F-4E structural modification program.

For additional information on this meeting, telephone 202-697-4648.

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

[FR Doc.73-5328 Filed 3-20-73;8:45 am]

Corps of Engineers, Department of the Army

ADVISORY COMMITTEE FOR NATIONAL DREDGING STUDY

Notice of Meeting

In accordance with section 10(a) (2) of the Federal Advisory Committee Act (Public Law 92-463) announcement is made that a meeting of the Advisory Committee for National Dredging Study is to be held on March 28, 29, and 30, 1973. The Committee was established by the Director of Civil Works, Corps of Engineers to provide advice on the requirements for the general outline of the National Dredging Study to be conducted by a management consultant firm. The study was recommended by the General Accounting Office in its report to Congress of March 23, 1972, titled, "Observation on Dredging Activities and Problems." In the reports of the House and Senate Appropriations Subcommittees on Public Works on the FY 1973 Budget Request specific reference was made to the GAO report and direction given to the Corps with respect to the GAO recommendation. The directives of the House and Senate Subcommittees are essentially requests to review in depth the Corps dredging policies and practices to determine how its dredging requirements can be accomplished in the most efficient, economical and timely manner; and further that due consideration should be given to those factors which directly affect reasonable bid prices from the dredging industry and possible unfair competition between Government-owned plant and contractor-owned plant. This is the first meeting of the Advisory Committee and the agenda provides for:

(1) The establishment of the internal committee organization and rules of procedure.

(2) The development of the scope and general outline of the study.

(3) The development of the contractual requirements for the request for proposals for consultant services to accomplish the study. Within the facilities available (about 25 persons) the meeting will be open to observers. Observers may not participate in the proceedings of the meeting. Any member of the public who wishes to do so will be permitted to file a written statement with the Committee before or after the meeting.

The meeting will begin at 9:30 a.m. in Room 6-A-092, Forrestal Building, 1000 Independence Avenue SW., Washington, DC. A roster of Advisory Committee members may be obtained from Mr. Eugene B. Conner, DAEN-CWO-M, Office

Chief of Engineers, U.S. Army, Washington, D.C. 20314.

Dated: March 19, 1973.

JAMES L. KELLY,
Brigadier, General, USA,
Deputy Director of Civil Works.

[FR Doc.73-5522 Filed 3-20-73;8:45 am]

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

AUDIT ADVISORY COMMITTEE Establishment

The Law Enforcement Assistance Administration hereby determines that the establishment of the Audit Advisory Committee, as identified hereinafter, is in the public interest and necessary and appropriate for the purposes of the Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, and the Administration establishes this committee in accordance with the provisions of the Federal Advisory Committee Standards Act, Public Law 92-463, and LEAA Notice N1300.2.

1. Designation. Audit Advisory Committee.

2. Purposes. To advise the LEAA Office of Audit of ways and means to more effectively and expeditiously carry out its assigned mission of ensuring that LEAA grant programs and contracts are properly administered, that funds are properly expended, and that statutory requirements are met, and to review and evaluate the objectives, policies, and practices of the Office of Audit.

3. Establishment date and termination date. The Committee is established effective April 20, 1973, and will terminate within 2 years.

4. Meetings. Quarterly or more frequently as required.

5. Membership. The membership shall include LEAA employees, officers and employees of Federal agencies and State and local governments who are involved in audit functions, and officials and members of organizations which represent governors, mayors, States, cities, and units of general local government and professional auditors.

6. Standards. The Committee will operate pursuant to the provisions of the Federal Advisory Committee Standards Act, Public Law 92-463, LEAA Notice N1300.2, OMB Circular No. A-63 and any additional orders and directives issued in implementation of the Act.

JERRIS LEONARD,
Administrator.

[FR Doc.73-5375 Filed 3-20-73;8:45 am]

PRIVATE SECURITY ADVISORY COUNCIL
Charter

In order to further public protection, improve and strengthen law enforcement, and reduce crime in public and private places by reviewing the relationship between private security systems and public law enforcement agencies and by developing programs and policies regarding private protection services that are appropriate and consistent with the goals of public law enforcement and the public interest, the Private Security Advisory Council is hereby granted the following charter.

I. Designation. The committee shall be known as the "Private Security Advisory Council."

II. Authority and scope. The Council will operate pursuant to the provisions of the Federal Advisory Committee Standards Act, Public Law 92-463, LEAA Notice N1300.2, OMB Circular No. A-83, and any additional orders and directives issued in implementation of the Act. The Council is established under the authority of section 517 of the Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as amended by Public Law 91-644. The scope of its functions is limited to the duties specified in this charter.

III. Duration and termination. The period of time necessary for the committee to carry out its functions is 2 years and its termination date is March 15, 1975.

IV. Responsible and supporting agency. The Council will report to and receive support from the Law Enforcement Assistance Administration, U.S. Department of Justice, 633 Indiana Avenue NW, Washington, DC 20530.

V. Duties. The responsibilities of the Council will be advisory in nature. Its duties are to advise LEAA on the development of effective programs and policies relating to private protection services and improving cooperation between public law enforcement agencies and private security services and to make recommendation for State and local government in the implementation of private security laws.

VI. Operating costs. This estimated annual operating cost is \$10,000 and one (1) man year.

VII. Membership. The membership shall include LEAA employees, officers, and employees of public law enforcement agencies and officers of organizations representing law enforcement personnel, officers and employees of private security businesses, manufacturers engaged in private security activities and users of private security services and equipment.

VIII. Meetings. The Council will hold meetings quarterly or more frequently as required to carry out its purposes and fulfill its duties.

I hereby grant this charter this 15th day of March 1973.

JERRIS LEONARD,
Administrator.

[FR Doc.73-5374 Filed 3-20-73;8:45 am]

Bureau of Narcotics and Dangerous Drugs
[Docket No. 73-5]

THOMAS E. WOODSON

Revocation of Registration; Hearing

Notice is hereby given that on February 1, 1973, the Bureau of Narcotics and Dangerous Drugs, Department of Justice, issued to Thomas E. Woodson, D.O., three orders to show cause as to why the Bureau of Narcotics and Dangerous Drugs Registration Nos. AW4452532, AW-4452544, and AW4452366 issued to him pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) should not be revoked.

Thirty days having elapsed since the said orders to show cause were received by Dr. Woodson, and written request for a hearing having been filed with the Director of the Bureau of Narcotics and Dangerous Drugs, notice is hereby given that a hearing on this matter will be held commencing at 10 a.m., on April 16, 1973, in Room 1211 of the Bureau of Narcotics and Dangerous Drugs, 1405 I Street NW, Washington, DC 20537.

Dated: March 16, 1973.

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

[FR Doc.73-5398 Filed 3-20-73;8:45 am]

DEPARTMENT OF THE INTERIOR

National Park Service

[INT FES 73-12]

**BANDELIER POLLUTION ABATEMENT
PROJECT, NEW MEXICO**

**Notice of Availability of Final
Environmental Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental statement for a proposed Bandelier Pollution Abatement Project, Bandelier National Monument, N. Mex.

The environmental statement considers rehabilitation of the existing sewage disposal system at Bandelier National Monument, counties of Sandoval and Los Alamos, N. Mex., to eliminate contamination of the Rio Grande River and to include a lift station, 5,200 feet of force main, and 2 sealed sewage lagoons totaling 0.9 acre.

Copies of the final environmental statement are available from or for inspection at the following locations:

Southwest Regional Office, National Park Service, Old Santa Fe Trail, Post Office Box 728, Santa Fe, NM 87501.
Superintendent, Bandelier National Monument, Los Alamos, N. Mex. 87544.

Dated: March 14, 1973.

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

[FR Doc.73-5324 Filed 3-20-73;8:45 am]

**INDIANA DUNES NATIONAL LAKESHORE
ADVISORY COMMISSION**

Notice of Open Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Indiana Dunes National Lakeshore Advisory Commission will be held at 10 a.m., e.s.t., on Friday, April 6, 1973, at the Indiana Dunes National Lakeshore building, Chesterton, Ind.

The purpose of the Indiana Dunes National Lakeshore Advisory Commission is to meet and consult with the Secretary of the Interior on general policies and specific matters relating to the administration and development of the Indiana Dunes National Lakeshore.

The members of the Commission are as follows:

Mr. William L. Lieber (Chairman), Indianapolis, Ind.
Mr. Harry W. Frey, Michigan City, Ind.
Mrs. Ione F. Harrington, Chesterton, Ind.
Mr. John A. Hillenbrand II, Batesville, Ind.
Mr. Ed Masius, Beverly Shores, Ind.
Mr. Harold G. Rudd, Portage (Ogden Dunes), Ind.
Mr. John R. Schnurlein, Kouts, Ind.

The matters to be discussed at this meeting include:

1. Superintendent's report on matters relevant to Indiana Dunes National Lakeshore since the last meeting.

2. Land Acquisition Officer's report on matters relevant to Indiana Dunes National Lakeshore since the last meeting.

3. Discussion of the Beach Erosion report.

4. Discussion of West Beach development.

5. Discussion of Horseback Riding Trails in Indiana Dunes National Lakeshore.

The meeting will be open to the public. Any member of the public may file with the Commission a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact James R. Whitehouse, Superintendent, Indiana Dunes National Lakeshore, at 219-926-7561. Minutes of the meeting will be available for public inspection 3 weeks after the meeting at the Superintendent's Office of the Indiana Dunes National Lakeshore located at the intersection of State Park Road and U.S. Highway 12, Chesterton, Ind.

Dated: March 9, 1973.

STANLEY W. HULETT,
Associate Director,
National Park Service.

[FR Doc.73-5357 Filed 3-20-73;8:45 am]

**LYNDON B. JOHNSON NATIONAL
HISTORIC SITE, TEX.**

[Order No. 11]

Administrative Officer; Delegation of Authority Regarding Purchasing Authority

SEC. 1. Administrative Officer. The Administrative Officer may issue purchase orders not in excess of \$500 for supplies, equipment or services in conformity

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with applicable regulations and statutory authority and subject to the availability of appropriated funds.

(National Park Service Order No. 66, FR 21218, as amended, 37 FR 4001, dated February 25, 1972; Southwest Region Order No. 5, 37 FR 7722)

Dated: February 6, 1973.

F. A. GOULD,
Superintendent, Lyndon B.
Johnson National Historic
Site.

[FR Doc.73-5358 Filed 3-20-73;8:45 am]

Office of the Secretary

[INT DES 73-15]

AUTHORIZED GRANITE REEF AQUEDUCT

Notice of Availability of Draft
Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the Granite Reef Aqueduct feature of the Central Arizona Project, Arizona-New Mexico.

The environmental statement concerns delivery of Colorado River water to the central service area of the project for municipal, industrial, and irrigation uses in the water-deficient areas of Arizona. Written comments may be submitted to the Regional Director (address below) on or before May 7, 1973.

Copies are available for inspection at the following locations:

Assistant to the Commissioner—Ecology, Room 7622, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240, telephone 202-343-4991.

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

Office of the Regional Director, Administration Building, Bureau of Reclamation, Boulder City, Nev. 89005, telephone 702-293-8527.

Arizona Projects Office, Bureau of Reclamation, 135 North Second Avenue, Phoenix, AZ 85003, telephone 602-261-3577.

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

Dated: March 14, 1973.

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

[FR Doc.73-5325 Filed 3-20-73;8:45 am]

POTTER VALLEY RANCHERIA, CALIF.,
AND INDIVIDUAL MEMBERS

Notice of Termination of Federal
Supervision Over Property

Notice is hereby given of the deletion of the name of the following as a dependent member of the immediate fam-

ily of a distributee from those persons listed in the July 26, 1961, approved Notice of Termination of Federal Supervision over property and individual members of the Potter Valley Rancheria in California.

Deletion of dependent family member	Date of birth	Address	Relationship to distributee	Distributee
Paul Anderson	5-11-34	Potter Valley, California	Grandson	Mack Williams

Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW, Washington, D.C., Room 4310, or at the borrower address indicated above.

Final REA action with respect to this matter (including any release of funds) may be taken after thirty (30) days, but only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 14th day of March 1973.

RICHARD R. HITE,
Deputy Assistant Secretary
of the Interior.

MARCH 16, 1973.

[FR Doc.73-5399 Filed 3-20-73;8:45 am]

ROBERT W. THOMAS, JR.

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of March 28, 1973.

Dated: March 7, 1973.

ROBERT W. THOMAS, JR.

[FR Doc.73-5323 Filed 3-20-73;8:45 am]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

COLORADO-UTE ELECTRIC ASSOCIATION,
INC.

Final Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a final environmental statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a loan to Colorado-Ute Electric Association, Inc., Box 1149, Montrose, CO 81401. This loan includes financing for approximately thirty-three (33) miles of 115 kv. transmission line between Blue Mesa and Lake City, both in Colorado, an addition to the Blue Mesa terminal of the Bureau of Reclamation and a new substation at Lake City.

Additional information may be secured on request, submitted to the Assistant Administrator-Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. The Final Environmental

vision over property and individual members of the Potter Valley Rancheria in California.

Deletion of dependent family member	Date of birth	Address	Relationship to distributee	Distributee
Paul Anderson	5-11-34	Potter Valley, California	Grandson	Mack Williams

Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW, Washington, D.C., Room 4310, or at the borrower address indicated above.

Final REA action with respect to this matter (including any release of funds) may be taken after thirty (30) days, but only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 14th day of March 1973.

E. C. WEITZELL,
Acting Administrator, Rural
Electrification Administration.

[FR Doc.73-5352 Filed 3-20-73;8:45 am]

Soil Conservation Service

PATTERSON WATERSHED PROJECT,
CALIF.

Availability of Final 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 final environmental statement for the Patterson Watershed Project, Stanislaus County, Calif., USDA-SCS-ES-WS-(ADM)-73-7(F).

The environmental statement concerns a plan for watershed protection and drainage. The planned works of improvement include conservation land treatment measures supplemented by (1) 10.9 miles of open-joint concrete drain tile, (2) 4.5 miles of closed-joint concrete pipe, and (3) cleaning and minor deepening of 1.6 miles of existing open drains.

The final statement was transmitted to the Council on Environmental Quality on March 13, 1973.

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

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue SW, Washington, DC 20250.

Soil Conservation Service, USDA, 2020 Milvia Street, Berkeley, CA 94704.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please order by name and number of statement. The estimated cost is \$4.25.

Copies of the environmental statement have been sent to various Federal, State and local agencies as outlined in the

Council on Environmental Quality Guidelines.

Dated: March 14, 1973.

WILLIAM B. DAVEY,
Deputy Administrator for Watersheds, Soil Conservation Service.

[FR Doc.73-5397 Filed 3-20-73;8:45 am]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

FREDRICK J. WOELKERS, III AND RAY C. RANDALL

Notice of Public Hearing Regarding Application for Economic Hardship Exemption

Notice is hereby given pursuant to the provisions of the Marine Mammal Protection Act of 1972 (Public Law 92-522) and the regulations issued (37 FR 28177) in connection therewith, that a hearing will be held at 9 a.m., local time, April 11, 1973, at the Kodiak Electric Association, 515 Marine Way, Kodiak, AK. The purpose of the hearing is to consider applications for economic hardship exemptions from Fredrick J. Woelkers, III, of Seward, Alaska, to take no more than 3,100 adult and pup seals and sea lions and Ray C. Randall, of Port Williams, Alaska, to take 2,500 sea lion pups, for the commercial sale of the hides, meat, and fat.

Individuals and organizations may express their views by appearing at this hearing or may submit written comments for inclusion in the official record to the Regional Director, National Marine Fisheries Service, Post Office Box 1668, Juneau, AK 99801, telephone 907-586-7221.

Any inquiries with respect to this hearing should be directed to the above Regional Director.

Issued at Washington, D.C., and dated March 13, 1973.

PHILIP M. ROEDEL,
Director,
National Marine Fisheries Service.

[FR Doc.73-5327 Filed 3-20-73;8:45 am]

National Technical Information Service GOVERNMENT-OWNED INVENTIONS

Notice of Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for licensing in accordance with the GSA Patent Licensing Regulations.

Copies of patent applications, either paper copy (PC) or microfiche (MF), can be purchased from the National Technical Information Service (NTIS), Springfield, Va. 22151, at the prices cited. Requests for copies of patent applications must include the PAT-APPL number and the title. Inquiries and requests for licensing information should be directed to the address cited on the first page of each copy of the patent application.

Paper copies of patents cannot be purchased from NTIS but are available from

the Commissioner of Patents, Washington, D.C. 20231, at \$0.50 each. Inquiries and requests for licensing information should be directed to the Assignee as indicated on the copy of the patent.

DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF THE INTERIOR

Patent 3,679,973. Electrogasdynamic Dust Monitor. Filed October 20, 1970, patented July 25, 1972. Not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Patent application 302,720. Active Air Cushion Control System Minimizing Vertical Cushion Response. Filed November 1, 1972. PC \$3/MF \$0.95.

Patent application 298,157. Image Tube. Filed October 16, 1972. PC \$3/MF \$0.95.

Patent application 313,381. Mossbauer Spectrometer Radiation Detector. Filed December 8, 1972. PC \$3/MF \$0.95.

Patent application 310,616. Automatic Quadrature Control and Measuring System. Filed November 29, 1972. PC \$3/MF \$0.95.

Patent application 305,012. Temperature Compensated Digital Inertial Sensor. Filed November 9, 1972. PC \$3.50/MF \$0.95.

Patents application 305,638. Light Shield and Cooling Apparatus. Filed November 10, 1972. PC \$3/MF \$0.95.

Patent application 313,390. Emergency Master Control Valve. Filed December 8, 1972. PC \$3/MF \$0.95.

Patent application 313,390. Emergency Master Control Valve. Filed December 8, 1972. PC \$3/MF \$0.95.

Patent application 294,738. Control for Nuclear Thermionic Power Source. Filed October 3, 1972. PC \$3/MF \$0.95.

Patent application 310,611. Structural Panel. Filed November 29, 1972. PC \$3/MF \$0.95.

TENNESSEE VALLEY AUTHORITY

Patent 3,711,268. Stabilization of Polyphosphate Fertilizer Solutions. Filed May 7, 1971, patented January 16, 1973. Not available NTIS.

[FR Doc.73-5251 Filed 3-20-73;8:45 am]

Office of Import Programs

UNIVERSITY OF CALIFORNIA

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

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

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

Docket No. 73-00233-00-46040. Applicant: The Regents of the University of California, 405 Hilgard Avenue, Los Angeles, CA 90024. Article: Anticontamination device with accessories. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is an accessory to an existing electron microscope being used for studies of the retina and other tissues in the vertebrate eye

as part of the ongoing research program of the Jules Stein Eye Institute.

Comments: No comments have been received with respect to this application.

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

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

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.73-5346 Filed 3-20-73;8:45 am]

UNIVERSITY OF CALIFORNIA, ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before April 10, 1973.

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

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

Docket No. 73-00341-65-46040. Applicant: University of California, Lawrence Berkeley Laboratory, East End of Hearst Avenue, Berkeley, Calif. 94720. Article: Electron Microscope, Model EM 301, and accessories. Manufacturer: Philips Electronic Instruments, N.V.D., The Netherlands. Intended use of article: The article is intended to be used for basic research on the relation between microstructure and properties of materials. Specimens of various alloys, ceramics and biological materials will be studied directly in the microscope. The objectives

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of this research are to characterize structure so the Laboratory can understand behavior of materials. Application received by Commissioner of Customs: January 30, 1973.

Docket No. 73-00385-33-46040. Applicant: University of Minnesota, School of Medicine, Duluth, 2205 East Fifth Street, Duluth, MN 55812. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used for experimentation with the carbohydrate-rich substances (glycoproteins, mucopolysaccharides or glycosaminoglycans) located intra- or extra-cellularly in a variety of tissues including: Human sweat and salivary glands from normal individuals and those afflicted with cystic fibrosis, rabbit and human oviductal tissues obtained under a variety of hormonal states, and cat and human small intestinal tissues obtained under a variety of nutritional states. The bulk of the morphochemical experiments will involve the ultrastructural localization of extra- or intracellular glycoproteins and glycosaminoglycans in a variety of normal and abnormal epithelial and connective tissues by means of cytochemistry and/or autoradiography. In addition the article will be used in the following courses open to undergraduate science majors, undergraduate medical students, postdoctoral fellows, graduate students, and local physicians who have an expressed interest in high voltage microscopy and associated techniques:

Introduction to Ultrastructure;
Introduction to Electron Microscopy;
Advanced Methodology in Microscopy;
Ultrastructural Cytochemistry;
Problems Course in Electron Microscopy.

Application received by Commissioner of Customs: February 6, 1973.

Docket No. 73-00386-33-40700. Applicant: Georgia Institute of Technology, School of Biology, 225 North Avenue NW, Atlanta, GA 30332. Article: Research Irradiator, Model Gammabeam 100C and accessories. Manufacturer: Atomic Energy of Canada Ltd., Canada. Intended use of article: The article is intended to be used to facilitate investigation of the mutagenic effects of low level radiation on mammalian systems as well as varied studies of the effects of low to moderate radiation doses on the genetic and physiological systems of living organism, or of non-living materials. The article will also be used in biology courses in attempts to develop an understanding of radiation, particularly ionizing radiation, and its effect upon biological systems. Application received by Commissioner of Customs: February 21, 1973.

Docket No. 73-00387-00-46040. Applicant: University of California, Los Angeles, 405 Hilgard Avenue, Los Angeles, CA 90024. Article: Decontamination Device for Elmiskop I Electron Microscope. Manufacturer: Siemens AG, West Germany. Intended use of article:

The article is an accessory to an existing electron microscope to be used in investigations which will involve serial section ultrastructural study of the innervation of the kidney, the development of the inner ear of the tadpole, lateral line organs and electron microscopic examination of subcellular fractions of kidney tissue. The article will also be used in the course, Biology 596—Individual Graduate Studies for training purposes in the use of the electron microscope. Application received by Commissioner of Customs: December 19, 1972.

