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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 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2355]

PART 13—PROHIBITED TRADE PRACTICES

Henry Franco, Trading as Cameo Carpet Mills

Subpart—Importing, manufacturing, selling, or transporting flammable wear. § 13.1060 *Importing, manufacturing, selling, or transporting flammable wear:*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Henry Franco, trading as Cameo Carpet Mills, Union City, Calif., Docket No. C-2355, Feb. 22, 1973]

In the Matter of Henry Franco, an Individual, Trading as Cameo Carpet Mills

Consent order requiring a Union City, Calif., manufacturer and seller of carpets and rugs, among other things to cease manufacturing for sale, selling, importing, or distributing any product, fabric, or related material which fails to conform to an applicable standard of flammability or regulation issued under the provisions of the Flammable Fabrics Act, as amended.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Henry Franco, individually and trading as Cameo Carpet Mills, or any other name or names, his successors and assigns, and respondent's agents, representatives, and employees directly or through any corporation, subsidiary, division, or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale in commerce, or importing into the United States, or introducing, delivering for introduction, transporting or causing to be transported in commerce or selling or delivering after sale or shipment in commerce, any product, fabric, or related material; or manufacturing for sale, selling, or offering for sale, any product made of fabric or related material which has been shipped or received in commerce, as "commerce," "product," "fabric," and "related material" 'are defined in the Flammable Fabrics Act, as amended, which product, fabric, or related material fails to conform to an applicable standard or regulation continued in effect, issued, or amended under the provisions of the aforesaid Act.

It is further ordered, That respondent notify all of his customers who have purchased or to whom have been delivered the products which gave rise to this complaint, of the flammable nature of said products and effect the recall of said products from such customers.

It is further ordered, That the respondent herein either process the products which gave rise to the complaint so as to bring them into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or destroy said products.

It is further ordered, That the respondent herein shall, within ten (10) days after service upon him of this order, file with the Commission a special report in writing setting forth the respondent's intentions as to compliance with this order. This special report shall also advise the Commission fully and specifically concerning (1) the identity of the products which gave rise to the complaint, (2) the identity of the purchasers of said products, (3) the amount of said products on hand and in the channels of commerce, (4) any action taken and any further actions proposed to be taken to notify customers of the flammability of said products and effect the recall of said products from customers, and the results thereof, (5) any disposition of said products since January 27, 1972, and (6) any action taken or proposed to be taken to bring said products into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or to destroy said products, and the results of such action. Respondent will submit with his report, a complete description of each style of carpet or rug currently in inventory or production. Upon request, respondent will forward to the Commission for testing a sample of any such carpet or rug.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: February 22, 1973.

By the Commission.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.73-5593 Filed 3-22-73;8:45 am]

[Docket No. 8821o]

PART 13—PROHIBITED TRADE PRACTICES

Universal Credit Acceptance Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages or connections*: 13.15–25 Concealed subsidiary, fictitious collection agency, etc.; 13.15–150 Endorsement; 13.15–180 Location; 13.15–225 Personnel or staff; 13.15–255 Reputation, success or standing; § 13.60 *Earnings and profits;* § 13.70 *Fictitious or misleading guarantees;* § 13.155 *Prices;* 13.155–20 Cost, expense reimbursing, or advertising; 13.155–95 Terms and conditions. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*: Subpart—Misrepresenting oneself and goods—Business Status, Advantages or Connections: § 13.1390 *Concealed subsidiary, fictitious collection agency, etc.;* § 13.1395 *Connections and arrangements with others;* § 13.1430 *Government endorsement, sanction or sponsorship;* § 13.1475 *Location;* § 13.1520 *Personnel or staff;* § 13.1540 *Reputation, success or standing;* § 13.1553 *Services;* —Goods: § 13.1615 *Earnings and profits;* § 13.1647 *Guarantees;* § 13.1760 *Terms and conditions;* —Prices: § 13.1823 *Terms and conditions;* — Services: § 13.1835 *Cost.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1889 *Risk of loss;* § 13.1892 *Sales contract, right-to-cancel provision;* § 13.1895 *Scientific or other relevant facts.* Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1935 *Earnings and profits;* § 13.2015 *Opportunities in product or service;* § 13.2040 *Returns and reimbursements;* § 13.2063 *Scientific or other relevant facts.*

Subpart—Securing agents or representatives by misrepresentation: § 13.2125 *Demand or business opportunities;* § 13.2130 *Earnings;* § 13.1332 *Exclusive territory;* § 13.2148 *Scientific or other relevant facts;* § 13.2160 *Success, history or standing.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Universal Credit Acceptance Corporation et al., Burlingame, Calif., Docket No. 8821, Feb. 16, 1973]

In the Matter of Universal Credit Acceptance Corp., a Corporation, and Continental Credit Card Corp., a Corporation, and International Credit Card Corp., a Corporation, also trading as National Credit Service, and John Clifford Heater, Individually and as an Officer of Universal Credit Acceptance Corp. and International Credit Card Corp., and Howard P. Gingold, Individually and as an Officer of Continental Credit Card Corp.