Docket No. 73-00388-33-46040. Applicant: University of Rochester, Medical Center, 260 Crittenden Boulevard, Rochester, NY 14642. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used for the examination by electron microscopy of the fine structural features of brain tumor cells in culture with particular attention given to a search for viral particles, and for cellular features which correlate with tumor malignancy and invasiveness. In addition, morphologic characteristics will be correlated with metabolic properties determined by physiological and biochemical methods. An important aspect of these studies will be an assessment of the influence of chemical substances (or physical conditions such as irradiation) which might therefore, have applicability in the treatment of patients with brain tumors. Application received by Commissioner of Customs: February 13, 1973.

Docket No. 73-00389-33-46040. Applicant: University of Washington, Department of Biological Structure, Seattle, Wash. 98195. Article: Electron Microscope, Model EM 201 and accessories. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used in a broadly directed research program which is intended to acquire a better understanding of the fine structure of tissues in terms of their constituent cells organelles and, whenever possible, to relate their structure to physiological or mechanical function. The specific research programs include the following:

(a) Tracing of nuage material in the germ cells of juvenile and adult rat testes as well as the germ cells of fetuses and embryos, both male and female to investigate the time sequence of formation or turnover of the nuage material.

(b) Investigation of the intracellular organelles known as microbodies, particularly their occurrence in the intestinal epithelial cells of the chicken.

(c) Examination of the sperm ultrastructure of Asiatic water buffalo for selective lysis of membranes and intracellular structural element.

(d) Studies on the structure of capillaries and the endothelium of large blood vessels, using the dye ruthenium red to trace the extent and organization of the extraneous cell coat material which, on the luminal surface of endothelial cells, is known as the endocapillary layer.

(e) Tracing the morphology of various organelles in the female germ cells as they mature into oogonia.

(f) Assessment of the response of pituitary somatotroph cells in the rat pars distalis when incubated with growth hormone-releasing and inhibiting factors. Application received by Commissioner of Customs: February 11, 1973.

Docket No. 73-00390-33-46040. Applicant: Virginia Commonwealth University, Medical College of Virginia, 12th and Broad Streets, Box 262, Richmond, VA 23298. Article: Electron Microscope, Model HS-8. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used primarily by ophthalmic trainees who have decided on a future academic career, by Ph. D. candidates interested in vision and by special post-graduate fellows to obtain knowledge and skill in transmission electron microscopy. The article will also be used for studies of materials related to ocular tissue, normal and pathological, derived from human and animal eyes and their adnexa, and cells grown in cell culture. Experiments to be conducted include the following:

(a) Study of fine structural morphological changes of corneal epithelium from glaucomatous human and animal eyes to explain clinically observable pathologic manifestations in this disease.

(b) To relate anterior chamber angle deformities observable by electron microscope studies to clinical malfunction in congenital glaucoma and to trace such possible morphological changes back to the embryonic development of the eye in experimental bupthalmic rabbit strains. Application received by Commissioner of Customs: February 8, 1973.

Docket No. 73-00391-33-46040. Applicant: Children's Hospital of Pittsburgh 125 DeSoto Street, Pittsburgh, PA 15213. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used in the study of pediatric tumors (lymphomas, round cell tumors, soft tissue sarcomas, etc.). These tumors are examined electron microscopically for specific ultrastructural changes that help identify them and provide knowledge about tumor formation. They are also simultaneously checked for the presence of viral particles, which may trigger tumor production. Additional studies involve:

(a) Concentrated studies of specific viruses,

(b) Proper fixation of the nucleus using a mouse liver model, and

(c) Determination of the ultrastructural changes that result from the disease process in various organs.

The article will also be used in the Introductory Course to Electron Microscopy designed to provide a basic knowledge of electron microscopic techniques to residents and interns rotating through the Pathology Department of the hospital on a short-term basis (3-6 months). Application received by Commissioner of Customs: February 15, 1973.

Docket No. 73-00392-33-46040. Applicant: University of Hawaii Pacific Biomedical Research Center, 1960 East-West Road, Honolulu, HI 96822. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used to investigate the structure of the cells and subcellular organelles of a variety of invertebrate animals in the course of investigations of (1) the mechanism of motility of cilia and flagella and of chromosome movement in the mitotic apparatus; (2) the fibrillar structures involved in the furrowing of cells during division; (3) the breakdown of the cortical granules and the formation of the hyaline layer at fertilization; and (4) the structure of the egg cortex and its role in embryonic determination. The article will also be used in training graduate students in electron microscopy as part of the doctoral program in the areas of biological research as described above. Application received by Commissioner of Customs: February 23, 1973.

Docket No. 73-00393-33-46500. Applicant: Princeton University, Biology Department, Guyot Hall, Washington Road, Princeton, NJ 08540. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to cut ultrathin sections of biological materials which include plant and animal tissues and several types of bacterial cells and viruses. These sections will be used in performing various experiments in the projects listed below:

1. Aggregation and Differentiation of Cellular Slime Molds.
2. Sense Receptors in Blowflies.
3. Neurobiology of the Slug.
4. Polar Regeneration and Cell Differentiation in Apical Growth Regions of Plants.
5. Fine Structure of Organelles in Luminous Bacteria and Aquatic Animals.
6. Developmental Neurophysiology and Anatomy of the Auditory Pathways in Birds.
7. Structure of Viruses and Their Nucleic Acids.
8. Structural Aspects of Reproductive Physiology in Rodents.
9. Plant Tumors, Chloroplast Development, Directed Changes in Tumor Heredity.
10. Developmental Changes in *Caulobacter crescentus*.
11. Effects of Cyclic AMP on Microtubules and Filaments in CHO Cells Cultured in Vitro.
12. Electron Microscopy and Ultrastructure of Plant and Animal Cells.
13. Spermiogenesis in *D. melanogaster*, Anatomical Analysis Genetic Defects.
14. The Role of Cell Surface and Adhesiveness in Developmental Processes.
15. Developmental Studies on the Nervous System of *Xenopus*.

Application received by Commissioner of Customs: February 23, 1973.

Docket No. 73-00394-33-46500. Applicant: University of Western Florida, Biology Department, Pensacola, Fla. 32504. Article: Ultramicrotome, Model LKB 4800-NM. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to section biological specimens including marine plants and animals. The experiments

to be conducted include: (1) Studies on the effects of pesticides on the subcellular structure of marine algae; (2) a comparative study of the renal pericardial complex in gastropods; (3) descriptive studies of subcellular structure in algae belonging to the phyla Chrysophyta and Pyrrophyta; (4) an ultrastructural study of the Siphonophores (jelly fish) Agalma and Physalia. The article will also be used in teaching a course in Cell Biology. Application received by Commissioner of Customs: February 23, 1973.

Docket No. 73-00295-98-90000. Applicant: Georgia Institute of Technology, Atlanta, Ga. 30332. Article: Lithium-Drifted silicon x-ray and electron detector. Manufacturer: SIMTEC Industries, Inc., Canada. Intended use of article: The foreign article will be used in several basic academic research programs including some to be undertaken as Ph. D. thesis work. These programs will investigate inner shell transitions involving $M_{1,2}$ subshell electrons, L subshell fluorescence and Coster-Kronig yields and mean L-shell fluorescence yields. Application received by Commissioner of Customs: December 13, 1972.

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc. 73-5345 Filed 3-20-73; 8:45 am]

Social and Economic Statistics Administration

NUMBER OF EMPLOYEES, TAXABLE WAGES, GEOGRAPHIC LOCATION, AND KIND OF BUSINESS FOR ESTABLISHMENTS OF MULTIUNIT COMPANIES

Notice of Determination for Surveys

In conformity with title 13, United States Code, sections 181, 224, and 225, and due notice of consideration having been published on February 12, 1973 (38 FR 4279), I have determined that a first quarter 1973 survey of selected multiunit companies is needed to collect information for the 1973 County Business Patterns Report. The survey is similar to those conducted for previous County Business Patterns Reports and is designed to collect information on number of employees, taxable wages, geographic location, and kind of business for establishments of selected multiunit companies. The data will have significant application to the needs of the public and to governmental agencies and are not publicly available from non-governmental or governmental sources.

Report forms will be furnished to firms included in the survey and additional copies of the forms are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

I have, therefore, directed that a survey be conducted for the purpose of collecting these data.

Dated: March 15, 1973.

JOSEPH R. WRIGHT, JR.,
Acting Administrator, Social and Economic Statistics Administration.

[FR Doc. 73-5355 Filed 3-20-73; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ADVISORY COMMITTEES

Notice of Meetings

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Public Law 92-463, 86 Stat. 770-776), the Food and Drug Administration announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the Act:

Committee name	Date, time, place	Type of meeting and/or contact person
1. Panel on Review of Cold, Cough, Allergy, Bronchodilator, and Antihistaminic Agents.	Apr. 5 and 6, 9 a.m., Room 1409, 200 C Street SW., Washington, DC.	Open Apr. 5, 9 a.m. to 10 a.m., closed Apr. 5 after 10 a.m., closed Apr. 6, Thomas DeCillis, Room 10B-09, 5600 Fishers Lane, Rockville, MD 20852, 301-443-4960.

Purpose. Reviews and evaluates available information concerning safety and effectiveness of active ingredients in currently marketed nonprescription drugs containing cold, cough, allergy, bronchodilator, and antihistaminic agents.

Agenda. Continuing review of over-the-counter drug products under investigation.

Committee name	Date, time, place	Type of meeting and/or contact person
2. National Advisory Drug Committee.	Apr. 5 and 6, 9 a.m., Conference Room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20852, 301-443-3216.	Open—Lloyd B. Tepper, M.D., Room 14-57, 5600 Fishers Lane, Rockville, MD 20852, 301-443-3216.

Purpose. Advises the Commissioner of Food and Drugs on policy matters of national significance relating to safety and effectiveness of drugs, and serves as a forum for exchange of views and recommendations.

Agenda. Proposal for expanding use of advisory committees to aid FDA decision making, OTC drugs efficacy review, OTC drug labeling, drug experience reporting systems, and risk-benefit deliberations.

Committee name	Date, time, place	Type of meeting and/or contact person
3. Panel on Review of Topical Analgesics.	Apr. 10 and 11, 9 a.m., Conference Room M, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.	Open Apr. 10, 9 a.m. to 10 a.m., closed Apr. 10 after 10 a.m., closed Apr. 11, Lee Gelman, Room 10B-09, 5600 Fishers Lane, Rockville, MD 20852, 301-443-4960.

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Purpose. Reviews and evaluates available data concerning safety and effectiveness of active ingredients of currently-marketed nonprescription drug products containing topical analgesics.

Agenda. Continuing review of over-the-counter topical analgesic drug products under investigation.

Committee name	Date, time, place	Type of meeting and/or contact person
4. Panel on Review of Internal Analgesics.	Apr. 12 and 13, 9 a.m., Conference Room K, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.	Open Apr. 12, 9 a.m. to 10 a.m., closed Apr. 12 after 10 a.m., closed Apr. 13, Lee Gaismar, Room 10B-05, 5600 Fishers Lane, Rockville, MD 20852, 301-443-4960.

Purpose. Reviews and evaluates available data concerning safety and effectiveness of active ingredients of currently-marketed nonprescription drug products containing internal analgesics.

Agenda. Continuing review of over-the-counter internal analgesic drug products under investigation.

Committee name	Date, time, place	Type of meeting and/or contact person
5. Cardiovascular and Renal Advisory Committee.	Apr. 13, 9 a.m., Conference Room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.	Open 9 a.m. to 3 p.m., closed after 3 p.m. John B. Mee, Gregor, M.D., Room 10B-20, 5600 Fishers Lane, Rockville, MD 20852, 301-443-4730.

Purpose. Advises the Commissioner of Food and Drugs regarding safety and efficacy of drugs employed in the treatment of cardiovascular and renal disorders.

Agenda. Propranolol—reappraisal of safety and efficacy in angina pectoris. Opening remarks, company remarks, additional remarks (requests to make presentation must be submitted in writing 1 week prior to meeting and should include reprints and/or documentation—time limit is 10 minutes per presentation), and review of literature by committee.

Committee name	Date, time, place	Type of meeting and/or contact person
6. Radiological Health Research and Training Grant Review Committee.	Apr. 13 and 14, 9 a.m., Room 409 12720 Twinbrook Pkwy., Rockville, MD.	Open Apr. 13, 9 a.m. to 10 a.m., closed Apr. 13 after 10 a.m., closed Apr. 14, Norman Telles, M.D., Room 7-67, 5600 Fishers Lane, Rockville, MD 20852, 301-443-4463.

Purpose. Provides scientific and technical review of all research and training grant applications in the areas of individual and public health hazards associated with radiation. Makes recommendations concerning scientific merit of grant applications.

Agenda. Review of research and training grant applications.

Committee name	Date, time, place	Type of meeting and/or contact person
7. Panel on Review of Dental Devices.	Apr. 16, 9:30 a.m., Room 6021, 200 C St. SW., Washington, D.C.	Open 9:30 a.m. to 10:30 a.m., closed after 10:30 a.m. David M. Link, Room 212B, 1001 Chapman Ave., Rockville, MD 20852, 301-443-1743.

Purpose. Reviews and evaluates available information concerning safety, effectiveness, and reliability of dental devices currently in use.

Agenda. Review of endodontic, operative, and orthodontic materials and devices which come in physical contact with the patient.

Committee name	Date, time, place	Type of meeting and/or contact person
8. Panel on Review of Sedative, Tranquillizer, and Sleep Aid Drugs.	Apr. 19 and 20, 9 a.m., Conference Room C, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.	Open Apr. 19, 9 a.m. to 10 a.m., closed Apr. 19 after 10 a.m., closed Apr. 20, Michael Kennedy, Room 10B-05, 5600 Fishers Lane, Rockville, MD 20852, 301-443-4960.

Purpose. Reviews and evaluates available information concerning safety and effectiveness of active ingredients of currently-marketed nonprescription drugs containing sedative, tranquilizer, and sleep aid agents.

Agenda. Continuing review of over-the-counter drug products under investigation.

Committee name	Date, time, place	Type of meeting and/or contact person
9. Neuropharmacology Advisory Committee.	Apr. 23, 9 a.m., Conference Room M, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.	Open 9 a.m. to 10 a.m., closed after 10 a.m. Barrett Scoville, M.D., Room 10B-40, 5600 Fishers Lane, Rockville, MD 20852, 301-443-4920.

Purpose. Advises the Commissioner of Food and Drugs regarding safety and efficacy of drugs employed in neuropharmacology.

Agenda. Cyert (pemoline magnesium) studies.

Committee name	Date, time, place	Type of meeting and/or contact person
10. Panel on Review of Anti-microbial Agents.	Apr. 25-27, 9 a.m., Conference Room A, 5600 Fishers Lane, Rockville, MD.	Open Apr. 25, 9 a.m. to 10 a.m., closed Apr. 25 after 10 a.m., closed Apr. 26 and 27, Michael Kennedy, Room 10B-05, 5600 Fishers Lane, Rockville, MD 20852, 301-443-4960.

Purpose. Reviews and evaluates available information concerning safety and effectiveness of currently-marketed non-

prescription drugs containing antimicrobial agents.

Agenda. Continuing review of over-the-counter antimicrobial agents under investigation.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committee are created to advise the Commissioner of Food and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal discussions of alternative regulatory approaches to a specific problem, could have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided that this type of discussion would remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within the exemptions from the Freedom of Information Act. Such information includes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of

frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters regulation will be published for public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552(b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meeting to protect the free ex-

change of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations.

Dated: March 15, 1973.

SHERWIN GARDNER,
*Acting Commissioner of
Food and Drugs.*

[FR Doc. 73-5359 Filed 3-20-73; 8:45 am]

**Health Services and Mental Health
Administration**

NATIONAL ADVISORY COMMITTEES

Notice of Meetings

The Acting Administrator, Health Services and Mental Health Administration, announces the meeting dates and other required information for the following National Advisory bodies scheduled to assemble during the month of April 1973:

Committee name	Date, time, place	Type of meeting and/or contact person
Clinical program—Projects Research Review Committee.	Apr. 1-2, 12 noon, District Room, Hotel Washington, 15th and Pennsylvania Avenue NW, Washington, DC.	Open 12 noon to 1 p.m. on Apr. 1; closed remainder of meeting. Contact J. J. Lasky, Room 10C-32, 5600 Fishers Lane, Rockville, MD, code 301-443-4708.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the Clinical Research Branch, National Institute of Mental Health, and makes recommendations to the National Advisory Council in that program for final review.

Agenda: From 12 noon to 1 p.m., on April 1, the committee will be open for reports and announcements of administrative and program developments. From 1 p.m. through the end of the meeting, the committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Metropolitan Mental Health Problems Review Committee.	Apr. 2-3, 9 a.m., Sheraton-Silver Spring, 827 Colesville Road, Silver Spring, MD.	Closed. Contact A. Robert Poland, Room 12C-10, Parklawn Building, 5600 Fishers Lane, Rockville, MD.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health, Division of Special Mental Health Programs, Center for Studies of Metropolitan Problems. It makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: The committee will be performing initial review of grant applications for

Federal assistance and will not be open to the public in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Mental Health Small Grant Committee.	Apr. 4-6, 2 p.m. District Room, Rooms 334 and 441, The Hotel Washington, 15th and Pennsylvania Avenue NW, Washington, DC.	Open 4 p.m. to 5 p.m. Apr. 4, closed remainder of meeting. Contact Stephanie B. Stoltz, Room 10C-14, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-4337.

Purpose: The committee is charged with the initial review of small grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health.

Agenda: From 4 p.m. to 5 p.m., on April 4, the meeting will be open for discussion of administrative announcements and legislative developments. Otherwise, the committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Narcotic addiction and Drug Abuse Review Committee.	Apr. 4-6, 9 a.m., Conference Room K, Parklawn Building, 5600 Fishers Lane, Rockville, MD.	Open 9 a.m. to 10 a.m., on Apr. 4, closed remainder of meeting. Contact Dorothy de Zafra, Room 13-33, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-1556.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in program areas administered by the Center for Studies of Narcotic and Drug Abuse, National Institute of Mental Health relating to research activities, and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: Announcements and reports on recent administrative, legislative, and program developments, etc., will be presented to the committee members between 9 and 10 a.m., April 4. After 10 a.m. the committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Clinical Projects Research Review Committee.	Apr. 5-7, 9 a.m. District Room, Hotel Washington, 15th and Pennsylvania Avenue NW, Washington, DC.	Open 9 a.m. to 10 a.m. on Apr. 5, closed remainder of meeting. Contact J. J. Lasky, Room 10C-23, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-4708.

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Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the Clinical Research Branch, National Institute of Mental Health, and makes recommendations to the National Advisory Council in that program for final review.

Agenda: From 9 a.m. to 10 a.m., April 5, the committee will be open for reports and announcements of administrative and program developments. From 10 a.m., April 5, through the end of the meeting, the committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Neuropsychology Research Review Committee.	Apr. 5-7, 9 a.m. Woodment West Room, Holiday Inn, 8120 Wisconsin Avenue, Bethesda, MD.	Open 9 a.m. to 10 a.m. on Apr. 5, closed remainder of meeting. Contact Dr. Leonard Lash, Room 10-95, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-3336.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research activities and makes recommendations to the National Advisory Council in that program for final review.

Agenda: The committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d). The meeting will be open, however, from 9 to 10 a.m. on April 5.

Committee name	Date, time, place	Type of meeting and/or contact person
Experimental Psychology Research Review Committee.	Apr. 6-8, 9 a.m. Dupont Plaza Hotel, Dupont Circle, Washington, D.C.	Open 9 a.m. to 10 a.m. on Apr. 6, closed remainder of meeting. Contact John Hammack, Room 10-95, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-2536.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research activities and makes recommendations to the National Advisory Council in that program for final review.

Agenda: The committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d). The meeting will be open, however, from 9 to 10 a.m. on April 6.

Committee name	Date, time, place	Type of meeting and/or contact person
Personality and Cognition Research Review Committee.	Apr. 6-8, 9 a.m. Spring Room, Holiday Inn, 8777 Georgia Avenue, Silver Spring, MD.	Closed. Contact E. Wayne Herron, Room 10C-06, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-3312.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research activities and makes recommendations to the National Advisory Council in that program for final review.

Agenda: The committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Social Problems Research Review Committee.	Apr. 8-9, 9 a.m. Shoreham Hotel, 2600 Calvert Street NW, Washington, D.C.	Closed. Contact Marguerite Young, Room 9C-14, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-3643.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the Division of Extramural Research Programs, National Institute of Mental Health, relating to the field of social problems and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: The committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Mental Health Services Research Review Committee.	Apr. 9-11, 9 a.m. Board Room, Shoreham Hotel, 2600 Calvert Street NW, Washington, D.C.	Open—9 a.m. to 10 a.m. on Apr. 9, closed remainder of meeting. Contact Mr. James Cumiskey, Room 11-105, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-3627.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the Mental Health Services Development Branch, Division of Mental Health Service Programs, National Institute of Mental Health, relating to research and training activities, and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 10 a.m., on April 9, the committee will be open for reports and announcements of administration and program developments. From 10 a.m., April 9 through April 11, the committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Crime and Delinquency Review Committee.	Apr. 11-13, 9 a.m. Fairfax Hotel, 2100 Massachusetts Avenue NW, Washington, DC.	Open 9 a.m. to 10 a.m., on Apr. 11, closed remainder of meeting. Contact Carol Beall, Room 126-04, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-3121.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research and training activities in crime and delinquency, law and mental health, individual violent behavior, and social deviance, and makes its recommendations in that program to the Division of Special Mental Health Programs, the Director, National Institute of Mental Health, and to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 10 a.m., April 11, the committee will be open for reports and announcements of administration and program developments. From 10 a.m., April 11 through April 13, the committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Health Services Research Study Section.	Apr. 11-13, 9 a.m., Conference Room G, Parklawn Building, 5600 Fishers Lane, Rockville, MD.	Open 9 a.m. to 10 a.m., on Apr. 11, closed remainder of meeting. Contact Dr. Alan E. Mayers, Room 15-19, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-2920.

Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Center for Health Services Research and Development, and makes recommendations to the National Advisory Councils for final review.

Agenda: The first hour on April 11 will be a business and general meeting and will be open to the public. The remainder of the meeting will consist of initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person	Committee name	Date, time, place	Type of meeting and/or contact person	
Epidemiologic Studies Review Committee.	Apr. 12-13, 9 a.m., Cosmos Club, Board Room, 2121 Massachusetts Avenue NW, Washington, DC.	Open 9 a.m. to 10 a.m., on Apr. 12, closed remainder of meeting. Contact Joyce Lazar, Room 10C-09, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-3774.	ministered by the Division of Extramural Research Programs, National Institute of Mental Health, relating to the developmental growth of juveniles and makes recommendations to the National Advisory Mental Health Council for final review.	Clinical Psychopharmacology Research Review Committee.	Apr. 19-20, 9 a.m., Conference Room G, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-4467.	Closed. Contact Dr. Ronald S. Lipman, Room 9-105, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-4467.
Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the Center for Epidemiologic Studies, Division of Extramural Research Programs, National Institute of Mental Health, relating to research and training activities, and makes recommendations to the National Advisory Mental Health Council for final review.	Agenda: The committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).	Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research activities and makes recommendations to the National Advisory Council in that program for final review.	Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research activities and makes recommendations to the National Advisory Council in that program for final review.	Agenda: The committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).	Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Alcohol Abuse and Alcoholism, National Institute of Mental Health, relating to training activities and makes recommendations to the National Advisory Council in that program for final review.	
Committee name	Date, time, place	Type of meeting and/or contact person	Committee name	Date, time, place	Type of meeting and/or contact person	
Principles of Psychopharmacology Research Review Committee.	Apr. 12-13, 9 a.m., Conference Room C, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-3454.	Closed. Contact Marion M. Miller, Room 9-57, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-3454.	Alcohol Training Review Committee.	Apr. 26-28, 9 a.m., Conference Room F, Parklawn Building, 5600 Fishers Lane, Rockville, MD.	Open 9 a.m. to 10 a.m., on Apr. 26, closed remainder of meeting. Contact Melvin Davidoff, Room 13-09, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-1056.	
Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to preclinical psychopharmacology research, and makes recommendations in that program to the National Advisory Mental Health Council for final review.	Agenda: The committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).	Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Center for Health Services Research and Development which relate to the use of systems analysis, operations research and computer sciences in the broad fields of community health services, hospital medicine, and patient care. It makes recommendations to the National Advisory Councils on the scientific merits of such applications.	Purpose: The committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Alcohol Abuse and Alcoholism, National Institute of Mental Health, relating to training activities and makes recommendations to the National Advisory Council in that program for final review.	Agenda: From 9 a.m. to 10 a.m., April 26, the committee will be open for reports and announcements of administrative and program developments. From 10 a.m., April 26 through April 28, the committee will be performing initial review of grant applications for Federal assistance and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).	Agenda items are subject to change as priorities dictate.	
Committee name	Date, time, place	Type of meeting and/or contact person	Committee name	Date, time, place	Type of meeting and/or contact person	
Juvenile Problems Research Review Committee.	Apr. 12-13, 9 a.m., Sheraton Park Hotel, 2600 Woodley Road NW, Washington, DC.	Closed. Contact Joseph Marches, Ph. D., Room 10-99, Parklawn Building, 5600 Fishers Lane, Rockville, MD, code 301-443-3595.	Agenda: During the open session the study section will conduct necessary administrative and informational business. During the closed sessions the study section will review grant applications for Federal assistance, and will not be open to the public, in accordance with the determination by the Acting Administrator, Health Services and Mental Health Administration, pursuant to the provisions of Public Law 92-463, section 10(d).	ANDREW J. CARDINAL, Acting Associate Administrator for Management, Health Services and Mental Health Administration.	A roster of members and other relevant information regarding open sessions may be obtained from the contact persons listed above.	

[FR Doc. 73-5363 Filed 3-20-73; 8:45 am]

National Institutes of Health
NATIONAL CANCER ADVISORY BOARD
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 25, 1973, 7 to 9 p.m., Holiday Inn, 8120 Wisconsin Avenue, Bethesda, MD, Woodmont East room. This meeting will be open to the public from 7 to 7:30 p.m., March 25, 1973, to discuss general matters relating to tasks being performed under Contract NIH-NCI-E-72-3294, and closed to the public from 7:30 to 9 p.m., March 25, 1973, in accordance with the provisions set forth in section 552(b) 4 of Title 5 United States Code, and 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.

Dr. 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: March 12, 1973.

JOHN F. SHERMAN,
Deputy Director,
National Institutes of Health.

[FR Doc. 73-5326 Filed 3-20-73; 8:45 am]

Social and Rehabilitation Service,
Rehabilitation Services Administration

NATIONAL ADVISORY COUNCIL ON
VOCATIONAL REHABILITATION

Notice of Meeting

This Council advises on research and demonstration strategy and programs administered under the Vocational Rehabilitation Act.

This Council will meet on April 12-13, 1973 at 9:30 a.m. in Room 5026, Mary E. Switzer Building, Department of Health, Education, and Welfare, 330 C Street SW., Washington, DC. Agenda items include: Reports by individual Council members on visits with State Vocational Rehabilitation Directors, legislation, new approaches to the training of rehabilitation personnel, research and demonstration activities, and research utilization. Meeting open to public observation.

WILLMAN A. MASSIE,
Executive Secretary.

MARCH 15, 1973.

[FR Doc. 73-5323 Filed 3-20-73; 8:45 am]

MEDICAL RESEARCH STUDY SECTION

Notice of Meeting

The Medical Research Study Section will hold a regular meeting to review rehabilitation research and demonstration grant applications on March 22-23, 1973.

NOTICES

9 a.m. to 4 p.m., Room 3065, Department of Health, Education, and Welfare, Mary E. Switzer Memorial Building, 330 C Street SW., Washington, DC.

The meeting will be devoted to the review of grant applications for Model Regional Systems of Spinal Cord Injury Rehabilitation. The meeting is open to public observation.

A summary of the meeting and roster of study section members may be obtained from Mr. J. Paul Thomas, Executive Secretary, Medical Research Study Section, DHEW, SRS, Room 5320, 330 C Street SW., Washington, DC.

J. PAUL THOMAS,
Executive Secretary.

MARCH 13, 1973.

[FR Doc. 73-5499 Filed 3-20-73; 8:45 am]

Social Security Administration

PHYSICIANS' REIMBURSEMENT
METHODS STUDY COMMITTEE

Notice of Public Meeting

Notice is hereby given, pursuant to Public Law 92-463, that the Physicians' Reimbursement Methods Study Committee of the Health Insurance Benefits Advisory Council, which is studying the methods of reimbursement for physicians' services under the medicare program, will meet on Thursday, March 22, 1973, at 2 p.m. in Room 3173 of the Department of Health, Education, and Welfare's North Building, Third and C Streets NW, Washington, D.C. The meeting is open to the public. The Committee will consider matters relating to the study.

Further information on the Council may be obtained from Mr. Max Perlman, Executive Secretary, Health Insurance Benefits Advisory Council, 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: March 15, 1973.

MAX PERLMAN,
Executive Secretary, Health Insurance Benefits Advisory Council.

[FR Doc. 73-5394 Filed 3-20-73; 8:45 am]

DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT

[Docket No. D-73-224]

DEPUTY REGIONAL ADMINISTRATOR,
ET AL.

Designation To Serve as Acting Regional
Administrator

The officers appointed to the following listed positions in Region IX (San Francisco) are hereby designated to serve as Acting Regional Administrator, Region IX (San Francisco), during the absence of the Regional Administrator with all the powers, functions, and duties redelegated or assigned to the Regional Administrator: *Provided*, That no officer is authorized to serve as Acting Regional Administrator unless all other officers

whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Regional Administrator.
2. Assistant Regional Administrator for Equal Opportunity.
3. Assistant Regional Administrator for Administration.
4. Assistant Regional Administrator for Housing Management.
5. Regional Counsel.
6. Assistant Regional Administrator for Community Development.
7. Assistant Regional Administrator for Housing Production and Mortgage Credit.
8. Assistant Regional Administrator for Community Planning and Management.

(Delegation effective May 4, 1962, 27 FR 4319; Interim Order II, 31 FR 815, January 21, 1966.)

This designation supersedes the designation effective as of July 17, 1972 (37 FR 18408, September 9, 1972).

Effective as of the 8th day of January 1973.

ROBERT H. BAIDA,
Regional Administrator,
Region IX (San Francisco).

[FR Doc. 73-5347 Filed 3-20-73; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

REDUCED CHANNEL SPACING FOR ILS,
VOR, AND TACAN(DME)

Notice of Invitation for Comment

This notice requests comments and suggestions in accordance with Federal Aviation Administration policy of regular consultation with aviation users, the aviation industry, State and local governments, other Federal agencies, and the general public, concerning planning for development and improvement of the National Airspace System.

The FAA has determined that increased requirements for air navigation facilities in the National Airspace System (NAS) cannot be met with the number of frequencies now available for assignment for very high frequency omnidirectional radio ranges (VOR), instrument landing systems (ILS), simplified directional facilities (SDF), and tactical navigation distance measuring (TACAN(DME)) facilities.

The rapid expansion of aviation services in the NAS has resulted in the need for additional terminal and en route navigation facilities. The limited number of assignable frequencies now available makes it impossible to provide for proposed and required navigation aids. This shortage of frequencies is most acute in the Boston-New York-Washington; Chicago-Detroit; and the San Francisco-Los Angeles areas. Future requirements for installation of additional navigation aids in these congested areas and elsewhere in the NAS cannot be satisfied without increasing the number of radio frequency channels available for assignment.

Examination of alternative solutions to this problem indicates that reduction

of radio channel spacing of these facilities from the present 100 kHz spacing to 50 kHz spacing is the most economical and practicable method of increasing the number of assignable frequencies. This action would double the availability of assignable channels for VOR, ILS, and SDF.

Concurrent with implementation of 50 kHz channel spacing, suppression of certain harmonic radiation and increased stabilization of radio frequencies for VOR and ILS facilities will be essential to compatible operation of adjacent-channel facilities with 50 kHz channel spacing.

The FAA announced at the FAA Planning Review Conference in April 1970, that split channeling for the VOR, ILS, and TACAN(DME) bands would be a necessity.

FAA Advisory Circular AC 170-12, issued in October 1970, indicated that implementation of 50 kHz channel spacing was proposed to begin January 1, 1973, and that the new frequencies would be used initially only where necessary to accommodate new facilities in congested areas. Advisory Circular AC 170-12 was also intended to serve as advance notice to aircraft operators that certain aircraft receiving equipment not designed for "split channel" operation might have limited service life in the new frequency environment.

The Federal Communications Commission by regulation (47 CFR Parts 2 and 87) assigns frequencies in the aeronautical radio navigation band 108-117.975 MHz for non-Federal ILS and VOR facilities. The present FCC regulations provide for 100 kHz channel spacing and result in the availability of 20 ILS channels and 80 VOR channels for assignment. The FCC by notice adopted on September 20, 1972 (Docket No. 19590, RM 1888; 37 FR 20872, October 4, 1972), and at the request of the FAA, has proposed amendment of Parts 2 and 87 of the FCC regulations to provide for 50 kHz channel spacing in this frequency band.

The Office of Telecommunications Policy assigns frequencies in the aeronautical radio navigation band for facilities operated by the United States.

Implementation of 50 kHz/Y channel spacing will commence early in calendar year 1973 by assignment of these new channels for facilities in areas where frequency saturation makes 100 kHz/X channel assignments impossible and by modifying all FAA VOR and ILS facilities to stabilize radio frequencies within 0.002 percent (in lieu of the present 0.005 percent tolerance). In areas where 50 kHz channel spacing is implemented, adjacent-channel VOR facilities will be modified to suppress undesired subcarrier harmonics, to insure compatible adjacent-channel operation of VOR and ILS facilities.

The Department of Defense has indicated that VOR and ILS facilities operated by the Army, Navy, and Air Force will be similarly modified by July 1, 1973.

The FAA is issuing a notice of proposed rule making (Docket No. 12649; Notice No. 73-9) proposing amendment of Part 171 of the Federal Aviation Regulations (14 CFR Part 171), Non-Federal Navigation Facilities, to require that all non-Federal VOR, SDF, and ILS facilities perform with a frequency tolerance not exceeding 0.002 percent, and to require that after notice from the Administrator that 50 kHz channel spacing is to be implemented in the area, and that a requirement exists for suppression of 9.960 Hz subcarrier harmonics, the facility be modified to perform in accordance with paragraph 3.3.5.7 of Annex 10 to the Convention on International Aviation.

The FAA recognizes that certain airborne receiving equipment now in use is not designed for split channel operation and may have limited service life in the new frequency environment. Many modern air carrier VOR-ILS receivers are understood to be capable of split-channel operation now, or with minor modification. Associated DME equipment is understood to have the capability of operating with Y channel TACAN(DME) facilities.

Many receivers in use by general aviation, however, have no provision for 50 kHz VOR-ILS or Y channel DME tuning. In addition, the receiver bandpass characteristics of many of these units will not permit their use in the new frequency environment. These receivers may receive disruptive interference from nearby adjacent-channel facilities, when 50 kHz has been widely implemented. It is understood that while some receivers may be economically modified for use with 50 kHz channel spacing, some others do not lend themselves to such modifications.

It is anticipated that the problem of adjacent-channel interference can be avoided at least until 1975 by application of interim facility separation criteria which provides for greater geographic spacing. Thereafter, if demands and requirements for additional facilities in the NAS compel compromise of this interim facility separation criteria, adjacent-channel interference may become an operational problem.

Equipment requirements for IFR flight now specified in § 91.33(d) (2) of the Federal Aviation Regulations include navigational equipment appropriate to the ground facilities to be used. As 50 kHz/Y channel implementation progresses an increasing number of en route and terminal facilities (50 kHz/Y channel facilities and 100 kHz/Y channel with adjacent-channel interference) would be unavailable for use with aircraft not equipped with avionics designed or modified for use with 50 kHz/Y channel facilities. IFR flight, with inappropriate equipment, attempting to utilize 50 kHz/Y channel facilities or 100 kHz/X channel facilities with adjacent-channel interference would be hazardous and in violation of the requirements of § 91.33 (d) (2).

For flight planning purposes 50 kHz facilities will be identifiable by the operating frequency assigned. Locations where adjacent-channel interference would be encountered will be identified in Flight Information Publications. Additionally, 6-month advance notice of 50 kHz assignments for existing facilities, now operating with 100 kHz assignments, is planned to be given in Flight Information Publications.

A number of equipment manufacturers advise that modification kits and techniques have been developed for many units now in operational use. Owners and operators of airborne equipments are encouraged to investigate the feasibility of modifying present equipment and to ascertain the capabilities of new equipments prior to purchase.

Interested persons are invited to submit such written data and comments as they may desire on the program described herein. Comments should be submitted to: Director, Office of Aviation Policy and Plans, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, on or before April 20, 1973.

All comments submitted will be available for inspection in Room 935, Federal Office Building 10A, 800 Independence Avenue SW., Washington, DC 20591.

Issued in Washington, D.C., on March 13, 1973.

ROBERT F. BACON,
*Director, Office of
Aviation Policy and Plans.*

[FIR Doc.73-5335 Filed 3-20-73;8:45 am]

COMMISSION ON CIVIL RIGHTS DISTRICT OF COLUMBIA ADVISORY COMMITTEE

Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the District of Columbia Advisory Committee will convene at 6:30 p.m. on March 22, 1973, in the Conference Room (No. 512) at 1121 Vermont Avenue NW., Washington DC 20425.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mid-Atlantic Regional Office of the Commission at 2120 L Street NW., Washington, DC 20425.

The purpose of this meeting shall be to hear and discuss any revisions of the first draft of the Committee's Report on Discrimination of Black Businessmen by Financial Institutions in the District of Columbia.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., March 14, 1973.

ISAIAH T. CRESWELL, JR.,
*Advisory Committee
Management Officer.*

[FIR Doc.73-5537 Filed 3-20-73;8:45 am]

NOTICES

NEW JERSEY STATE ADVISORY COMMITTEE

Notice of Open Meeting

Notice is hereby given, pursuant to the provision of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the New Jersey State Advisory Committee will convene at 7:30 p.m. on March 22, 1973, in Room 730, Federal Building, 970 Broad Street, Newark, NJ 07102. Persons wishing to attend this meeting should contact the Committee Chairman, or the Mid-Atlantic Regional Office of the Commission at 2120 L Street NW., Room 510, Washington, DC 20425.

The purpose of this meeting shall be to review all field operations between March 12 and March 16, in connection with the New Jersey Committee's prison project.

This meeting will be conducted pursuant to rules and regulations of the Commission.

Dated at Washington, D.C., March 13, 1973.

ISAIAH T. CRESWELL, JR.,
Advisory Committee
Management Officer.

[FR Doc. 73-5536 Filed 3-20-73; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

BENZOYL CHLORIDE (2,4,6-TRICHLOROPHENYL) HYDRAZONE

Reextension of Temporary Tolerance

Correction

In FR Doc. 73-4923 appearing on page 6917 of the issue for Wednesday, March 14, 1973, in the eighth line from the end of the first paragraph the word "as" should read "at".

ENVIRONMENTAL IMPACT STATEMENTS

Availability of Agency Comments

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment contained in the following appendices during the period from February 1, 1973, to February 15, 1973.

Appendix I contains a listing of draft environmental impact statements reviewed and commented upon in writing during this reviewing period. The list includes the Federal agency responsible for the statement, the number and title of the statement, the classification of the nature of EPA's comments as defined in Appendix II, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix II contains the definitions of the classifications of EPA's comments on the draft environmental impact statements as set forth in Appendix I.

Appendix III contains a listing of final environmental impact statements reviewed and commented upon in writing

during this reviewing period. The listing will include the Federal agency responsible for the statement, the number and title of the statement, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix IV contains a listing of proposed Federal agency regulations, legislation proposed by Federal agencies, and any other proposed actions reviewed and commented upon in writing pursuant to section 309(a) of the Clean Air Act, as amended, during the referenced reviewing period. The listing includes the Federal agency responsible for the proposed action, the title of the action, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix V contains a listing of the names and addresses of the sources for

copies of EPA comments listed in Appendices I, III, and IV.

Copies of the EPA Order 1640.1, setting forth the policies and procedures for EPA's review of agency actions, may be obtained by writing the Public Inquiries Branch, Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460. Copies of the draft and final environmental impact statements referenced herein are available from the originating Federal department or agency or from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151.

Dated: March 8, 1973.

SHELDON MEYERS,
Director,
Office of Federal Activities.

APPENDIX I

DRAFT ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE ISSUED BETWEEN FEBRUARY 1, 1973, AND FEBRUARY 15, 1973

Responsible Federal agency	Title and identifying number	General nature of comments	Source for copies of comments
Atomic Energy Commission	D-AEC-0079-PA: Limerick Generating Station, Units 1 and 2, Pa.	ER-2	D
Do.	D-AEC-00057-TN: Test and Research Reactor Fuel Element, Oak Ridge, Tenn.	LO-2	E
Do.	D-AEC-03029-CA: Diablo Canyon Reactor Units 1 and 2, Calif.	3	J
Do.	D-AEC-00974-NY: James A. Fitzpatrick Nuclear Power Plant, N.Y.	ER-2	C
U.S. Coast Guard	D-CGD-50110-SC: Charleston County (Wadmalaw Island, Highway Bridge and approaches across Church Creek (S.C. Route 700), S.C.	LO-1	E
Corps of Engineers (Civil Works)	D-COE-30048-GU: Agana Small Boat Harbor, Guam...	LO-2	J
Do.	D-COE-30054-AS: OFU Boat Harbor, Manua Islands, American Samoa.	LO-1	J
Do.	D-COE-30055-HI: Prevention and Mitigation of Shore Damage, Maui, Hawaii.	LO-1	J
Do.	D-COE-32000-LA: Bayou Lafourche and Lafourche Jump Waterway, La.	ER-2	G
Do.	D-COE-32403-LA: Red River Waterway, Louisiana, Texas, Arkansas, and Oklahoma, and related projects.	ER-2	G
Do.	D-COE-34060-NY: Oswego Steam Station Unit No. 6, N.Y.	ER-2	C
Do.	D-COE-35032-CT: Housatonic River Maintenance Dredging, Stratford and Milford Counties, Conn.	ER-2	B
Do.	D-COE-35063-NY: Maintenance Dredging of Little Neck Bay, N.Y.	LO-1	C
Do.	D-COE-35054-NY: Maintenance Dredging of Peconic River, N.Y.	LO-1	C
Do.	D-COE-38180-CA: Sweetwater River Channel, San Diego County, Calif.	3	J
Do.	D-COE-38194-MA: Charles River Locks and Dam Project, Boston, Mass.	ER-2	B
Department of Agriculture	D-DOA-24047-MD: Research-Demonstration Study Waste Composting, Beltsville, Md.	LO-1	D
Do.	D-DOA-36169-ND: Starkweather Watershed Project, N.Dak.	EU-2	I
Do.	D-DOA-89113-ND: Proposed Commitment of New Sugar Bean Producing Area, Wahpeton, N.Dak.	LO-2	I
Do.	D-DOA-99012-ND: Proposed Commitment of New Sugar Bean Producing Area, Hillsboro, N.Dak.	LO-2	I
Department of the Interior	D-DOI-61104-AK: Proposed Semidi Wilderness Area, Alaska.	LO-1	K
Do.	D-DOI-61115-AK: Proposed Unimak Island Wilderness, Alaska.	LO-1	K
Do.	D-DOI-32396-CO: Twin Lakes Dam and Reservoir Enlargement and Mount Elbert Forebay: Fryingpan-Arkansas Project, Colo.	LO-2	I
Department of Transportation	D-DOT-41615-NY: Long Island Sound Crossing and Approach Highways, N.Y.	ER-2	C
Do.	D-DOT-41644-UT: Clear Creek Canyon I-70, Utah	LO-2	I
Do.	D-DOT-41852-NH: U.S. Route 302, Carroll, N.H.	LO-2	J
Do.	D-DOT-41656-CA: Slope Protection, Santiago Canyon Road Route 1279, Calif.	LO-1	
Do.	D-DOT-41668-DE: Reconstruction of Delaware Route 307, New Castle, Del.	ER-2	D
Do.	D-DOT-50114-TX: Second Span of Laredo International Bridge, Tex.	LO-1	G
Do.	D-DOT-51214-PA: Greater Pittsburgh International Airport, Pittsburgh, Pa.	ER-2	D
Federal Aviation Administration	D-FAA-51224-CA: Los Angeles International Airport Land Acquisition, Calif.	LO-1	I
Federal Highway Administration	D-FHW-11001-SD: Project No. SA 0124, Yankton County, S.Dak.	LO-1	I
Do.	D-FHW-30117-MT: Project No. RS-68 (6) Bridge Site Study northwest of Winifred, Mont.	LO-2	I
Do.	D-FHW-41609-OR: Lewis and Clark Highway, Clark County, Portland, Ore.	ER-1	K
Do.	D-FHW-41634-MD: U.S. Route 15, Putman Road to Kelly's Store Road, Frederick County, Md.	LO-1	D
Do.	D-FHW-41667-VA: Route 55, Mecklenburg County, Va.	LO-2	D
Do.	D-FHW-41672-NB: Project RS-66 6(101)112, Highway 66 Improvement, Butler and Saunders Counties, Nebr.	LO-2	H

NOTICES

Responsible Federal agency	Title and identifying number	General nature of comments	Source for copies of comments
Do.	D-FHW-41063-PA: Kelly's Store Road to Pennsylvania State line, Pa.	LO-1	D
Do.	D-FHW-41063-MA: Route 52, Volume I, Worcester-Sterling, Volume II, Sterling-Leominster, Mass.	ER-2	B
Do.	D-FHW-41060-KY: Laurel County, Kentucky KY-312-I-75, Connector SP-63-496-36; 2-102(2), Ky.	LO-2	E
Do.	D-FHW-41061-NC: Graham County, North Carolina and Monroe County, Tenn., Public Lands Highway, Tellico Plains, Robbinsville Highway, N.C.	LO-2	E
Do.	D-FHW-41063-NC: Gilford County, N.C., U.S. 421 (West Market Street), Greensboro, N.C.	LO-2	E
Federal Power Commission	D-FPC-05424-WV: Batine Project Ohio/West Virginia.	LO-2	D
Do.	D-FPC-50116-SC: Saluda Project No. 516, Saluda River and tributaries, S.C.	LO-2	E
General Services Administration	D-GSA-81116-PA: Social Security Administration Payment Center, Philadelphia, Pa.	ER-1	D
Interstate Commerce Commission	D-ICC-53016-WA: Proposed Burlington Northern, Inc., Kling County, Wash.	LO-2	K

APPENDIX II—DEFINITION OF CODES FOR THE GENERAL NATURE OF EPA COMMENTS

ENVIRONMENTAL IMPACT OF THE ACTION

LO—Lack of Objections.