Order requiring three California corporations engaged in the advertising and sale of franchises which authorize franchisees to sell memberships in a credit card program, among other things to cease deceptions and misrepresentations with respect to the "Honor All Credit Card" program. Respondents are further required to offer a 7-day cooling-off period for cancellation of future contracts with full refund rights. An individual respondent is further required to refund all payments for franchise fees and membership dues or fees within 90 days to everyone who became members or franchisees during the last 7 years.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Universal Credit Acceptance Corp., Continental Credit Card Corp., International Credit Card Corp., also trading as National Credit Service, corporations, and their officers, and John Clifford Heater, individually and as an officer of Universal Credit Acceptance Corp. and International Credit Card Corp., and Howard P. Gingold, individually and as an officer of Continental Credit Card Corp., and respondents' franchisees, agents, representatives, employees, successors and assigns, directly or through any corporate or other device, in connection with the advertising, offering for sale or sale of franchises or credit card services, or any other products or services, or in the operation of any credit card service or other business in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from directly or by implication:

1. (A) Representing that franchisees will earn or can reasonably expect to earn or receive any stated or gross or net amount of earnings or profits; or representing, in any manner, the past earnings of franchisees unless in fact the past earnings represented are those of a substantial number of franchisees in the geographical area about which such representations are made and accurately reflect the average earnings of said franchisees under circumstances similar to those of the person to whom the representation is made.

(B) Representing that franchisees can expect to remain active franchisees for many years; or representing, in any manner, the longevity or tenure of past or existing franchisees unless in fact the periods of time represented are those for which a substantial number of franchisees actively pursued membership sales efforts.

(C) Selling, or offering franchises for sale, in any manner, without disclosing clearly and conspicuously in writing at or before the time of the first oral sales presentation, or in the event no oral sales presentation is made, reasonably prior to the execution of a franchise application, agreement or contract:

(i) The median and mean gross earnings from the sale of memberships in respondents' program by franchisees in the most recent calendar year (who were active for the entire year) preceding the year in which such sale or offer is made;

(ii) The total number of franchisees in the most recent calendar year preceding the year in which the sale or offer is made;

(iii) The total number of franchisees in subparagraph (ii) above who had earnings from the sale of memberships during the designated year in the following dollar amounts:

a. $1,000 or less.
b. Over $1,000 but not over $5,000.
c. Over $5,000 but not over $10,000.
d. Over $10,000 but not over $20,000.
e. Over $20,000.

(iv) The number of franchisees referred to in subparagraph (ii) above who sold memberships for the following periods of time:

a. 1 year or less.
b. Over 1 year but not over 2 years.
c. Over 2 years but not over 3 years.
d. Over 3 years but not over 4 years.
e. Over 4 years.

(v) The total number of members submitting credit charges in respondents' program during the most recent calendar year preceding the year in which the sale or offer is made;

(vi) The number of members referred to in subparagraph (v) above who submitted credit charges under respondents' program for the following periods of time:

a. 1 year or less.
b. Over 1 year but not over 2 years.
c. Over 2 years but not over 3 years.
d. Over 3 years but not over 4 years.
e. Over 4 years.

(vii) The percentage of credit charges recoursed to members during the most recent calendar year and the full number and nature of reasons for which respondents may recourse charges;

(viii) The name and current address of each of respondents' franchisees in the most recent calendar year preceding the year in which such sale or offer is made;

(ix) A financial statement reflecting respondents' assets and liabilities (stating separately fixed assets and liquid assets) for the most recent calendar year;

(D) Selling, or offering memberships for sale, in any manner, without disclosing clearly and conspicuously in writing at or before the time of the first oral sales presentation, or in the event no oral sales presentation is made, reasonably prior to the execution of any application, agreement or contract:

(i) The percentage of credit charges recoursed to members during the most recent calendar year preceding the year in which the sale or offer is made and the full number and nature of reasons for which respondents may recourse charges;

(ii) The total number of members submitting credit charges in respondents' program during the most recent calendar year preceding the year in which the sale or offer is made;

(iii) The number of members referred to in subparagraph (ii) above who participated for the following periods of time:

a. One year or less.
b. Over 1 year but not over 2 years.
c. Over 2 years but not over 3 years.
d. Over 3 years but not over 4 years.
e. Over 4 years.