EPA has no objections to the proposed action as described in the draft impact statement; or suggests only minor changes in the proposed action.

ER—Environmental Reservations.

EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating Federal agency to reassess these aspects.

EU—Environmentally Unsatisfactory.

EPA believes that the proposed action is unsatisfactory because of its potentially harmful effect on the environment. Furthermore, the Agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from this action. The Agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

ADEQUACY OF THE IMPACT STATEMENT

Category 1—Adequate.

The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as alternatives reasonably available to the project or action.

Category 2—Insufficient Information.

EPA believes that the draft impact statement does not contain sufficient information to assess fully the environmental impact of the proposed project or action. However, from the information submitted, the Agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

Category 3—Inadequate.

EPA believes that the draft impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonably available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.

If a draft impact statement is assigned a Category 3, no rating will be made of the project or action, since a basis does not generally exist on which to make such a determination.

APPENDIX III
FINAL ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE ISSUED BETWEEN FEBRUARY 1, 1973, AND FEBRUARY 15, 1973

Identifying number	Title	General nature of comments	Source for copies of comments
None			

APPENDIX IV
REGULATIONS, LEGISLATION AND OTHER FEDERAL AGENCY ACTIONS FOR WHICH COMMENTS WERE ISSUED BETWEEN FEBRUARY 1, 1973, AND FEBRUARY 15, 1973

Agency	Title	General nature of comments	Source for copies of comments
None			

APPENDIX V—SOURCES FOR COPIES OF EPA COMMENTS

A. Director, Office of Public Affairs, Environmental Protection Agency, 401 M Street SW, Washington, DC 20460.

B. Director of Public Affairs, Region I, Environmental Protection Agency, Room 2303, John F. Kennedy Federal Building, Boston, Mass. 02203.

C. Director of Public Affairs, Region II, Environmental Protection Agency, Room 847, 26 Federal Plaza, New York, NY 10007.

D. Director of Public Affairs, Region III, Environmental Protection Agency, Curtis Building, Sixth and Walnut Streets, Philadelphia, PA 19106.

E. Director of Public Affairs, Region IV, Environmental Protection Agency, Suite 300, 1421 Peachtree Street NE, Atlanta, GA 30309.

F. Director of Public Affairs, Region V, Environmental Protection Agency, 1 North Wacker Drive, Chicago, IL 60606.

G. Director of Public Affairs, Region VI, Environmental Protection Agency, 1600 Patterson Street, Dallas, TX 75201.

H. Director of Public Affairs, Region VII, Environmental Protection Agency, 1735 Baltimore Street, Kansas City, MO 64108.

I. Director of Public Affairs, Region VIII, Environmental Protection Agency, Lincoln Tower, Room 916, 1860 Lincoln Street, Denver, CO 80203.

J. Director of Public Affairs, Region IX, Environmental Protection Agency, 100 California Street, San Francisco, CA 94102.

K. Director of Public Affairs, Region X, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, WA 98101.

[FR Doc. 73-5287 Filed 3-20-73; 8:45 am]

FEDERAL MARITIME COMMISSION
CITY OF MILWAUKEE AND OPTICS FOR INDUSTRY

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, NY, 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 April 10, 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. J. A. Seefeldt,
Municipal Port Director,
City of Milwaukee,
Room 606 City Hall,
Milwaukee, Wis. 53202.

Agreement No. T-2756, between the City of Milwaukee (City) and Optics for Industry (Optics), is a lease of property on the South Harbor Tract in the City of Milwaukee, Wis., containing approximately nine acres. Optics will use the premises for operating and maintaining storage tanks, heating and pumping equipment, and other facilities in connection with the receipt, preparation, processing, handling and/or shipping of liquid and other cargo and carrying on those activities related to the fabrication of materials, servicing, supplying and repairing of vessels, and all other services related to waterfront activities. Optics shall hold the above premises for the current proposed term.

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which will expire on December 31, 1977. Optics shall have two 5-year option periods subject to rental adjustment. Optics will pay to the City as rent \$16,800 per annum for each of the first 2 years of the term. For each of the last 3 years of the term, Optics will pay \$17,300. As additional rent, Optics will pay wharfage, pipeline delivery charges, and track rental as more specifically provided in the agreement. Subject to secondary use by the City, Optics will have the exclusive use of certain spur tracks serving the facility. Other tracks as designated may be utilized by Optics on a joint basis with other harbor tenants. Optics will also have a preferential but nonexclusive right to berth vessels on the north side of Municipal South Pier No. 5 (tanker pier). Supplemental berthing privileges will be granted at other locations. Whenever this occurs, Optics will pay to the City wharfage charges at the same rate and in the same manner as would be paid for the preferentially assigned facilities.

Dated: March 16, 1973.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-5391 Filed 3-20-73;8:45 am]

MATSON NAVIGATION CO. AND HILO TRANSPORTATION & TERMINAL 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 April 10, 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:

Peter P. Wilson, Counsel, Matson Navigation Co., 100 Mission Street, San Francisco, CA 94105.

Agreement No. T-2740, between Matson Navigation Co. (Matson) and Hilo Transportation & Terminal Co. (Hilo), is a cargo services agreement whereby Hilo is to provide Matson comprehensive terminal, stevedoring, container yard, container freight station, and other incidental services for Matson vessels calling at the Port of Hilo, Hawaii. As compensation, Hilo is to receive rates as agreed to by the parties and filed with the Federal Maritime Commission.

Dated: March 15, 1973.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-5392 Filed 3-20-73;8:45 am]

SCANDINAVIAN EAST AFRICA LINE AND SOUTH SHIPPING LINES-IRAN LINE

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 April 10, 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:

J. J. Soletto, Inbound Manager, Jan C. Ulterwyk Co., Inc., General Agents, South Shipping Lines-Iran Line, 715 East Bird Street, Tampa, FL 33604.

Agreement No. 10042 is a transshipment agreement between the Scandinavian East Africa Line and the South Shipping Lines-Iran Line applying to the transportation of general cargo moving under through bills of lading from ports of Madagascar served by Scandinavian

East Africa Line to U.S. Atlantic and Gulf ports served by South Shipping Lines-Iran Line with transshipment at Tamatave or any other Malagasy port.

Dated: March 16, 1973.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-5393 Filed 3-20-73;8:45 am]

[Docket No. 73-12]

SEA-LAND SERVICE, INC. ET AL.

Order of Investigation and Suspension Regarding Proposed ILA Surcharges in U.S. Atlantic and Gulf/Puerto Rico Trade

On March 17, 1973, and March 18, 1973,¹ Sea-Land Service, Inc. (Sea-Land), Seatrain Lines Inc. (Seatrain), and Transamerican Trailer Transport Inc. (TTT) propose to put into effect surcharges in the trade between U.S. Atlantic ports and Puerto Rico² amounting to 15.2 percent to allegedly offset increased labor costs resulting from their current contract with the International Longshoremen's Association (ILA). The surcharges were filed pursuant to special permissions authorizing that form of publication. In accordance with Amendment 1 to General Order No. 11 (46 CFR 512.3(d)(1)), each carrier has filed financial and other data in support of the increases.

The three carriers have used common methodology in arriving at the amount of surcharge requested. Basically they have computed the costs to them of each segment of the new ILA contract (October 1, 1971 to September 30, 1974) as compared with their costs under the contract ending September 30, 1971. The segments include:

(a) Wages and fringe benefits at all ports;

(b) Container royalties at all ports for containers loaded or stripped by non-ILA labor; and

(c) Assessments by the New York Shipping Association.

The resulting dollar amounts, in the form of net increases in costs, were then applied to forecasted revenues from March 15, 1973, to September 30, 1974, to determine what percentage those revenues would have to be increased in order to remain competitive, two carriers then lowered the amount of the proposed surcharges to the level of the third.

Twenty-five protests to these surcharges have thus far been received by the Commission raising various legal and factual issues. The Commission's staff has also reviewed the material filed in

¹ TTT's surcharge was filed 1 day later than those of Sea-Land and Seatrain.

² Although the Sea-Land and Seatrain tariffs to which the surcharges apply include ports in the Gulf of Mexico as well as ports in the Atlantic, those two carriers have presented no data in support of application of the surcharges thereto.

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support of the increases and raises additional questions. Among the various issues are:

(1) Whether costs incurred in the past may be recovered by a prospective rate increase.

(2) Whether costs which are based upon cargo carried in the past but which have become payable only at present can be used to justify a prospective rate increase.

(3) Whether costs which can be specifically identified with one port only (New York) should be recovered by a rate increase applicable to all ports in the trade.

(4) Whether costs which are assessed on a tonnage basis should be recovered on a revenue basis, thus giving preference to heavier and lower rated cargo.

(5) Whether the new ILA contract provides for productivity gains which would reduce the need for the proposed surcharges.

The rates upon which the surcharges are sought to be imposed are rates which are currently under investigation in Dockets Nos. 71-30, 71-42, and 71-43. In arriving at their projected 1972 rates of return in those proceedings, two of the carriers projected certain increases in ILA costs which are partially duplicative of the increases submitted in support of these surcharges.*

Upon consideration of the carriers' data and of the facts stated above, the Commission is of the opinion that the proposed surcharges should be made the subject of a public investigation and hearing to determine whether they are unjust, unreasonable, or otherwise unlawful under sections 16 First and 18(a) of the Shipping Act, 1916, and sections 3 and 4 of the Intercoastal Shipping Act, 1933.

Under the circumstances, however, the Commission is of the opinion that the full exercise of its suspension authority would not be warranted. There are obviously cost increases under the new ILA contract, the full impact of which was unknown during the proceedings in Dockets Nos. 71-30, 71-42, and 71-43. By using Sea-Land's figures because of its position as the dominant carrier, and by eliminating costs which: (1) Have been admittedly incurred and paid in the past; (2) have not been adequately supported by sufficient data; and/or (3) which relate solely to expenses limited to the port of New York; the Commission has arrived at the conclusion that as an interim measure, that portion of the surcharge not exceeding 5.2 percent applicable to all U.S. Atlantic ports would not require suspension, although the entire surcharge will be subject to investigation herein.

The Commission is of the further opinion that the use of costs attributable to cargo carried in the past to justify prospective rate increases may be viola-

tive of the standards set forth in section 18(a) of the Shipping Act, 1916, and sections 3 and 4 of the Intercoastal Shipping Act, 1933.

Good cause appearing, therefore:

It is ordered. That pursuant to the authority of section 22 of the Shipping Act, 1916, and sections 3 and 4 of the Intercoastal Shipping Act, 1933, an investigation is hereby instituted into the lawfulness of the tariff pages and supplements listed in Appendix A hereto* for the purpose of making such findings and orders as the facts and circumstances warrant. In the event the tariff matters hereby placed under investigation are further changed, amended, or reissued, such changes are hereby ordered to be made a part of this investigation;

It is further ordered. That pursuant to section 3, Intercoastal Shipping Act, 1933, the aforementioned tariff pages and supplements are hereby suspended and the use thereof deferred to and including July 16, 1973, unless otherwise ordered by the Commission;

It is further ordered. That there shall be filed immediately by Sea-Land Service, Inc., Seatrain Lines, Inc., and Transamerican Trailer Transport, Inc., consecutively numbered supplements to the tariffs listed in Appendix A, which supplements shall bear no effective date, shall reproduce the portion of this order wherein the suspended matters are described, and shall state that the matters are suspended and may not be used until July 17, 1973, unless otherwise authorized by the Commission and that the suspended matters may not be changed, except as ordered herein, until this proceeding has been disposed of, or until the period of suspension has expired, whichever comes first, unless otherwise ordered by the Commission;

It is further ordered. That there may be filed by Sea-Land Service, Inc., Seatrain Lines, Inc., and Transamerican Trailer Transport, Inc., the tariff matter necessary to effectuate a surcharge of 5.2 percent on all rates between U.S. Atlantic ports and ports in Puerto Rico, such tariff matter to become effective on not less than 1 day's notice and to expire on July 16, 1973, unless otherwise ordered by the Commission;

It is further ordered. That pursuant to section 16 First of the Shipping Act, 1916, a determination shall be made as to whether these proposed increases, which attempt to recover costs based partially upon a tonnage assessment by a surcharge upon a rate (or revenue) basis, result in an undue or unreasonable preference or advantage to heavier and lower rated cargo, and/or subject lighter and higher rated cargo to any undue or unreasonable prejudice or disadvantage;

It is further ordered. That pursuant to section 16 First of the Shipping Act, 1916, a determination shall be made as to whether the proposed application of the surcharge to all ports in the Trade gives undue or unreasonable preference or advantage to the port of New York

or subjects the other ports to any undue or unreasonable prejudice or disadvantage when at least a portion of the cost increases are applicable to only New York;

It is further ordered. That as part of this investigation, a determination shall be made as to whether the proposed surcharges listed in Appendix A are violative of section 18(a) of the Shipping Act, 1916;

It is further ordered. That copies of this order shall be filed with the appropriate tariff schedules in the Bureau of Compliance of the Federal Maritime Commission;

It is further ordered. That Sea-Land Service, Inc., Seatrain Lines, Inc., and Transamerican Trailer Transport, Inc., be named as respondents in this proceeding;

It is further ordered. That the following named parties be designated as petitioners in accordance with the Commission's rules of practice and procedure:

American Home Products Corp.
The National Small Shipments Traffic Conference, Inc.

Drug and Toilet Preparation Traffic Conference.

Armour and Co.

Armour-Dial, Inc.

Asociacion De Comerciantes En Materiales De Construcion.

Bayuk Cigars, Inc.

Beatrice Foods Co.

Chamber of Commerce of Puerto Rico.

Cigar Manufacturers Association of America, Inc.

The Commonwealth of Puerto Rico.

Consolidated Cigar Corp.

General Cigar Co., Inc.

Gerber International Corp.

Glamorgan Pipe & Foundry Company, Inc.

Glen Alden Corp.

International Playtex Corp.

The B.V.D. Corp., Inc.

Schenley Distillers, Inc.

Griffin Pipe Products Co.

Geo. A. Hormel & Co.

Oscar Mayer & Co.

John Morrell & Co.

Import & Export Council of Puerto Rico.

Lobo-Kane, Inc.

Parodi Cigar Corp.

Puerto Rico Manufacturers Association.

The Puritan Sportswear Corp., Ralston Purina Co., Star Kist Caribe, Inc.

It is further ordered. That this proceeding be assigned for public hearing before an administrative law judge of this Commission's Office of Administrative Law Judges and that the hearing be held at a date and place to be determined by the presiding administrative law judge;

It is further ordered. That, (I) a copy of this order be forthwith served upon the respondents and petitioners herein and upon this Commission's Bureau of Hearing Counsel, and published in the **FEDERAL REGISTER**; and (II) the respondents, petitioners and Hearing Counsel be duly served with notice of time and place of the hearing.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to

*In the case of Sea-Land the duplication totals approximately \$3,173,000 out of a claimed increase of \$17,300,000 and for TTT, approximately \$251,000 out of \$8,631,000.

* Filed as part of the original document.

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intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(1) of the Commission's rules of practice and procedure (46 CFR 502.72) with a copy to all parties to this proceeding.

By the Commission.

[SEAL] JOSEPH C. POLKING,
Assistant Secretary.

[FPR Doc.73-5390 Filed 3-20-73;8:45 am]

FEDERAL POWER COMMISSION
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, 1425 K Street NW., Washington, DC at 9:30 a.m. on March 28, 1973, Room 785.

1. Meeting called to order by FPC Coordinating Representative.

2. Objectives and purposes 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. Renewable sources.
- 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.

[FPR Doc.73-5553 Filed 3-20-73;10:26 am]

FEDERAL RESERVE SYSTEM
BARNETT BANKS OF FLORIDA, INC.

Order Denying Acquisition of Bank

Barnett Banks of Florida, Inc., Jacksonville, Fla., 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 90 percent or more of the voting shares of Peninsula State Bank, Tampa, Fla. (Peninsula 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 37 banks with aggregate deposits of \$1.1 billion, representing 6.6 percent of the deposits of com-

mercial banks in Florida and is the second largest banking organization in the State. (All banking data are as of June 30, 1972, and reflect bank holding company formations and acquisitions approved through January 31, 1973.) The acquisition of Peninsula Bank, which has total deposits of \$38.2 million, would increase Applicant's control of State deposits by 0.2 percentage points, and its rank among State banking organizations would not change.

Peninsula Bank controls 3.4 percent of the commercial deposits in the Tampa banking market as the second largest of the 10 remaining independent banks. The acquisition of Peninsula Bank would represent Applicant's third entry into this market. Applicant's larger market subsidiary, Barnett Bank of Tampa, Tampa, Fla. (Tampa Bank), located 4 miles northeast of Peninsula Bank, controls deposits of \$16.6 million, representing 1.5 percent of total market deposits. Applicant's other market bank, Barnett Bank of Brandon, N.A., opened in October 1972 and is located 16 miles to the east in Brandon, Fla. Applicant also has two subsidiaries located approximately 20 miles from Tampa in Clearwater and St. Petersburg. The record indicates that approximately 75 percent of the deposits and 22 percent of the loans of Peninsula Bank are derived from the service area of Tampa Bank, and that approximately 14 percent of the deposits and 22 percent of the loans of Tampa Bank are derived from Peninsula Bank's service area. The Board concludes that substantial existing competition would be eliminated by consummation of this proposal.

The Tampa banking market encompasses the city of Tampa and its suburbs in Hillsborough County where 25 banks presently compete and eight of the State's 25 multibank holding companies are represented. The market is highly concentrated; the three largest holding companies control 69 percent of market deposits. Applicant's acquisition of subject bank would remove one of the remaining independent banks, located close to the downtown Tampa area, which could serve as a possible means of entry by a banking organization not presently represented in the market. It is the Board's judgment, based on this record, that area competition would be adversely affected by consummation of the proposed acquisition. Not only would substantial existing competition be eliminated and potential competition foreclosed, but a medium for deconcentrating the Tampa market would also be eliminated. Pursuant to the Act, the Board is required to deny this application based on its adverse competitive findings unless there are benefits accruing to the public which would prevail over and outweigh the adverse features cited above.

The financial condition of Applicant and its subsidiary banks appears to be generally satisfactory, especially in view of Applicant's commitment to improve the capital position of its subsidiaries. Management for Applicant's group is also generally satisfactory and prospects for

Applicant and its system of banks appear favorable. The financial condition and managerial resources of Peninsula Bank are considered to be generally satisfactory and its prospects also appear favorable. Banking factors are consistent with approval of the application.

The banking needs of the Tampa area are satisfactorily served by existing financial institutions. Although Applicant proposes to assist Peninsula Bank in establishing trust services, in expanding data processing services, and in modernizing the bank's premises, it appears that none of these additions or improvements is of such import or benefit to the public that they would override the adverse effects this proposal would have on competition in the Tampa area. It is the Board's judgment that consummation of the proposed acquisition would not be in the public interest and the application should be denied.

On the basis of the record, the application is denied for the reasons summarized above.

By order of the Board of Governors,
effective March 13, 1973.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FPR Doc.73-5368 Filed 3-20-73;8:45 am]

COUNTY NATIONAL BANCORPORATION

Order Approving Acquisition of General
Mortgage Company of St. Louis

County National Bancorporation, Clayton, Mo. (Applicant), 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 § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of General Mortgage Company of St. Louis (Company), St. Ann, Mo., a company that engages in the origination and servicing of real estate mortgage loans for its own account and others and acts as broker or agent with respect to credit life, credit disability, mortgage redemption, and homeowner's insurance in connection with extensions of credit. Such activities have been determined by the Board to be closely related to banking (12 CFR 225, (a) (1), (3), and (9)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (37 FR 24852). Subsequently, Applicant requested separate Board consideration of the mortgage banking and insurance agency activities of Company and only the mortgage banking activities of Company are dealt with herein. The time for filing comments and views has expired and none relating to the mortgage banking activities of Company has been received.

¹ Voting for this action: Vice Chairman Robertson, and Governors Mitchell, Brimner, and Bucher. Absent and not voting: Chairman Burns, and Governors Daane and Sheetman.

Applicant controls one bank¹ with deposits of approximately \$198.2 million, representing 4.7 percent of the commercial bank deposits in the St. Louis market.² Although Applicant's banking subsidiary originates and services mortgage loans for its own portfolio, its share of total mortgage loans in that market is less than 1 percent.

Company operates from a single office in St. Ann, Mo., where it is engaged in originating and servicing mortgage loans in the St. Louis market. In 1971, Company originated \$10.9 million in mortgage loans for sale to investors and \$2.3 million in construction loans for its own account. The combined share of total mortgage originations in the St. Louis market by Applicant and Company is substantially less than 2 percent of the total mortgage recordings in that market. With a mortgage servicing volume of \$127.5 million, Company is the fourth largest mortgage company headquartered in St. Louis and is the 10th largest of the at least 25 mortgage banking companies with offices in the St. Louis market. In view of the relatively large number of other mortgage lenders in the market, elimination of this small amount of local competition would, in the Board's opinion, have no significantly adverse effect on mortgage lending in the area.

Approval of the proposed acquisition will make available to Company the financial and managerial resources of Applicant and permit Company to compete more effectively with the numerous mortgage departments of large banks and savings and loan associations in the area. Applicant also proposes to furnish additional funds to Company in order to increase the quantity of loans that Company can make for its own account. 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 application to acquire solely the Company's mortgage banking business 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 March 13, 1973.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FPR Doc. 73-5309 Filed 3-20-73 8:45 am]

**FEDERATED TEXAS BANCORPORATION,
INC.**

**Order Approving Formation of Bank
Holding Company**

Federated Texas Bancorporation, Inc., San Antonio, Tex., has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of (1) State National Bank of Corpus Christi, Tex., successor by merger to Corpus Christi State National Bank, Corpus Christi, Tex. (Corpus Christi Bank), (2) The American National Bank of Austin, Austin, Tex. (Austin Bank), and (3) The Alamo National Bank of San Antonio, San Antonio, Tex. (San Antonio Bank). The latter acquisitions are to be made through the acquisition of all of the shares of American First Corp., Austin, Tex., and Alamo Bancshares, Inc., San Antonio, Tex., both registered one-bank holding companies which own, respectively, all of the voting shares of Austin Bank and San Antonio Bank. The bank into which Corpus Christi Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of 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 none have been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a newly-formed organization and has no operating history. Upon formation, Applicant would become the ninth largest banking organization and seventh largest bank holding company in Texas, and would control \$537 million in deposits, representing 1.8 percent of Statewide deposits.⁴

Corpus Christi Bank (\$179.2 million in

deposits) is the largest of 26 banks located in the Corpus Christi SMSA, the relevant banking market, and controls 31.8 percent of deposits in that market. The second largest bank holding company in Texas—First City Bancorporation, Inc., Houston—has applied to acquire the second largest bank in Corpus Christi, with 20 percent of market deposits. The closest other proposed subsidiary bank is San Antonio Bank, located 145 miles northwest of Corpus Christi. Austin Bank (\$177.2 million in deposits) is the third largest of 13 banks in the Austin SMSA banking market, controlling 17.6 percent of area deposits. The two larger banks control 28 and 23.8 percent of market deposits. Austin Bank is 80 miles northeast of San Antonio, where the closest proposed subsidiary bank would be located. San Antonio Bank (\$180.6 million in deposits), the third largest of 35 banking organizations in the San Antonio banking market, defined as the San Antonio SMSA and Comal County, controls 9.7 percent of area deposits. The two larger banks in that banking market control 24.2 and 14.8 percent of market deposits.

It appears that consummation of the proposal would not have an adverse effect on existing competition inasmuch as each proposed banking subsidiary is located in a separate banking market, the closest of which are 80 miles apart. Deposit concentration in the markets would not be altered, and Statewide concentration would increase by only 1.8 percent. Approval of the application would not impede the future entry of outside bank holding companies nor inhibit the creation of additional bank holding companies in the markets involved. Approval would create a banking organization of sufficient size to compete effectively in the respective markets for the wholesale banking business which has been going to the larger banking organizations headquartered outside the markets. Competitive considerations are consistent with approval of the application.

Considerations relating to the financial and managerial resources and prospects as they relate to Applicant and the three proposed subsidiary banks are consistent with approval, in view of Applicant's commitment to inject additional capital into Austin Bank within 6 months after consummation. The major banking needs of the respective markets appear to be adequately served at the present time. However, the demand for more sophisticated banking services has grown as the southeastern part of Texas, in which Banks are located, has developed. However, it has been not the local banking organizations but rather the larger banking institutions headquartered in Dallas and Houston that have been providing such services. Approval would enable Applicant to better meet the need for the new and expanding services and allow it to better compete in the communities in which it operates, and these considerations lend weight toward approval. It is the Board's judgment that

¹ By Order dated March 9, 1972 (1972 Federal Reserve Bulletin 405), the Board approved Applicant's application to acquire shares of a second bank, Big Bend Bank, Webster Groves, Mo. (deposits of \$2.6 million). Approval, however, has been stayed under section 11(b) of the Act (12 U.S.C. 1849 (b)) as a result of an action by the Attorney General brought under the antitrust laws and arising out of the proposed acquisition.

² All banking data are as of Dec. 31, 1971.

³ Voting for this action: Vice Chairman Robertson and Governors Mitchell, Brimmer, and Bucher. Absent and not voting: Chairman Burns and Governors Daane and Sheehan.

⁴ All banking data are as of June 30, 1972, and reflect bank holding company formations and acquisitions approved by the Board through Jan. 31, 1973.

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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 April 12, 1973, or (b) later than June 13, 1973, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governors,² effective March 13, 1973.

[SEAL] **TYNAN SMITH,**
Secretary of the Board.

[FR Doc. 73-5370 Filed 3-20-73; 8:45 am]

FIRST BANCORP., INC.**Order Granting Approval of Acquisition of Bank**

First Bancorp., Inc., Corsicana, Tex., 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 the successor by merger to Citizens National Bank in Ennis, Ennis, Tex. (Bank). The successor bank to Bank has no significance except as a means to facilitate the acquisition of voting shares of Bank. Accordingly, the proposed acquisition is treated herein as a proposed acquisition of the shares of 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 none have been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant owns 24.7 percent of Bank and, in addition, controls one bank, First National Bank of Corsicana, with deposits of \$41.7 million, representing less than one-half of 1 percent of all deposits of commercial banks in Texas.¹ Acquisition of Bank (deposits of \$16.8 million) would not significantly increase the concentration of banking resources in Texas.

There is little substantial existing competition between Applicant's banking subsidiary and Bank since they are located in different though adjacent banking markets and due to the fact of Applicant's substantial ownership interest in Bank. This latter factor also militates against the probability of future substantial competition developing between Applicant and Bank. The Board concludes that competitive considerations are consistent with approval of the application.

¹ Voting for this action: Vice Chairman Robertson and Governors Mitchell, Brimmer and Bucher. Absent and not voting: Chairman Burns and Governors Daane and Sheehan.

² All banking data are as of June 30, 1972.

The financial condition, managerial resources, and future prospects of Applicant, its subsidiary bank, and Bank appear satisfactory, particularly in view of the fact that approval of this application will result in increased capital for Bank. These factors lend support for approval of the application. Considerations relating to the convenience and needs of the communities to be served lend some weight for support of approval of the application, since Applicant plans to provide greater management depth and certain specialized financial services, such as factoring and personal property leasing, which Bank does not presently offer. It is the Board's judgment that consummation of 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 April 12, 1973, or (b) later than June 13, 1973, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Dallas, pursuant to delegated authority.

By order of the Board of Governors,² effective March 13, 1973.

[SEAL] **TYNAN SMITH,**
Secretary of the Board.

[FR Doc. 73-5371 Filed 3-20-73; 8:45 am]

FIRST INTERNATIONAL BANCSHARES, INC.**Aquisition of Bank
Correction**

In FR Doc. 72-4173 appearing on page 6103 in the issue for Tuesday, March 6, 1973, the following changes should be made:

1. The first line, reading "J 84-000, Folio 6675, 31-10", should be deleted.
2. In the last paragraph the date reading "January 27, 1973" should read "February 27, 1973".

FIRST TENNESSEE NATIONAL CORP.**Acquisition of Bank**

First Tennessee National Corp., Memphis, Tenn., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of the successor by merger to the Fountain City Bank, Knoxville, Tenn. 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)).

First Tennessee National Corp's subsidiaries are also engaged in the following nonbank activities: Acting as reinsurer for underwriters of credit life in-

¹ Voting for this action: Vice Chairman Robertson and Governors Mitchell, Brimmer and Bucher. Absent and not voting: Chairman Burns and Governors Daane and Sheehan.

surance; and acting as a mortgage broker which manages real estate for others and develops real estate. In addition to the factors considered under section 3 of the Act (banking factors), the Board will consider the proposal in the light of the company's nonbanking activities and the provisions and prohibitions in section 4 of the Act (12 U.S.C. 1843).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of St. Louis. 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 April 10, 1973.

Board of Governors of the Federal Reserve System, March 14, 1973.

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

[FR Doc. 73-5372 Filed 3-20-73; 8:45 am]

FLORIDA BANKSHARES, INC.**Formation of Bank Holding Company
Correction**

In FR Doc. 73-4171 appearing at page 6103 in the issue for Tuesday, March 6, 1973, the date in the last paragraph, now reading "January 27, 1973", should read "February 27, 1973".

NORTH MOORE STREET BANK**Order Approving Merger of Banks**

North Moore Street Bank, Arlington, Va., a nonoperating proposed State member bank of the Federal Reserve System, has applied pursuant to the Bank Merger Act (12 U.S.C. 1828(c)) for the Board's prior approval to merge with The Bank of Arlington, Arlington, Va. (Bank), under the name of Bank and charter of Applicant, as a means to facilitate the acquisition of the voting shares of Bank by Northern Virginia Bancshares, Inc., Arlington, Va. Bank had deposits of \$5.8 million as of December 31, 1972.

As required by the Act, notice of the proposed merger and application for approval of the merger has been published and the Board has requested reports on competitive factors from the Attorney General, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation. The Board has considered all relevant material contained in the record in the light of the factors set forth in the Act.

On the basis of the record, the application is approved for the reasons summarized in the Board's order of October 5, 1971, approving the application of Northern Virginia Bancshares, Inc., to acquire 41.96 percent or more of the voting shares of Bank (57 Federal Reserve Bulletin 859). The transaction shall not be consummated (a) before April 12, 1973, or (b) later than June 13, 1973, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Richmond, pursuant to delegated authority.

By order of the Board of Governors,¹ effective March 13, 1973.

[SEAL] **TYNAN SMITH,**
Secretary of the Board.
[FR Doc.73-5373 Filed 3-20-73;8:45 am]

HISTORIC PRESERVATION ADVISORY COUNCIL

INTERNATIONAL CENTRE COMMITTEE

Notice of Public Meeting

Pursuant to Public Law 92-463, notice is hereby given of the regular meeting of the International Centre Committee of the Advisory Council on Historic Preservation, on March 27, 1973, at 10 a.m., in Room 2010, New Executive Office Building, 726 Jackson Place NW., Washington, DC. This meeting is open to the public. Information regarding the agenda of the meeting and committee membership is available from the Executive Secretary, Advisory Council on Historic Preservation, Suite 430, 1522 K Street NW., Washington, DC 20005. (202-254-3974)

Dated: March 13, 1973.

ROBERT R. GARVEY, JR.,
Executive Secretary.

[FR Doc.73-5367 Filed 3-20-73;8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

EASTERN ASSOCIATED COAL CORP.

Applications for Renewal Permits; Notice of Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Interim Mandatory Dust Standard (2.0 mg/m³) have been received as follows:

- (1) ICP Docket No. 20536, Eastern Associated Coal Corp., Harris No. 1 Mine, USBM ID NO. 46 01271 0, Bald Knob, W. Va., Section ID No. 014 (1 West Headings), Section ID No. 012 (5 Right 1 West), Section ID No. 010 (3 Right 2 West), Section ID No. 008 (4 Left 2 West), Section ID No. 013 (4 Butt Left North Mains).
- (2) ICP Docket No. 20537, Eastern Associated Coal Corp., Harris No. 2 Mine, USBM ID NO. 46 01270 0, Bald Knob, W. Va., Section ID No. 012 (7 Right North Mains), Section ID No. 013 (8 Right North Mains), Section ID No. 011 (East Mains), Section ID No. 003 (North Mains Headings).

In accordance with the provisions of section 202(b)(4) (30 U.S.C. 842(b)(4)) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742 et seq., Public Law 91-173), notice is hereby

given that requests for public hearing as to an application for renewal may be filed on or before April 5, 1973. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the panel on request.

A copy of the application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street NW., Washington, DC 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

[FR Doc.73-5331 Filed 3-20-73;8:45 am]

WEBSTER COUNTY COAL CORP.

Application for Renewal Permit; Notice of Opportunity for Public Hearing

Application for Renewal Permit for Noncompliance with the Interim Mandatory Dust Standard (2.0 mg/m³) has been received as follows:

ICP Docket No. 20111, Webster County Coal Corp., Dotiki Mine, USBM ID No. 15 02132 0, Clay, Ky.

Section ID No. 011 (Main West).

Section ID No. 015 (3rd North off Main West).

Section ID No. 016 (Main East Parallel).

Section ID No. 017 (4th North off Main West).

In accordance with the provisions of section 202(b)(4) (30 U.S.C. 842(b)(4)) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed on or before April 5, 1973. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the panel on request.

A copy of the application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street NW., Washington, DC 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

MARCH 15, 1973.

[FR Doc.73-5332 Filed 3-20-73;8:45 am]

NATIONAL COMMISSION ON MATERIALS POLICY

PREPARATION OF FINAL REPORT TO CONGRESS AND THE PRESIDENT

Notice of Closed Meeting

MARCH 14, 1973.

Pursuant to the requirements of the Federal Advisory Committee Act, notice is hereby given that there will be a meeting of the National Commission on Materials Policy on Monday, March 26,

¹ Voting for this action: Vice Chairman Robertson and Governors Mitchell, Brimmer and Bucher. Absent and not voting: Chairman Burns and Governors Daane and Sheehan.

1973, at 10 a.m. The meeting will be held in the Commission's offices, Room 3002, 2025 M St. NW., Washington, DC. The meeting will be held for the purpose of reviewing reports prepared for the Commission by staff members and by various persons and groups outside the Government, and for the purpose of preparing the Commission's final report to the Congress and the President. The meeting will not be open to the public.

JAMES BOYD,
Executive Director.

[FR Doc.73-5416 Filed 3-20-73;8:45 am]

OFFICE OF EMERGENCY PREPAREDNESS

TEXAS

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), notice is hereby given that on March 12, 1973, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Texas resulting from tornadoes, high winds, and flooding beginning on or about March 10, 1973, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Texas. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606), I hereby appoint Mr. George E. Hastings, Regional Director, OEP Region 6, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Texas to have been adversely affected by this declared major disaster.

The counties of:
Burnet. Hill.

Dated: March 15, 1973.

DARRELL M. TRENT,
*Acting Director, Office of
Emergency Preparedness.*

[FR Doc.73-5321 Filed 3-20-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

BROKER-DEALER MODEL COMPLIANCE PROGRAM ADVISORY COMMITTEE

Notice of Public Meetings

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, 86 Stat. 770, the Securities and Exchange Commission announces the following public advisory committee meetings.

NOTICES

The Commission's Advisory Committee on a Model Compliance Program for Broker-Dealers, established on October 25, 1972 (Securities Exchange Act Release No. 9835), will hold meetings on March 27-28, 1973, at the offices of the National Association of Securities Dealers, Inc., 1735 K Street NW., Washington, DC. The meeting on March 27 will commence at 10 a.m., e.s.t., and the meeting on March 28 will commence at 9 a.m., e.s.t.

This Advisory Committee was formed to assist the Commission in developing a model compliance program to serve as an industry guide for the broker-dealer community. Assisted by this Committee's work the Commission plans to publish a guide to broker-dealer compliance under the securities acts in order to advise broker-dealers of the standards to which they should adhere if investor confidence in the fairness of the marketplace is to be warranted and sustained. The Committee's recommendations are not intended to result in the expansion of Commission rules governing broker-dealers, but to inform broker-dealers as to the existing requirements and how they may comply with them.

The Committee's scheduled meetings will be for the purpose of reviewing drafts and proposals concerning the Committee's proposed report to the Commission on these compliance guidelines for broker-dealers.

These meetings are open to the public. Any interested person may attend and appear before or file statements with the Advisory 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 and extent permitted by the Advisory Committee.

[SEAL] RONALD F. HUNT,
Secretary.

MARCH 13, 1973.

[FR Doc.73-5329 Filed 3-20-73; 8:45 am]

COST OF LIVING COUNCIL
FOOD INDUSTRY WAGE AND SALARY
COMMITTEE

Certification

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), I certify that the creation of the Food Industry Wage and Salary Committee is in the public interest. The Food Industry Wage and Salary Committee is established under the authority of section 212(f) of the Economic Stabilization Act, as amended, section 4(a)(iv) of Executive Order No. 11695, and Cost of Living Council Order No. 14. It will be made up of labor, management, and public members and will perform five basic functions:

1. Review all remaining food industry wage and salary cases filed before January 11, 1973, and advise on the disposition of these cases under Phase II regulations.

2. Review all new food industry wage and salary cases filed since January 11, 1973, and advise on the disposition of these cases under existing regulations.

3. Advise the Cost of Living Council and the Labor Management Advisory Committee relative to any wage stabilization policies which are necessary to meet the special problems of the food industry (and its various branches) within the general framework of wage stabilization policies.

4. Cooperate with labor and management organizations in the food industry which operate under collective bargaining agreements and with appropriate government agencies to facilitate the settlement of disputes in 1973 within stabilization policies and to encourage longer run dispute settlement machinery and procedures.

5. Work with labor and management organizations in the food industry under collective bargaining agreements to improve the structure and performance of collective bargaining in the industry.

Issued in Washington, D.C. on March 19, 1973.

JAMES McLANE,
Deputy Director,
Cost of Living Council.

[FR Doc.73-5577 Filed 3-20-73; 11:29 am]

ATOMIC ENERGY COMMISSION
ADVISORY COMMITTEE ON REACTOR
SAFEGUARDS; REACTOR FUEL SUB-
COMMITTEE

Notice of Meeting

MARCH 16, 1973.

In accordance with the purposes of sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards Subcommittee on Reactor Fuel will hold a meeting on March 29, 1973, at the Rodeway Inn, 154 West Sixth South Street, Salt Lake City, UT. The subject scheduled for discussion is reactor fuel performance.

This meeting will be closed to the public, under the authority of section 10(d) of Public Law 92-463 (the Federal Advisory Committee Act).

JOHN V. VINCIGUERRA,
Advisory Committee
Management Officer.

[FR Doc.73-5572 Filed 3-20-73; 11:29 am]

ADVISORY COMMITTEE ON REACTOR
SAFEGUARDS; PRAIRIE ISLAND NU-
CLEAR GENERATING PLANT SUBCOM-
MITTEE

Notice of Meeting

MARCH 19, 1973.

In accordance with the purposes of sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards' Subcommittee on the Prairie Island Nuclear Generating Plant Units 1 and 2 will hold a meeting on March 31, 1973, at 8:30 a.m., Room 1046, 1717 H Street NW., Washington, DC. The purpose of this meeting will be to develop additional information for consideration by the ACRS in its review of the application of the Northern States Power Co. for operating licenses for this nuclear power-plant.

The following constitutes that portion of the committee's agenda for the above meeting which will be open to the public:

Saturday, March 31, 9:30 a.m.-3:30 p.m.—Review of Application for Operating Licenses—Prairie Island Nuclear Generating Plant Units 1 and 2. (Presentations by the Regulatory Staff and Applicant and discussions with these groups.)

In addition to the above agenda item, the subcommittee will hold executive sessions at the beginning and at the end of the meeting to consider the above application which will not be open to the public.

These executive sessions will involve discussion of the individual opinions of the subcommittee members present and internal deliberations and formulation of recommendations. I have determined, under the authority of section 10(d) of Public Law 92-463 (the Federal Advisory Committee Act) that the discussion at these executive sessions, if written, would fall within exemption (5) of 5 U.S.C. 552(b); and that it is essential to close such portions of the meeting to protect the free interchange of internal views and to avoid undue interference with agency or committee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The chairman of the subcommittee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than March 27, 1973, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based on the application for an operating license and related documents on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545 and the Environmental Library of Minnesota, 1222 Fourth Street, SE., Minneapolis, MN 55414.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the chairman of the subcommittee, between the hours of 1:30 p.m. and 3 p.m. on the day of the meeting.

(c) Requests for the opportunity to make oral statements shall be ruled on by the chairman of the subcommittee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been canceled or rescheduled and the chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on March 29, 1973, to the Office of the Executive Secretary of the Committee (telephone: 301-973-5551) between 8:30 a.m. and 5:15 p.m. eastern time.