(iv) A financial statement reflecting respondents' assets and liabilities (stating separately fixed assets and liquid assets) for the most recent calendar year:

Provided, however, That in the event respondents operated or used any corporate or trade name for a period of less than 5 years, the disclosures called for in this paragraph shall reflect the operations of the last preceding business entity used by respondents to sell and administer franchises and memberships.

2. Selling, or offering franchises for sale, in any manner, without furnishing to each prospective purchaser reasonably prior to the execution of a franchise application or agreement, a copy of the Federal Trade Commission Consumer Bulletin No. 4, "Advice for Persons Who Are Considering an Investment in a Franchise Business."

3. (A) Representing that persons do not risk any loss of money in coming to respondents' offices, or any other place, for a franchise interview, or that respondents authorize the reimbursement of air fare expenses for such interviews, without disclosing clearly and conspicuously in writing prior to the expenditure of any funds by such persons, all conditions which must be met to receive reimbursement, including the exact amount of any deposit or downpayment required.

(B) Failing to reimburse travel expenses to any person respondents have promised such reimbursement.

4. Representing that persons do not risk losing the deposits or downpayments submitted with applications for franchises; or that such deposits or downpayments are refundable when such deposits or downpayments may be forfeited if the applicants withdraw or fail to pay the balance due after acceptance of their applications by respondents, or for any other reason; *Provided, however*, That respondents may make such representations if they do in fact refund such deposits.

5. Misrepresenting that any geographical area offered as a franchise has not

been previously franchised by respondents or misrepresenting that such area has been franchised before by respondents and was profitable for the prior franchise holder.

6. Misrepresenting that respondents have a franchise committee which actually checks the qualifications of prospective franchisees, or misrepresenting, in any manner, that respondents check, or have checked the qualifications of a prospective franchisee.

7. Misrepresenting that respondents have a regional manager who will interview, or has interviewed, prospective franchisees for a particular geographical area; or that respondents have applications pending for a particular area; or that any person must act immediately to be considered for a franchise; or misrepresenting, in any manner, the nature and extent of interest of others in any particular franchise, or franchises in general.

8. Representing that franchise holders receive substantial benefits from renewals of memberships or from annual bonuses based on a percentage of net credit charges submitted by members; or representing, in any manner, benefits to franchisees which are dependent upon the actions of members, unless the benefits represented are those received by a substantial number of franchise holders.

9. (A) Representing that persons risk losing little or nothing in investing in a franchise; or that respondents will repurchase any franchise.

(B) Representing that respondents will aid or assist in the resale of franchises without contemporaneously, clearly, and conspicuously disclosing the nature of such assistance and the amount of the resale purchase price which respondents will retain.

(C) Representing that respondents' franchises are vested property rights which may be sold, assigned, transferred or testated, without contemporaneously, clearly and conspicuously disclosing that franchises are subject to termination by respondents if a franchise holder does not produce a prescribed sales quota.

10. Representing, in any manner, that respondents' program has received national acceptance, or that respondents' program can be sold with ease; or misrepresenting in any manner, the salability or degree of acceptance or approval of respondents' program.

11. (A) Representing that credit charges submitted under respondents' program are guaranteed payable or are payable without recourse; or that respondents assume the risk of nonpayment by members' customers in any manner including, but not limited to, using the terms "we honor all approved major credit cards," "honor all credit cards," "non-recourse," "without recourse" or any other terms or words of similar import or meaning.

(B) Representing that all members can expect to be successful or satisfied with the performance of respondents' program; or that members usually continue using respondents' program for 2 years and renew their contracts thereafter.

12. Using or disseminating any article written or prepared by respondents and published substantially verbatim in any newspaper, magazine, or other publication.

13. Using any letter, payment check, or other materials which purport to represent the satisfaction or success of any franchisee or member unless,

(A) Such franchisee or member is actively selling or using respondents' program or service at the time such letter, payment check, or other materials are used;

(B) The full name and current address of the franchisee or member and the existence of any remuneration are disclosed clearly and conspicuously in conjunction with the use of such letter, payment check or other materials:

Provided, however, That respondents shall not obtain or use any such letter, payment check, or other material relating to any franchisee or member who has not sold or participated in respondents' program or service for at least six (6) months.

14. Representing that respondents' program costs members little or nothing at all; or that the program costs members half as much as trading stamps; or misrepresenting, in any manner, the cost of respondents' program to members.