(e) Questions may be propounded only by members of the subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) Copies of minutes of public sessions will be made available for inspection on or after May 15, 1973, at the Atomic Energy Commission's Public Document Room, 1717 H Street NW, Washington, DC. Copies may be obtained upon payment of appropriate charges.

JOHN V. VINCIGUERRA,
Advisory Committee
Management Officer.

[FR Doc.73-5573 Filed 3-20-73;11:29 am]

**ADVISORY COMMITTEE ON REACTOR
SAFEGUARDS; COOPER NUCLEAR STA-
TION SUBCOMMITTEE**

Notice of Meeting

MARCH 19, 1973.

In accordance with the purposes of sections 29 and 182b, of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards' Subcommittee on the Cooper Nuclear Station will hold a meeting on March 29, 1973, at 1 p.m. in the Circuit Court Room of the Nemaha County Courthouse, 1400 19th Street, Auburn, NE, and a continuation of this meeting on April 4, 1973, at Room 1046, 1717 H Street NW, Washington, DC.

The purpose of this meeting will be to develop additional information for consideration by the ACRS in its review of the application of the Nebraska Public Power District for an operating license for this nuclear powerplant.

The following constitutes that portion of the committee's agenda for the above meeting which will be open to the public:

Thursday, March 29, 1 p.m.-4 p.m.—Review of application for operating license—Cooper Nuclear Station. (Presentations by the Regulatory Staff and Applicant and discussions with these groups.)

Wednesday, April 4—Continuation of review of application for operating license—Cooper Nuclear Station. This may be required if the subcommittee is unable to complete its review at the March 29 meeting. Information concerning the time of the meeting or its cancellation may be obtained by a prepaid telephone call on or after April 2, 1973, to the Office of the Executive Secretary of the committee at the telephone number listed in paragraph (d) below.

In addition to the above agenda items, the subcommittee will hold an executive session at the end of each of the meeting days to consider the above application, which will involve a discussion of the

preliminary views regarding various aspects of the plant design for Cooper Nuclear Station consisting of an exchange of opinions of the subcommittee members present and internal deliberations and formulation of recommendations.

I have determined, in accordance with subsection 10(d) of Public Law 92-463, that the executive sessions to be held at the end of each day consist of an exchange of opinions, the discussion of which if written would fall within exemption (5) of 5 U.S.C. 552(b). It is essential to close such portion of the meeting to protect the free interchange of internal views and to avoid undue interference with agency or committee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The chairman of the subcommittee is empowered to conduct the meeting in a manner in his judgment will facilitate the orderly conduct of business.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by mailing 25 copies thereof, postmarked no later than March 26, 1973, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the application for an operating license and related documents on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW, Washington, DC 20545, and the Auburn Public Library, 1118 15th Street, Auburn, NE 68305.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the subcommittee. To the extent that the time available for the meeting permits, the subcommittee will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the chairman of the subcommittee, between the hours of 2 p.m. and 3:30 p.m.

(c) Requests for the opportunity to make oral statements shall be ruled on by the chairman of the subcommittee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to the chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on March 27, 1973, to the Office of the Executive Secretary of the Committee (telephone: 301-973-5551), between 8:30 a.m. and 5:15 p.m. e.s.t.

(e) Questions may only be propounded by members of the subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) Copies of minutes of public sessions will be made available for inspection on or after May 15, 1973, at the Atomic Energy Commission's Public Document Room, 1717 H Street NW, Washington, DC. Copies may be obtained upon payment of appropriate charges.

JOHN V. VINCIGUERRA,
Advisory Committee
Management Officer.

[FR Doc.73-5574 Filed 3-20-73;11:29 am]

**INTERSTATE COMMERCE
COMMISSION**

[Notice 202]

ASSIGNMENT OF HEARINGS

MARCH 16, 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 98701 Sub 3, Cleveland Express, Inc., now assigned April 2, 1973, at Knoxville, Tenn., is postponed indefinitely.

MC 71459 Sub 33, O.N.C. Freight Systems, now being assigned hearing May 14, 1973 (2 weeks), at Denver, Colo., in a hearing room to be later designated.

MC 113673 Subs 469, 470, and 471, Curtis, Inc., now being assigned hearing May 9, 1973 (3 days), at Denver, Colo., in a hearing room to be later designated.

MC 138069 Sub 1, Coin Devices Corp., Contract Carrier Application, now assigned April 23, 1973, MC-C-7284, B & H Transfer, Inc., revocation of certificate, now assigned April 25, 1973, and MC 130184, Splendid Tours Corp., now assigned April 26, 1973, at New York, N.Y., will be held in Courtroom 238, Court of Claims, 26 Federal Plaza.

MC 83539 Sub 345, C & H Transportation Co., Inc., now being assigned May 29, 1973 (1 day), at Dallas, Tex., in a hearing room to be later designated.

MC 108207 Sub 340, Frozen Food Express, Inc., now being assigned May 30, 1973 (3 days), at Dallas, Tex., in a hearing room to be later designated.

MC 115841 Sub 434, Colonial Refrigerated Transportation, Inc., now being assigned June 4, 1973 (2 days), at Dallas, Tex., in a hearing room to be later designated.

MC 110098 Sub 124, Zero Refrigerated Lines, now being assigned June 6, 1973 (3 days), at Dallas, Tex., in a hearing room to be later designated.

NOTICES

[S.O. 1124]

DEMURRAGE AND FREE TIME ON
FREIGHT CARS

Order. At a session of the Interstate Commerce Commission, Division 3, acting as an appellate division, held at its office in Washington, D.C., on the 14th day of March 1973.

Upon consideration of the petition filed by the Allied Chemical Corp., filed March 13, 1973, requesting postponement of Service Order No. 1124.

It appearing, that Service Order No. 1124 was issued by Division 3 in accordance with applicable law and upon its determination that an emergency exists because of an acute shortage of freight cars in all sections of the country; that the petitioner has had ample opportunity to review its operations to avoid the excessive detention of freight cars; that numerous cars are held idle for excessive periods awaiting loading or unloading; and that the petition states no errors of fact or law warranting the relief sought, and for good cause appearing;

It is ordered. That the petition be, and it is hereby, denied.

By the Commission, Division 3, acting as an appellate division.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.73-5382 Filed 3-20-73; 8:45 am]

[Notice 6]

MOTOR CARRIER ALTERNATE ROUTE
DEVIATION NOTICES

MARCH 16, 1973.

The following letter-notices of proposals (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), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC-1515 (Deviation No. 640), GREYHOUND LINES, INC. (Western Division), 371 Market Street, San Fran-

cisco, CA 94106, filed February 28, 1973, Carrier's representative: S. B. Ringwood, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From East Los Angeles, Calif., over Atlantic Boulevard to junction Interstate Highway 10 (South Alhambra Junction, Calif.), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) from Los Angeles, Calif., over California Highway 72 to junction Interstate Highway 5 (Miraflores), thence over Interstate Highway 5 to junction unnumbered highway (South Carlsbad Junction), thence over unnumbered highway to San Diego, Calif., (2) From Anaheim, Calif., over unnumbered highway to junction California Highway 55 (Olive Junction), thence over California Highway 55 to junction California Highway 91 (Peralta Hills Junction), thence over California Highway 91 to Riverside, Calif., and (3) from Los Angeles, Calif., over Interstate Highway 10 to West Pomona, thence over U.S. Highway 60 to junction Interstate Highway 10 (West Beaumont Junction), thence over Interstate Highway 10 to Banning, thence over U.S. Highway 60 to junction unnumbered highway (West Cabazon Interchange), thence over unnumbered highway to junction U.S. Highway 60 (East Cabazon Junction), thence over U.S. Highway 60 to the point it intersects the California-Arizona State line. (Connects with Arizona Route 2.)

No. MC 1515 (Deviation No. 641) (Cancels Deviation No. 453), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, OH 44113, filed March 8, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From New Orleans, La., over Interstate Highway 10 to junction Interstate Highway 59 near Slidell, La., thence over Interstate Highway 59 to junction Alabama Highway 28, thence over Alabama Highway 28 to junction U.S. Highway 11 approximately one mile north of Livingston, Ala., with the following access roads: (1) From Enterprise, Miss., over Mississippi Highway 513 to junction Interstate Highway 59, (2) from Heidelberg, Miss., over Mississippi Highway 528 to junction Interstate Highway 59, (3) from Hattiesburg, Miss., over U.S. Highway 49 to junction Interstate Highway 59, (4) from Hattiesburg, Miss., over U.S. Highway 98 to junction Interstate Highway 59, (5) from Purvis, Miss., over unnumbered highway to junction Interstate Highway 59, (6) from Lumberton, Miss., over Mississippi Highway 13 to junction Interstate Highway 59, (7) from Poplarville, Miss., over Mississippi Highway 26 to junction Interstate Highway 59, (8) from Poplarville, Miss., over Mississippi Highway 53 to

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-5383 Filed 3-20-73; 8:45 am]

junction Interstate Highway 59, (9) from Picayune, Miss., over Mississippi Highway 43 to junction Interstate Highway 59, (10) from Slidell, La., over U.S. Highway 190 to junction Interstate Highway 10, and (11) from Slidell, La., over Louisiana Highway 433 to junction Interstate Highway 10, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From New Orleans, La., over U.S. Highway 11 via Hattiesburg and Meridian, Miss., to junction Alabama Highway 28, approximately 1 mile north of Livingston, Ala., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 73-5385 Filed 3-20-73; 8:45 am]

[Notice 10]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MARCH 16, 1973.

The following letter-notices of proposals (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), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 CFR 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before April 20, 1973.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-200 (Deviation No. 27), RISS INTERNATIONAL CORPORATION, Post Office Box 2809, Kansas City, MO 64142, filed March 5, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over Interstate Highway 70 to Elkhorn, Ill., thence over Interstate Highway 57 to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to

transport the same commodities, over a pertinent service route as follows: between St. Louis, Mo., and Chicago, Ill., over U.S. Highway 66.

No. MC-95540 (Deviation No. 1), WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801, filed March 1, 1973. Carrier's representative: Bruce E. Mitchell, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) from Columbus, Ga., over U.S. Highway 80 (Interstate Highway 20) to junction Interstate Highway 10 at or near Van Horn, Tex., thence over Interstate Highway 10 to Phoenix, Ariz., thence over U.S. Highway 60 (Interstate Highway 10) to Los Angeles, Calif., (2) from Columbus, Ga., over U.S. Highway 80 (Interstate Highway 20) to junction Interstate Highway 10 at or near Van Horn, Tex., thence over Interstate Highway 10 to junction Arizona Highway 84 at or near Casa Grande, Ariz., thence over Arizona Highway 84 (Interstate Highway 8) to Gila Bend, Ariz., thence over Interstate Highway 8 (U.S. Highway 80) to Winterhaven, Calif., (3) from Tallahassee, Fla., over Interstate Highway 10 (U.S. Highway 90) to Cottontdale, Fla., thence over U.S. Highway 231 to junction U.S. Highway 80 at or near Montgomery, Ala., thence over U.S. Highway 80 (Interstate Highway 20) to junction Interstate Highway 10, at or near Van Horn, Tex., thence over Interstate Highway 10 to junction Arizona Highway 84 at or near Casa Grande, Ariz., thence over Arizona Highway 84 (Interstate Highway 8) to Gila Bend, Ariz., thence over Interstate Highway 8 (U.S. Highway 80) to San Diego, Calif., thence over Interstate Highway 15 to junction Interstate Highway 5, thence over Interstate Highway 5 to Los Angeles, Calif.

(4) From Tallahassee, Fla., over U.S. Highway 90 (Interstate Highway 10) to Cottontdale, Fla., thence over U.S. Highway 231 to junction U.S. Highway 80 at or near Montgomery, Ala., thence over U.S. Highway 80 (Interstate Highway 20) to junction Interstate Highway 10 at or near Van Horn, Tex., thence over Interstate Highway 10 to Phoenix, Ariz., thence over U.S. Highway 60 (Interstate Highway 10) to Blythe, Calif., (5) from Tallahassee, Fla., over U.S. Highway 90 (Interstate Highway 10) to junction U.S. Highway 190 (Interstate Highway 12) at or near Slidell, La., thence over U.S. Highway 190 (Interstate Highway 12) to junction Interstate Highway 10 at or near Baton Rouge, La., thence over Interstate Highway 10 to Phoenix, Ariz., thence over U.S. Highway 60 (Interstate Highway 10) to Blythe, Calif., and (6) from Tallahassee, Fla., over U.S. Highway 90 (Interstate Highway 10) to junction U.S. Highway 190 (Interstate Highway 12) at or near Slidell, La., thence over U.S. Highway 190 (Interstate Highway 12) to junction Interstate Highway 10 at or near Baton Rouge, La., thence over Interstate Highway

10 to junction Arizona Highway 84 at or near Casa Grande, Ariz., thence over Arizona Highway 84 (Interstate Highway 8) to Gila Bend, Ariz., thence over Interstate Highway 8 (U.S. Highway 80) to San Diego, Calif., thence over Interstate Highway 15 to junction Interstate Highway 5, thence over Interstate Highway 5 to Los Angeles, Calif., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Savannah, Ga., over U.S. Highway 80 to San Diego, Calif., (2) from Jacksonville, Fla., over U.S. Highway 90 to Van Horn, Tex., thence over U.S. Highway 80 to Las Cruces, N. Mex., thence over U.S. Highway 70 to Globe, Ariz., thence over U.S. Highway 60 to Los Angeles, Calif., and (3) from Jacksonville, Fla., over Interstate Highway 10 to Los Angeles, Calif., and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 73-5385 Filed 3-20-73; 8:45 am]

[Notice 21]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MARCH 16, 1973.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the *FEDERAL REGISTER*, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 22182 (Sub-No. 21) (Republication), filed November 24, 1971, published in the *FEDERAL REGISTER* issue of January 6, 1972, and republished this issue. Applicant: NU-CAR CARRIERS, INC., 950 Haverford Road, Post Office Box 172, Bryn Mawr, PA 19010. Applicant's representative: Gerald K. Gimbel, 705 McLachlen Bank Building, 666 Eleventh Street NW, Washington, DC 20001. An Order of the Commission, Division 1, Acting as an Appellate Division, dated January 31, 1973, and served February 14, 1973, finds that a previous Order of the Commission, Review Board No. 1, dated September 5, 1972, and served September 12, 1972, should be modified

to find that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *motor buses*, in secondary movements, in truckaway service, (1) from Baltimore, Md., and points in that portion of the New York, N.Y., commercial zone as defined by the Commission in the Fifth Supplemental Report in Commercial Zones and Terminal Areas, 53 M.C.C. 451, within which local operations may be conducted under the exemption provided by section 203(b)(8) of the Interstate Commerce Act (the "exempt" zone), to points in the United States (except Alaska and Hawaii), and (2) between points in New York, New Jersey, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, Pennsylvania, Maryland, Delaware, District of Columbia, Virginia, West Virginia, Ohio, North Carolina, South Carolina, Georgia, and Florida, restricted in (1) and (2) above against the transportation of shipments destined to the plantsites of General Motors Corp., GMC Truck and Coach Division, at Pontiac, Mich.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 103993 (Sub-No. 432) (Republication), filed June 25, 1969, published in the *FEDERAL REGISTER* issue of July 17, 1969, republished on June 30, 1971, and presented in third publication this issue. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). A report and order of the Commission, Division 1, acting as an Appellate Division, dated February 22, 1973, and served March 7, 1973, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicles, over irregular routes, of *conveyors and bins*, mounted on trailer chassis, and used in the production and distribution of asphalt, from Kansas City, Mo., to points in the United States (except Alaska and Hawaii); that applicant is fit, willing and able properly to perform such services and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that

other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 117574 (Sub-No. 193) (Republication), filed October 20, 1970, published in the *FEDERAL REGISTER* issue of November 13, 1970, and republished this issue. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Carlisle, PA 17013. Applicant's representative: James W. Hagar, 100 Pine Street, Post Office Box 1166, Harrisburg, PA 17108. A report and order of the Commission, Division 1, dated February 23, 1973, and served March 7, 1973, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *air-conditioning and ventilating machinery, equipment, parts, and components*, from Harrisonburg, Va., and the facilities utilized by Westinghouse Electric Corp. at or near Staunton and Verona, Va., to points in the United States (except Alaska and Hawaii), restricted to the transportation of traffic originating at the named origin points; that applicant is fit, willing, and able properly to perform such services and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING PETITIONS

No. MC 46281 (Notice of Filing of Petition for Modification of Certificate by Territorial Expansion of an Origin Point), filed February 26, 1973. Petitioner: H.M.E. MOTOR EXPRESS CO., INC., 2122 Tonnelle Avenue, N. Bergen, NJ 07047. Petitioner's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Petitioner presently holds a motor *contract carrier* permit in No. MC 46281, issued January 21, 1953, authorizing operations, over irregular routes, of *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk,

and those requiring special equipment), (1) between points in New Jersey within 50 miles of Paterson, N.J., including Paterson, and (2) between New York, N.Y., and points in Westchester County, N.Y., on the one hand, and, on the other, points in Orange and Rockland Counties, N.Y., those in Bergen, Essex, Hudson, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, and Union counties, N.J., and those in that part of Hunterdon and Warren Counties, N.J., east of a line beginning at the Hunterdon-Mercer County line near Woodsville and extending northward along New Jersey Highway 69 (formerly New Jersey Highway 30) to junction U.S. Highway 46, and thence along U.S. Highway 46 to the Delaware River, including points on the indicated portions of the highways specified. By the instant petition, petitioner seeks to expand its origin point in (2) above to provide service from "New York, N.Y. and points in New Jersey within 5 miles thereof" in lieu of its present authority to serve "New York, N.Y." Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before April 20, 1973.

No. MC 86247 (Sub-No. 3) (Notice of Filing of Petition for Modification of Certificate), filed February 26, 1973. Petitioner: INTERNATIONAL CARTAGE LIMITED, a corporation, 1333 College Avenue, Windsor, ON. Petitioner's representative: Martin J. Leavitt, 1800 Buhl Building, Detroit, Mich. 48226. Petitioner presently holds a motor *common carrier* certificate in No. MC-86247 (Sub-No. 3), issued January 22, 1973, authorizing operations, over irregular routes, or *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between the port of entry on the United States-Canada boundary line at Port Huron, Mich., on the one hand, and, on the other, Detroit, Mich., restricted against the transportation of traffic originating at, destined to, or interlined at Sarnia, Ontario, Canada or Port Huron, Mich. By the instant petition, petitioner seeks to modify its commodity description by removing the restriction so that the commodity description would read, "General commodities including household goods as defined by the Commission." Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before April 20, 1973.

No. MC 113545 (Sub-No. 7) (Notice of Filing of Petition for Modification of Permit by Adding a Shipper), filed March 1, 1973. Petitioner: CORMETT FORWARDING CO., INC., 19th Street and Park Avenue, Post Office Box 3057, Weehawken Branch, Union City, NJ 07087. Petitioner's representative: Morton E. Kiel, 140 Cedar Street, New York,

NY 10006. Petitioner presently holds a motor contract carrier permit in No. MC-113545 (Sub-No. 7), issued January 15, 1968, and affixed to expire January 15, 1978, authorizing transportation, over irregular routes, of *radiopharmaceuticals, and medical isotopes*, from Newark Airport in Newark, N.J., and La Guardia and Kennedy Airports in New York, N.Y., to points in Bergen, Passaic, Sussex, Warren, Morris, Essex, Hudson, Union, Middlesex, Somerset, Hunterdon, Mercer, Monmouth, and Ocean Counties, N.J., New York, N.Y., and points in Nassau, Suffolk, Westchester, Rockland, Orange, Ulster, Sullivan, Putnam, and Dutchess Counties, N.Y., and Fairfield County, Conn., with no transportation for compensation on return except as otherwise authorized, restricted to the transportation of traffic having an immediately prior movement by air, and further restricted against the transportation of packages or articles weighing in the aggregate more than 10 pounds from one consignor to one consignee on any 1 day, under a continuing contract, or contracts, with Abbott Laboratories, of North Chicago, Ill. By the instant petition, petitioner seeks to add New England Nuclear Corp., of North Billerica, Mass., as an additional contracting shipper. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition on or before April 30, 1973.

No. MC-128217 (Sub-No. 3) (Notice of Filing of Petition for Modification of Permit), filed February 23, 1973. Petitioner: REINHART MAYER, doing business as MAYER TRUCK LINE, 1203 South Riverside, Jamestown, ND 58401. Petitioner's representative: Johnson & Holland, 425 Gate City Building, Fargo, N.Dak. 58102. Petitioner holds authority in Permit No. MC-128217 (Sub-No. 3), issued August 28, 1972, authorizing, as here pertinent, motor carrier operations, as a contract carrier, in the transportation, over irregular routes, of: *Lumber, chipboard, shingles, and treated poles*, from the port of entry on the United States-Canada boundary line, located at or near East Port, Idaho, to points in North Dakota, South Dakota, Montana, Wyoming, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Nevada, Utah, and Colorado; and *treated poles*, from the port of entry on the international boundary line between the United States and Canada at or near East Port, Idaho, to points in Iowa, Wisconsin, and Illinois, restricted in such instance to the transportation of shipments moving foreign commerce and restricted to transportation services performed under a continuing contract or contracts with Le Fevre Sales, Inc., of Jamestown, N. Dak. By the instant petition, petitioner seeks to modify the said permit by additionally authorizing operations, as a contract carrier by motor vehicle, in interstate or foreign commerce, transporting: *Treated poles*, from Columbia Falls, Mont., to points in North Dakota and South Dakota, under a continuing contract

with the same shipper. The purpose of the modification is to reflect a change in source of supply of treated poles purchased by the contracting shipper. Any interested persons desiring to participate and to be heard in the matter may file an original and six copies of his written representations, views or argument in support of or against the petition on or before April 20, 1973.

No. MC 128375 (Sub-No. 47) (Notice of Filing of Petition for Modification of Permit), filed January 15, 1973. Petitioner: CRETE CARRIER CORPORATION, 1444 Main, Crete, NE 68333. Petitioner's representative: William P. Sullivan, 1819 H Street NW, Washington, DC 20006. Petitioner presently holds a motor contract carrier permit in No. MC-128375 (Sub-No. 47), issued September 15, 1971, authorizing operations over irregular routes, of *paper and paper products*, from Mobile, Ala., to points in Montana, Idaho, Nevada, Utah, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Iowa, Missouri, Arkansas, Colorado, and New Mexico, with no transportation for compensation on return except as otherwise authorized, under a continuing contract, or contracts, with Western Paper Co., a subsidiary or division of Hammermill Paper Co., Inc. By the instant petition, petitioner seeks to delete "Western Paper Co., a subsidiary or division of Hammermill Paper Co., Inc." and substitute in lieu thereof "Hammermill Paper Co., of Erie, Pa." to reflect a planned change in the name of one of petitioner's contracting parties. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before April 20, 1973.

No. MC 129863 (Sub-No. 5) (Notice of Filing of Petition for Modification of Permit by Expanding the Commodity Description), filed February 21, 1973. Petitioner: FREDERICK L. BULTMAN, INC., 11144 West Silver Spring Drive, Milwaukee, WI 53225. Petitioner's representative: William C. Dineen, 710 North Plankinton Avenue, Milwaukee, WI 53203. Petitioner presently holds a motor contract carrier permit in No. MC-12963 (Sub-No. 5), issued June 29, 1970, authorizing operations, over irregular routes, of *Carpets, carpet cushions and unfinished carpet and industrial textile products*, between Milwaukee, Wis., on the one hand, and, on the other, the sites of the plant and warehouse facilities of the Ozite Corp. at Libertyville, Ill., under a continuing contract, or contracts, with Ozite Corp. By the instant petition, petitioner seeks to modify its commodity description above by adding "*and materials used in the manufacture of carpets and carpet cushions*" to its presently authorized commodities. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition on or before April 20, 1973.

No. MC 129991 (Sub-No. 1) (Notice of Filing of Petition for Modification of Permit by Adding Origins), filed February 26, 1973. Petitioner: JENSEN TRUCKING CO., INC., 1800 Southwest Temple, Post Office Box 1620, Salt Lake City, UT 84110. Petitioner's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Petitioner presently holds a motor contract carrier permit in No. MC-129991 (Sub-No. 1), issued May 5, 1969, authorizing, as pertinent, operations, over irregular routes, of (1) *baler and binder twine*, from Portland, Oreg., and Los Angeles, Calif., to Preston, Idaho, and points in Utah, with no transportation for compensation on return except as otherwise authorized and (2) *tires*, from Buena Park, Calif., to Preston, Idaho, and points in Utah, with no transportation for compensation on return except as otherwise authorized, under a continuing contract, or contracts, in (1) and (2) above with Intermountain Farmers Association. By the instant petition, petitioner seeks to add the origins of (a) Dallas and El Paso, Tex., to its authority in (1) above, and (b) Bowling Green, Ky., and Akron, Ohio, to its authority in (2) above. Any person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before April 20, 1973.

No. MC 130103 (Notice of Filing of Petition for Modification of License), filed February 15, 1973. Petitioner: MUSIKER STUDENT TOURS INC., 101 The Intervale, Roslyn Estates, Long Island, NY 11576. Petitioner's representative: Robert E. Goldstein, 8 West 40th Street, New York, NY 10018. Petitioner presently holds a brokerage license (BMC 5) in No. MC-130103, issued May 17, 1972, to engage in arranging transportation by motor vehicle, in interstate or foreign commerce as a broker at Roslyn Estates, Nassau County, Long Island, N.Y., of students, accompanied by tour directors, supervisors, and chaperones, and their baggage, in special and charter operations, beginning and ending at Denver, Colo., Los Angeles and San Francisco, Calif., Seattle, Wash., Phoenix, Ariz., and New Orleans, La., and extending to points in the United States (except Alaska and Hawaii), restricted to students having an immediately prior movement by air arranged by petitioner at Roslyn Estates, N.Y. By the instant petition, petitioner seeks to amend its license to allow the arrangement of transportation as a broker at "points in the United States" in lieu of "Roslyn Estates, Nassau County, Long Island, N.Y." Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition on or before April 20, 1973.

No. MC 134806 (Sub-No. 1) (Notice of filing of petition for modification of permit by adding an origin and destination), filed February 28, 1973. Petitioner: B-D-R TRANSPORT, INC., Post Office

NOTICES

Box 813, Brattleboro, VT 05301. Petitioner's representative: Francis J. Ortmann, 1100 17th Street NW., Suite 613, Washington, DC 20036. Petitioner presently holds a motor *contract carrier* permit in No. MC-134806 (Sub-No. 1), issued May 17, 1971, authorizing, as pertinent, operations, over irregular routes of: (A) *Footwear*, from Brunswick and North Berwick, Maine, and from Manchester, Nashua, and Rollinsford, N.H., to Brattleboro, Vt., with no transportation for compensation on return except as otherwise authorized, under a continuing contract, or contracts, with Dunham Brothers Co.; and (B) *Tanned leather*, from Milwaukee and Fond du Lac, Wis., and Chicago, Ill., to Wilton, Maine, with no transportation for compensation on return except as otherwise authorized, under a continuing contract, or contracts, with G. H. Bass & Co. By an order and supplemental order of the Commission, Operating Rights Board, both dated December 21, 1972, and both served January 18, 1973, the above-described authority was modified as follows: (1) Waukegan, Ill., was authorized as an additional origin point in (B) above; and (2) Denver, Colo., was authorized as a destination point in lieu of Cheyenne, Wyo. in the transportation of footwear from Wilton, Maine, and Brattleboro, Vt. (not mentioned above with respect to this request). By the instant petition, petitioner seeks to add: (a) The origin of Lebanon, Pa., to its authority in (A) above; and (b) the destination of Portland, Maine, to its authority in (B) above. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before April 20, 1973.

No. MC 135379 (Sub-No. 2) (Notice of Filing of Petition for Modification of Permit by Adding Shippers), filed February 16, 1973. Petitioner: EASTERN TRANSPORT, INC., 320 Stiles Street, Linden, NJ 07036. Petitioner's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Petitioner presently holds a motor *contract carrier* permit in No. MC-135379 (Sub-No. 2), issued January 18, 1973, authorizing operations, over irregular routes, of *such merchandise* as is dealt in by wholesale, retail, chain, grocery, department stores, and food business houses (except glass containers and commodities in bulk), and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business (except glass containers and commodities in bulk), between points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia, under a continuing contract, or contracts, with Food Fair Stores, Inc. By the instant petition, petitioner seeks to add Ideal Shoe Co. and Merchants Green Trading Stamp Co. as contracting shippers to its authority described above. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or

against the petition on or before April 20, 1973.

No. MC 135113 (Notice of Filing of Petition for Modification of Permit), filed February 20, 1973. Petitioner: DORIN, INC., Madison, Ga. 30650. Petitioner's representative: Archie B. Culbreth, Suite 246, 1252 West Peachtree Street NW, Atlanta, GA 30309. Petitioner presently holds a motor *contract carrier* permit in No. MC-135113 issued February 29, 1972, authorizing operations between numerous points in the United States under contracts with Wellington Synthetic Fibres, Inc., Wellington Puritan Mills, Inc., Wellington Georgia Mills, Inc., Wellington Forest Products, Inc., Wellington Book Co., Inc., and Wellington Films and Foils, Inc. (subsidiaries of Wellington Technical Industries, Inc.). By the instant petition, petitioner seeks authority to transport *books, flat printed sheets and printing paper, and materials, equipment, and supplies* used in the manufacture and distribution of books, between points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, under a continuing contract, or contracts, with Wellington Publication Press, Inc., at Baltimore, Md. (a subsidiary of Wellington Technical Industries, Inc.). Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before April 20, 1973.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATION UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 30280 (Sub-No. 64), filed March 5, 1973. Applicant: WATKINS-CAROLINA EXPRESS, INC., Post Office Box 10188, Federal Station, Greenville, SC 29603. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) between points within the territory bounded as follows: On the east, from the North Carolina-Virginia State line over U.S. Highway 1 to its intersection with U.S. Highway 158, thence over U.S. Highway 158 to Warrenton, thence over North Carolina State Highway 58 to Wilson, thence over U.S. Highway 301 to its intersection with U.S. Highway 117, thence over U.S. Highway 117 to Wilmington, thence over U.S. Highway 421

to Fort Fisher; and the west, from the North Carolina-Tennessee State line over U.S. Highway 25 to the North Carolina-South Carolina State line. **NOTE:** Common control may be involved. Applicant states that the requested authority can be joined with its existing authority at North Carolina, South Carolina, and Georgia, Alabama, Tennessee, and Virginia. This is a matter directly related to MC-F 11811 published in the *FEDERAL REGISTER* issue of March 14, 1973. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 121427 (Sub-No. 8) (Correction), filed January 16, 1973, of February 14, 1973, and republished as corrected this issue. Applicant: MISSISSIPPI FREIGHT LINES, INC., 210 Beatty Street, Jackson, MS 39204. Applicant's representative: Harold D. Miller, Jr., Post Office Box 22567, Jackson, MS 39205. **NOTE:** The purpose of this republication is to show that applicant also intends to serve the U.S. Navy Jet Base located near Lauderdale, Miss., as an off-route point in connection with route number (1) between Forest and Jackson, Miss., which was inadvertently omitted from the previous publication February 14, 1973. The rest of the notice remains as previously published. This application is a matter directly related to MC-F 11774, published in the *FEDERAL REGISTER* issue of January 19, 1973.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-11782. KREVDA BROS. EXPRESS, INC.—Purchase (Portion)—LEE MOTOR LINES, INC.), published in the February 14, 1973, issue of the *FEDERAL REGISTER* on page 4448. Application filed March 8, 1973, for temporary authority under section 210a(b).

No. MC-F-11791. (C. A. PETERSEN, doing business as PETERSEN TANK LINES—Control—(A) S. F. DOUGLAS TRUCK LINE, INC., and (B) S. F. DOUGLAS, doing business as S. F. DOUGLAS TRUCK LINE), published in the February 14, 1973, issue of the *FEDERAL REGISTER* on page 4450. Prior notice should be modified to read: PETERSEN TANK LINES, INC.—Control—(A) S. F. DOUGLAS TRUCK LINE, INC., and (B) S. F. DOUGLAS, doing business as S. F. DOUGLAS TRUCK LINE.

No. MC-F-11805. (QUICK AIR FREIGHT, INC.—Control—VANDALIA AIR FREIGHT, INC.), published in the March 7, 1973, issue of the *FEDERAL REGISTER* on page 6248. Application filed March 14, 1973, for temporary authority under section 210a(b).

No. MC-F-11815. Authority sought for purchase by ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, MN 56301, of a portion of the operating rights of RATLIFF & RATLIFF, INC., Route No. 9, Lexington, N.C. 27292, and for acquisition by HAROLD ANDERSON, also of St. Cloud, Minn. 56301, of control of such rights through the purchase. Applicants' attorney: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Operating rights sought to be transferred: *Stone, as a common carrier* over irregular routes, from Columbia, Rion, Rockton, and Winnsboro, S.C., and Charlotte, Granite Quarry, and Greensboro, N.C., to points and places in North Carolina, South Carolina, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, and the District of Columbia, from points in Fairfield and Richland Counties, S.C., to points in Wisconsin, Iowa, Illinois, Missouri, Oklahoma, Kansas, Nebraska, Colorado, Texas, Ohio, Louisiana, Massachusetts, Arkansas, Mississippi, Indiana, Kentucky, Tennessee, Alabama, Georgia, West Virginia, Michigan, and Florida, from points in Fairfield County, S.C., to points in Connecticut, Rhode Island, Vermont, New Hampshire, Maine, and Minnesota, from points in Richland County, S.C. (except Columbia, S.C.), Fairfield County, S.C. (except Rion, Rockton and Winnsboro, S.C.), Kershaw County, S.C., and Rowan County, N.C. (except Granite Quarry, N.C.), to points in North Carolina, South Carolina, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, and the District of Columbia, from points in Richland County, S.C., to points in Connecticut, Rhode Island, Vermont, New Hampshire, Maine, and Minnesota, from points in Kershaw County, S.C., and Rowan County, N.C., to points in Wisconsin, Iowa, Illinois, Kansas, Missouri, Oklahoma, Nebraska, Colorado, Texas, Ohio, Louisiana, Massachusetts, Arkansas, Mississippi, Indiana, Kentucky, Tennessee, Alabama, Georgia, West Virginia, Michigan, Florida, Connecticut, Rhode Island, Vermont, New Hampshire, Maine, and Minnesota, with restriction. Vendee is authorized to operate as a common carrier in all of the States in the United States (except Alaska and Hawaii). Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11817. Authority sought for control by M. R. & R. TRUCKING COMPANY, 715 North Ferdon Boulevard, Crestview, FL 32536, of PERKINS FREIGHT LINES, INC., 140 Milton Avenue SE, Atlanta, GA 30315, and for acquisition by W. GUY MCKENZIE, Post Office Box 1200, Tallahassee, FL 32302, of control of PERKINS FREIGHT LINES, INC., through the acquisition by M. R. & R. TRUCKING COMPANY. Applicants' attorney: W. Guy McKenzie, Jr., Post Office Box 1200, Tallahassee, FL 32302. Operating rights sought to be controlled: *General commodities, with exceptions, as a common carrier* over regular routes, between Atlanta,

and Thomaston, Ga., between Griffin, and Thomaston, Ga., serving the site of Tucker-Stone Mountain Industrial District and Stone Mountain Memorial Park, De Kalb County, Ga., the site of the Panola Industrial District near Lithonia, De Kalb County, Ga., and Yatesville, Ga., as off-route points in connection with carriers presently authorized regular route operations between Atlanta and Thomaston, Ga.; *telephone equipment, materials and supplies*, over irregular routes, between Griffin, Ga., on the one hand, and, on the other, points in Lamar, Pike, Spalding, Henry, Butts, Clayton, Fayette, and Coweta Counties, Ga. M. R. & R. TRUCKING COMPANY, is authorized to operate as a common carrier in Alabama, Florida, and Georgia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11818. Authority sought for purchase by EAGLE TRANSPORT CORPORATION, Post Office Box 4508, Rocky Mount, NC 27801, of the operating rights of RHEMAN TRANSPORT OF VIRGINIA, INC., Post Office Box 338, Durham, NC 27702, and for acquisition by A. DONALD STALLINGS, 1204 Nottingham Road, Rocky Mount, NC 27801, and HUGH G. SHEARIN, 3313 Hawthorne Road, Rocky Mount, NC 27801, of control of such rights through the purchase. Applicants' attorney: Ralph McDonald, Post Office Box 2246, Raleigh, NC 27602. Operating rights sought to be transferred: *Petroleum products, in bulk, in tank vehicles, as a common carrier* over irregular routes, between Portsmouth, Va., and points within 10 miles thereof, on the one hand, and, on the other, points in North Carolina. Vendee is authorized to operate as a common carrier in Delaware, Georgia, Maryland, New Jersey, North Carolina, Pennsylvania, South Carolina, Virginia, and West Virginia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11819. Authority sought for purchase by LOPEZ TRUCKING, INC., 131 Linden Street, Waltham, MA 02154, of the operating rights of LIPPA TRANSPORTATION CO., INC., Hardy Street, Peabody, MA 01960, and Abraham Ankeles, Trustee of Hardy Realty Trust (Holder of foreclosed mortgage on franchise), 29 Lowell Street, Peabody, MA, LOPEZ, also of Waltham, Mass. 02154, of and for acquisition by VINCENT A. control of such rights through the purchase. Applicants' attorney: Kenneth B. Williams, 111 State Street, Boston, MA 02109. Operating rights sought to be transferred: *General commodities, with exceptions, as a common carrier* over irregular routes, between Boston, Mass., on the one hand, and, on the other, points and places in Massachusetts within 30 miles of Boston, between New York, N.Y., on the one hand, and, on the other, points in New Jersey within 25 miles of New York, N.Y.; *alcoholic beverages*, from Boston, Mass., to Providence and Pawtucket, R.I., New York, N.Y., Concord, N.H., and Augusta, Maine; *malt beverages*, from New Haven and

Waterbury, Conn., New York, N.Y., and Newark, N.J., to Boston, Mass.; *syrup and nonalcoholic beverages*, from New York, N.Y., to Boston, Mass.; *witch hazel*, from Essex, Conn., to New York, N.Y., and Boston and Framingham, Mass.; *sizing*, from Boston, Mass., to New York, N.Y.; *furnaces*, from Boston, Mass., to points and places in that part of New Hampshire on and south of a line beginning at Portsmouth, N.H., and extending along U.S. Highway 4 to Dover Point, N.H., thence along New Hampshire Highway 16 to Rochester, N.H., and thence along U.S. Highway 202 to the New Hampshire-Massachusetts State line; *carpets*, from Boston, Mass., to Providence, R.I.; and from Thompsonville, Conn., to Boston, Mass.; *insulation materials*, from Boston, Mass., to Manchester, N.H., Montpelier and Bennington, Vt., and Portland, Maine; *roofing materials*, from Boston, Mass., to Providence, R.I.; *cardboard containers*, from Boston, Mass., to New York, N.Y.; *building materials*, between Boston, Mass., on the one hand, and, on the other, Claremont, Hanover, Keene, Nashua, and Manchester, N.H., Burlington and Montpelier, Vt., Portland and Bangor, Maine, Providence and Pawtucket, R.I., Hartford and Meriden, Conn., and Brooklyn and New York, N.Y.; *paint, lead, and zinc*, between Boston, Mass., on the one hand, and, on the other, Lancaster, Dover, Keene, and Claremont, N.H., Portland and Winthrop, Maine, Bennington, Vt., Providence and Pawtucket, R.I., and Newark, N.J.; *paper and paper products, gelatin and gelatin stock, solid fuel, and machinery, materials, supplies and equipment used in tanneries and shoe factories*, between Peabody, Mass., and points and places in Massachusetts within 25 miles of Peabody on the one hand, and, on the other, New York, N.Y., and points and places in Connecticut and Rhode Island and those in that part of New Hampshire east and south of a line beginning at the New Hampshire-Massachusetts State line and extending along U.S. Highway 3 to junction U.S. Highway 202, and thence along U.S. Highway 202 to the New Hampshire-Maine State line, including points and places on the indicated portions of the highways specified; *paints, lead, zinc, and building materials* as defined in Appendix VI to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, except commodities in bulk, from New York, N.Y., and points within a described area of New Jersey and New Hampshire, from the above described origin points, to points in a described area of Maine. Vendee is authorized to operate as a common carrier in all of the States in the United States, except Alaska and Hawaii. Application has been filed for temporary authority under section 210a(b).

MOTOR CARRIER PASSENGER

No. MC-F-11816. Authority sought for purchase by CAPITOL BUS COMPANY, 1061 South Cameron Street, Harrisburg, PA 17104, of the operating rights of KEYSTONE CHARTER SERVICE, INC.,

NOTICES

Cameron and Forster Streets, Harrisburg, PA 17101, and for acquisition by RICHARD J. MAGUIRE, EVELYN Z. MAGUIRE, MARY ANN MAGUIRE, and M. D. VAN ATTA, all of Harrisburg, PA. 17104, of control of such rights through the purchase. Applicants' attorneys: S. Berne Smith, and Robert H. Griswold, Post Office Box 1166, 100 Pine Street, Harrisburg, PA 17108, and L. C. Major, Jr., Suite 301, Tavern Square, 421 King Street, Alexandria, VA 22314. Operating rights sought to be transferred: Passengers and their baggage, in round trip charter operations, with no pickup or discharge of passengers on route, as a common carrier over irregular routes, beginning and ending at Harrisburg, Pa., and points within 10 miles thereof east of the Susquehanna River and extending to points in Ohio, New Jersey, New York, Maryland, Delaware, Virginia, and the District of Columbia. Vendee is authorized to operate as a common carrier in Pennsylvania, Maryland, District of Columbia, New York, New Jersey, Connecticut, Delaware, and Virginia. Application has not been filed for temporary authority under section 210a(b).

PENN CENTRAL TRANSPORTATION CO.

George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees of the Property of Penn Central Transportation Co., Debtor, 6 Penn Center Plaza, Philadelphia, PA 19104, represented by Mr. Wallace D. Stewart, 925 Penn Central Station, Pittsburgh, PA 15222. Applicant hereby gives notice that on the 26th day of February 1973, it filed with the Interstate Commerce Commission at Washington, D.C., an application for approval of the acquisition of trackage rights over a line of railroad of the Pittsburgh and Lake Erie Railroad Co. between New Castle, Lawrence County, Pa., and Struthers, Mahoning County, Ohio, a distance of approximately 12.66 miles. This application has been assigned Finance Docket No. 27231. Applicant is of the opinion that the granting of this authority will have no adverse affect on the human environment. The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than 30 days from the date of first publication in the *FEDERAL REGISTER*.

George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees of the Property of Penn Central Transportation Co., Debtor.

THE MONONGAHELA RAILWAY CO.

NOTICE

The Monongahela Railway Co., represented by Mr. Wallace D. Stewart, 925 Penn Central Station, Pittsburgh, PA 15222, hereby give notice that on the 6th day of November, 1972, it filed with the Interstate Commerce Commission at Washington, D.C., an application, assigned Finance Docket No. 27236, for approval of the acquisition of trackage rights over the line of railroad of George P. Baker, Richard C. Bond, and Jervis

Langdon, Jr., Trustees of the property of Penn Central Transportation Co., Debtor, between Millsboro and Besco, Washington County, Pa., a distance of approximately 1.78 miles. In the opinion of the applicant, the approval requested in its application will not alter the effect of its operation on the human environment in any discernible way. The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than 30 days from the first date of publication in the *FEDERAL REGISTER*.

PENN CENTRAL TRANSPORTATION CO.

George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees of the Property of Penn Central Transportation Co., Debtor, 6 Penn Center Plaza, Philadelphia, PA 19104, represented by Mr. Robert H. Bierma, Penn Central Transportation Co., Room 532 Union Station, 516 West Jackson Boulevard, Chicago, IL 60606. Applicant hereby gives notice that on the 19th day of December, 1972, it filed with the Interstate Commerce Commission at Washington, D.C., an application under section 5(2) of the Interstate Commerce Act for authority to operate over the lines of the Norfolk and Western Railway Co. between Cambridge City and Beeson, Ind., pursuant to a contract granting such trackage rights which will be limited to bridge movement only. The operations sought to be performed will be the bridge movement of applicant's trains over the lines of the Norfolk and Western Railway Co. between Cambridge City and Beeson, Ind., in Wayne County, a distance of 6.6 miles. This application has been assigned Finance Docket No. 27269. In the opinion of the Applicant, the relief sought by this application is not a major Federal action significantly affecting the quality of the human environment. The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than 30 days from the date of first publication in the *FEDERAL REGISTER*.

George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees of the Property of Penn Central Transportation Co., Debtor.

CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO.

Chicago, Rock Island & Pacific Railroad Co., represented by Mr. James H. Sykes, 139 West Van Buren Street, Chicago, IL 60605, hereby give notice that on the 5th day of February 1973, it filed with the Interstate Commerce Commission at Washington, D.C., an application under section 5(2) of the Interstate Commerce Act to acquire trackage rights over approximately 4.37 miles of main line of the Peoria & Pekin Union Railway Co. in Peoria, Ill. This application has been assigned Finance Docket No. 27303. The purpose of the trackage rights applica-

tion is to enable the Applicant to continue a direct interchange with the Toledo, Peoria & Western Railroad Co. in Peoria, Ill. In the opinion of the Applicant the relief sought by this application is not a major Federal action significantly affecting the quality of the human environment. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), Implementation-National Environmental Policy Act, 1969, 340 ICC 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment.

If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra, Part (B) (1)-(5), 340 ICC 41, 461. The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than 30 days from the date of first publication in the *FEDERAL REGISTER*.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary

[FR Doc. 73-5387 Filed 3-20-73; 8:45 am]

FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MARCH 16, 1973.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the *FEDERAL REGISTER*, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

Kentucky Docket No. 5365, filed March 1, 1973, Applicant: LOUISVILLE-SHELBYVILLE EXPRESS, INC., 105 East Kentucky Street, Louisville, KY 40204. Applicant's representative: Rudy Yessin, 314 Wilkinson Street, Frankfort, KY 40601. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of property, (1) between Louisville and Grafenburg, Ky., via U.S. Highway 60 serving all intermediate points and off route points within 3 miles of said route, and (2) between Louisville

and the Franklin-Shelby County line via Interstate Highway 64 serving all intermediate points and off route points within 3 miles of said route. Both intra-state and interstate authority sought.

HEARING: April 19, 1973, at the hearing room of the Department of Motor Transportation, Ground Level, Capital Plaza Tower, Frankfort, Ky., at 10 a.m. Requests for procedural information should be addressed to the Department of Motor Transportation, Capital Plaza, Frankfort, Ky., 40601, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-5381 Filed 3-20-73;8:45 am]

[Rev. S.O. 994; Rev. ICC Order 79; Amdt. 1]
**ST. JOHNSBURY AND LAMOILLE COUNTY
RAILROAD**

Rerouting or Diversion of Traffic

Upon further consideration of Revised ICC Order No. 79 (St. Johnsbury & Lamoille County Railroad) and good cause appearing therefor:

It is ordered. That:

Revised ICC Order No. 79 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., April 15, 1973, unless otherwise modified, changed, or suspended.

It is further ordered. That this amendment shall become effective at 11:59

p.m., March 15, 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., March 13, 1973.

[SEAL] **INTERSTATE COMMERCE
COMMISSION,**
R. D. PFAHLER,
Agent.

[FR Doc.73-5384 Filed 3-20-73;8:45 am]

CUMULATIVE LISTS OF PARTS AFFECTED—MARCH

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PART II



HEALTH, EDUCATION, AND WELFARE DEPARTMENT Office of Education

■
EDUCATIONALLY DEPRIVED
CHILDREN; FINANCIAL
ASSISTANCE TO MEET SPECIAL
EDUCATIONAL NEEDS

Comparability of Services;
Proposed Rule Making

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 116]

FINANCIAL ASSISTANCE TO MEET SPECIAL EDUCATIONAL NEEDS OF EDUCATIONALLY DEPRIVED CHILDREN

Comparability of Services

Pursuant to the authority contained in section 141(a)(3) of the Elementary and Secondary Education Act, section 109, 84 Stat. 124, 20 U.S.C. 241e(a)(3), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to revise § 116.26 of Part 116 of Title 45 of the Code of Federal Regulations as set forth below.

The proposed revision would effect the following changes in the regulations implementing the comparability requirement in title I of the Elementary and Secondary Education Act:

(a) The three staff ratios (§ 116.26(c)(1), (2), and (3) of the present regulations) would be superseded by a single ratio of the number of enrolled children to the total number of instructional staff members. The three separate ratios by which comparability is currently determined tend to restrict local educational agencies to conventional staffing patterns which are not necessarily the most effective for schools serving children from low-income areas.

(b) The requirement to collect and report data on the expenditure per pupil for other instructional costs (textbooks, materials, etc., § 116.26(c)(5) of the present regulations), would be deleted from the criteria for determining comparability, except for those local educational agencies which fail to meet one or more of the other indicators of comparability. However, all applicants would be required to provide an assurance that such materials are being distributed on a comparable basis.

(c) Under the proposed regulation, school districts would be required to collect data for comparability determinations as of a particular date (to be specified annually by the Commissioner) in the fall of each school year and to report that data to the State educational agency by mid-year. The use of such data on an annual basis would eliminate the necessity of using obsolete data from the second preceding fiscal year.

(d) The term "corresponding grade levels" has been defined.

(e) Provision has been made for the separate comparison of schools enrolling 100 students or less.

(f) Local educational agencies would be required to maintain and have readily available the records from which the required comparability data were obtained.

Additional comparability regulations affecting school districts serving substantial numbers of migratory children of migratory agricultural workers will be proposed in the near future as part of a comprehensive set of regulations for the

PROPOSED RULE MAKING

program for migratory children under section 141(c) of the Act.

Interested persons who wish to submit comments, suggestions, or objections pertaining to this proposal may present their views in writing to the U.S. Commissioner of Education, Department of Health, Education, and Welfare, 400 Maryland Avenue SW., Washington, DC 20202, on or before April 20, 1973. Comments may be inspected in Room 3642, Seventh and D Streets SW., Washington, D.C., between 8 a.m. to 4:30 p.m. Monday through Friday.

Dated: February 20, 1973.

JOHN OTTINA,
Acting U.S. Commissioner
of Education.

Approved: March 13, 1973.

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

Section 116.26 is revised to read as follows:

§ 116.26 Comparability of services.

(a) A State educational agency shall not approve an application of a local educational agency for a grant under section 141(a) of the Act, or make payments of title I funds under a previously approved application of such agency, unless that local educational agency has demonstrated, in accordance with paragraph (c) of this section, that services provided with State and local funds in title I project areas are at least comparable to the services being provided with State and local funds in schools serving attendance areas not designated as title I project areas. Such approval shall not be given unless the local educational agency also provides the assurance and the additional information required by paragraph (d) of this section with respect to the maintenance of comparability. For the purpose of this section, State and local funds include those funds used in the determination of fiscal effort in accordance with § 116.45.

(b) The State educational agency shall require each local educational agency, except as provided in paragraph (g) of this section, to submit a report in such form as the Commissioner will prescribe, containing the information required by the State educational agency to make the determinations specified in paragraph (c) of this section. Such report shall include the following data for each public school serving a project area and, on a combined basis, for all other schools of corresponding grade levels (as grouped in accordance with paragraph (e) of this section):

(1) The number of children enrolled,

(2) The full-time equivalent number of certified and noncertified instructional staff members who are paid with State or local funds, assigned to such public school or schools,

(3) The total portion of salaries for such instructional staff members which is based on length of service (longevity),

(4) The total amount of State and local funds being expended on an annual

basis for salaries for such instructional staff members less the amount of such salaries based on length of service (longevity).

(5) The number of enrolled children as reported under subparagraph (1) of this paragraph per instructional staff member as reported under subparagraph (2) of this paragraph.

(6) The amount expended per enrolled child for salaries for instructional staff as reported under paragraph (b) (4) of this section.

The data required by this paragraph shall be current data as of a date specified annually by the Commissioner. Such date will be no later than April 15 for fiscal year 1973 and no later than November 1 of each succeeding fiscal year. Such reports shall be filed with the State educational agency not later than May 15 of fiscal year 1973 and not later than December 1 of each succeeding fiscal year. All data reported to the State educational agency in accordance with this paragraph shall be as of the same date. The term "instructional staff members" as used in this section means staff members who render direct and personal services which are in the nature of teaching or the improvement of the teaching-learning situation. The term includes teachers, principals, consultants, or supervisors of instruction, librarians, and guidance and psychological personnel; it also includes aides or other paraprofessional personnel employed to assist such instructional staff members in providing such services.

(c) The services being provided by the local educational agency with State and local funds in a title I project area shall be deemed to be comparable to the services being provided with such funds in areas not being served under said title I upon the determination by the State educational agency that for schools serving corresponding grade levels:

(1) The number of children enrolled per instructional staff member reported in accordance with paragraph (b) (5) of this section for each public school serving a title I project area is not more than 105 percent of the average number of children per instructional member in all other public schools in the applicant's district;

(2) The annual expenditure per child determined in accordance with paragraph (b) (6) of this section in each public school serving a title I project area is not less than 95 percent of such expenditure per child in all other public schools in the applicant's district;

(3) Such local educational agency has provided an assurance that the expenditure per child for textbooks, library resources, instructional equipment, supplies, and other instructional materials actually available for use in each school serving a title I project area, for the fiscal year for which the report specified in paragraph (b) of this section is filed, will be at least comparable to such expenditure per child during such fiscal year in all other public schools in the applicant's district. In addition, a local educational agency which fails to meet

the requirements of either paragraph (c) (1) or (2) of this section shall include in the report required by paragraph (b) of this section a seventh category, which shall be the amount expended per enrolled child (in the most recent school year for which such data are available) for textbooks, library resources, instructional equipment, supplies, and other instructional materials.

If any school serving a title I project area is deemed not to be comparable under this paragraph, no further payments of title I funds shall be made to the local educational agency until that agency has demonstrated that it has taken sufficient action to overcome such lack of comparability.

(d) On or before July 1, 1973, and July 1 of each succeeding year each local educational agency shall file with the State educational agency:

(1) An assurance that the comparability of services previously demonstrated with respect to title I project areas in accordance with paragraph (c) of this section will be maintained in all such areas including areas serving migratory children of migratory agricultural workers, that will be designated as title I project areas for the fiscal year beginning that July 1, and

(2) Data on schools serving attendance areas, if any, that will be designated for title I projects for the fiscal year beginning that July 1 but were not designated for such projects in the preceding fiscal year. Such data shall show either that such schools would have been comparable during the preceding fiscal year if those areas had been designated for projects or will, as the result of specific action by the local educational agency, be comparable during the fiscal year beginning that July 1.

(e) For purposes of this section a local educational agency shall group its schools by corresponding grade levels not to exceed three such groups (generally designated as elementary, intermediate or junior high school, and high school or secondary) for all the schools in the agency's district. A school serving grades in two or three such groups shall be included in that group with which it has the greatest number of grades in common. Where the number of grades in common are equal between two or more

groups, the school shall be included in the lower grade division. For example, a local educational agency might have the following grade span organization: K-6 (elementary), 7-9 (junior high), and 10-12 (senior high). In addition, the local educational agency might have an intermediate school serving grades 5-8. Since this intermediate school has two grades in common with the elementary division (grades 5 and 6) and two grades in common with the junior high division (grades 7 and 8), it would be included in the lower grade division (elementary) for determining comparability.

(f) A school with an enrollment of 100 children or less (as of the date or dates the data required by paragraph (b) of this section are collected) shall not be included for purposes of this section unless the local educational agency operates schools of such size with corresponding grade levels both for areas to be served and areas not to be served under title I of the Act, in which event such schools shall be considered as a separate group.

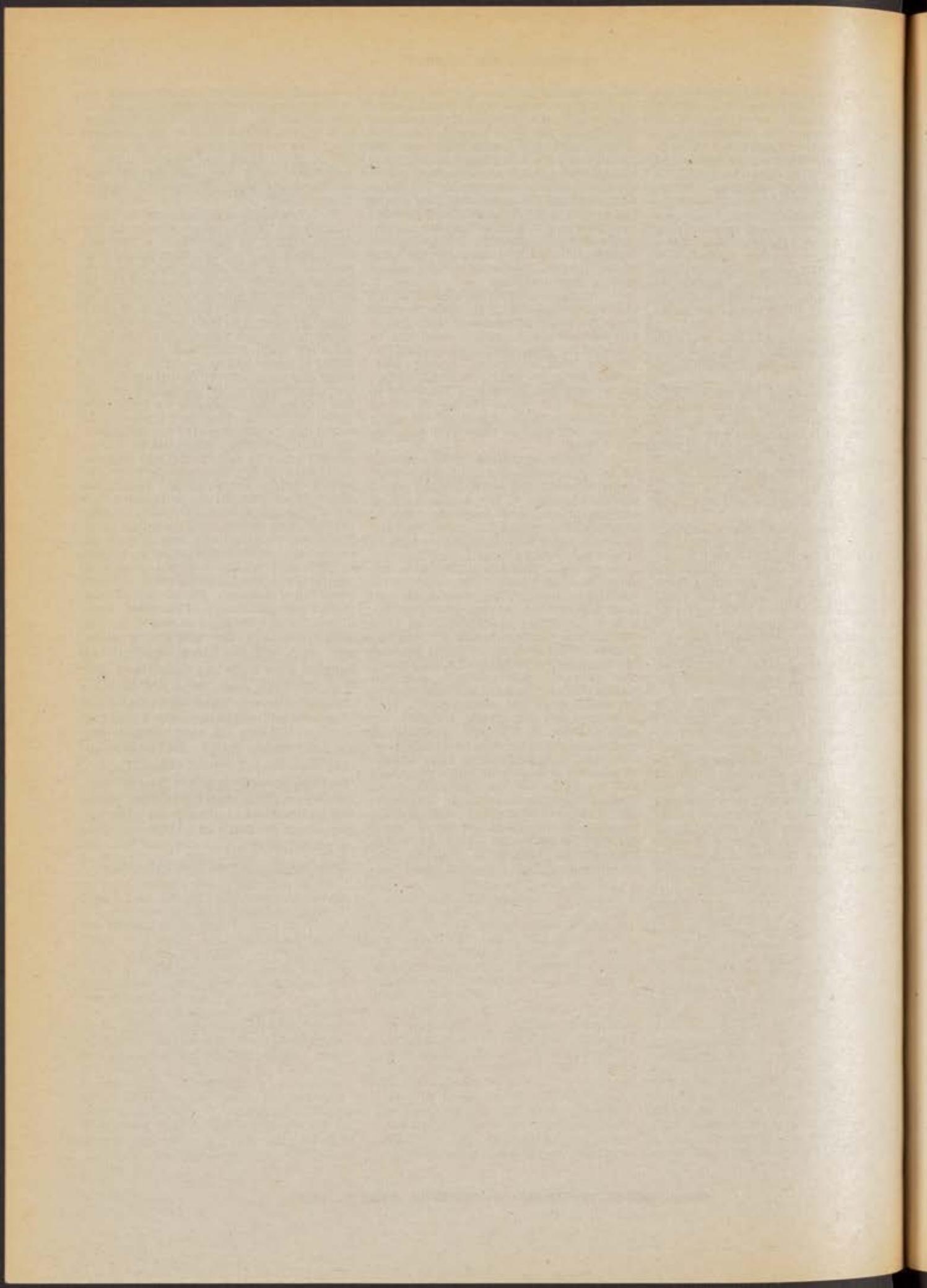
(g) The requirements of this section are not applicable to a local educational agency which is operating only one school serving children at the grade levels at which services under said title I are to be provided or which has designated the whole of the school district as a project area in accordance with § 116.17(d).

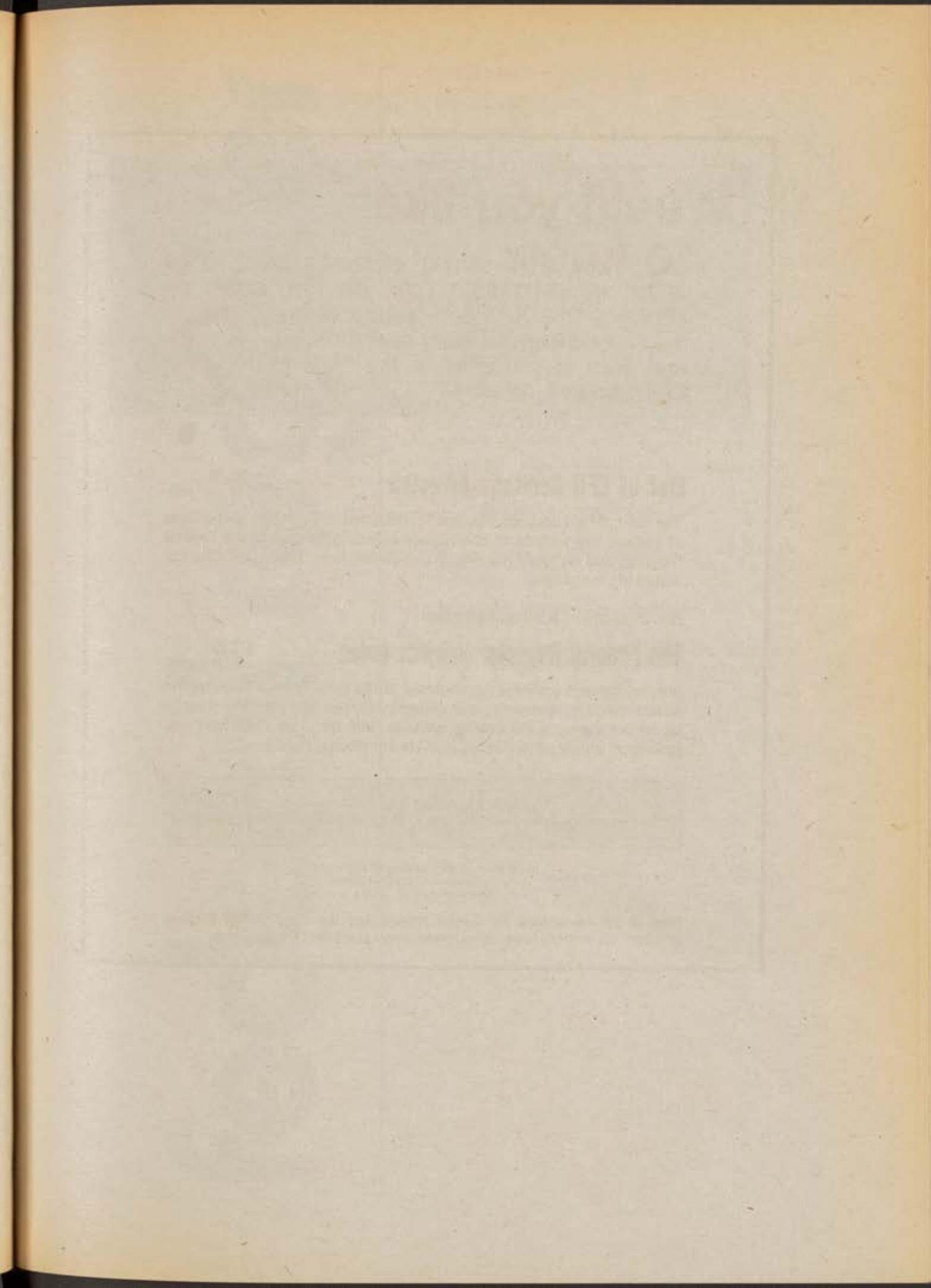
(h) Local educational agencies required to report under this section shall maintain, by individual schools (1) appropriate resource records, including records of children's enrollment, the total expenditure for salary and the amount thereof based solely on longevity for each full-time instructional staff member and the prorated total salary less the amount thereof based solely on longevity for each part-time instructional staff member; (2) worksheets showing the total number of full-time instructional staff members, and the total amount of State and local funds being expended for salaries for such full-time and part-time staff members less the total amount of such salaries based solely on longevity; and (3) appropriate records documenting the amount expended per pupil during the year for textbooks, library resources, instructional equipment, supplies, and other instructional materials. Such records and worksheets, demonstrating the maintenance of comparability for the entire school year, shall be filed, indexed, and maintained in such a manner that they may be readily reviewed by appropriate local, State, and Federal authorities and shall be retained in accordance with applicable record retention requirements.

(1) By January 1 of each year the State educational agency shall submit to the Commissioner in such form as he will prescribe a copy of the comparability report for each local educational agency in the State which he has determined to be in a national sample of such agencies for that year. The State educational agency shall also submit to the Commissioner by January 1 of each year a report identifying each local educational agency that failed to meet the comparability requirement of paragraph (c) of this section on the date specified by paragraph (b) of this section and indicating for each such agency either (a) that such local educational agency has allocated or reallocated sufficient additional resources to title I project areas so as to come into compliance with such requirements and has filed a revised comparability report reflecting such compliance or (b) that the State educational agency is withholding the payment of title I funds to the non-complying local educational agency. A copy of each revised comparability report in such form as the Commissioner will prescribe shall be included with the State educational agency's report to be submitted by January 1. Not later than March 31, the State educational agency shall report to the Commissioner whether any noncomplying local educational agencies have come into compliance, and if so, the State educational agency shall include revised comparability reports for such local educational agencies reflecting such compliance. If local educational agencies remain out of compliance as of that date, the entitlements of such agencies shall be made available for reallocation to complying local educational agencies in the State in accordance with the procedures set forth in § 116.9.

(20 U.S.C. 241e(a)(3))

[FR Doc. 73-5106 Filed 3-20-73; 8:45 am]





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