15. Representing that members complete just one simple form for all credit charges; or misrepresenting, in any manner, the procedures necessary to process credit charges and receive payment therefor; or failing to disclose contemporaneously, clearly, and conspicuously any and all reasons which will preclude receipt of full payment of credit charges submitted by members.

16. Representing that members receive payment for each credit charge submitted to respondents in 30 days; or misrepresenting, in any manner, the period of time in which members will receive payment for credit charges submitted to respondents.

17. Failing to disclose clearly and conspicuously that respondents' program or service is not approved or endorsed by the individual issuers of the credit cards approved by respondents.

18. Representing that members are assured or can achieve a minimum 10 percent or any other percentage or amount of increase in business using respondents' program, without disclosing the number of members who have actually received said increase and offering to identify such members on request, and without maintaining verified statements from said members that they have received said increases.

19. (A) Using the name Fair Trade Bureau or any other name which represents that respondents' operations and activities have been endorsed by any independent or governmental organization.

(B) Writing, preparing, or disseminating any Better Business Bureau reports concerning respondents' business.

20. (A) Representing that every credit charge submitted by members is subject to the most intensive collection procedure in the credit industry; or misrepresenting, in any manner, the intensity or nature of respondents' collection activities.

(B) Using the name North American Collections or any other trade name or collection agency similarly related to respondents without disclosing contemporaneously, clearly, and conspicuously that such name or agency is owned, operated, or controlled by respondents.

21. Representing that respondents will institute legal action against inactive members whose accounts respondents claim are in arrears, unless respondents do intend to pursue such remedies and have in practice pursued such remedies against substantial number of members.

22. Furnishing, or otherwise placing in the hands of others, the means or instrumentalities by or through which the public may be misled or deceived in the manner or as to the things prohibited by this order.

It is further ordered, That respondents incident to selling their franchises and credit card services:

a. Inform orally all persons to whom solicitations are made and provide in writing in all applications and contracts in at least 10-point bold type that the application or contract may be canceled for any reason by notification to respondents in writing within 7 days from the date of execution.

b. Refund immediately all moneys to: (1) All persons who have requested cancellation of the application or contract within 7 days from the execution thereof, and (2) all persons who paid any moneys for franchise fees, deposits or downpayments on franchises, air fare or other expenses for a home office interview, and for membership fees, membership dues and discount fees, who show that any of respondents' solicitations, applications, contracts, or performance were attended by or involved any violation of any of the provisions of this order.

It is further ordered, That respondent John Clifford Heater shall:

a. Within thirty (30) days from the effective date of this order, compile a list which shall name each franchisee and member from whom respondents obtained any moneys during the period from and including January 1, 1967, to the effective date of this order, state the last known address of each such member or franchisee, note the length of time each remained as such member or franchisee and specify all franchisee fees and all membership fees, dues and members' discount fees paid by each such member or franchisee to any of the respondents named in the complaint.

b. Within 90 days of the effective date of this order, refund by certified check or money order to each franchisee and member listed in accordance with subsection (a) of this order provision all franchise fees and all membership fees and dues and members' discount fees paid by each such member or franchisee to any of the respondents named in the complaint. Refunds shall be made via registered mail with return receipt requested and shall be accompanied by a

brief statement substantially similar to that shown in Appendix A which shall inform the persons receiving refunds of the basis of the payment.

c. Hold any undelivered refund payments for a period of 180 days from the date of the first registered letter mailing and if the payment cannot be made to such addressee after due diligence within such period the obligation to refund shall expire.

Provided, however:

d. If respondent Heater claims not to have adequate funds to comply with this order provision, he may within 60 days of the effective date of this order petition the Commission to reopen the proceedings to consider his claim. The petition shall set forth the list of members and franchisees to whom refunds are due under this order and the sum of money each such member or franchisee is to receive in accordance with this order, a notarized statement of his assets and liabilities together with the assets and liabilities of all corporations in which he is an officer or stockholder.

Upon receipt of this petition and any response thereto which complaint counsel wishes to make, the Commission will assign an Administrative Law Judge for the purpose of making findings and recommendations with respect to the claim. The Administrative Law Judge shall furnish petitioner with the Commission's Statement of Financial Status (F.T.C. Operating Manual Chapter 6, Illustration 20, paragraph 6.19), shall require its prompt execution and may conduct such interrogations of the petitioner or require the production of such documents as he deems necessary in order to make findings and recommendations as to any modification of this order which may be warranted on the issues raised by petitioner's claim. The findings and recommendations will be repotred to the Commission for a final determination.

e. If any dispute arises as to the compliance of respondent Heater with the refund provision of this order which cannot be satisfactorily resolved by the parties, notice shall be given to respondent Heater of the extent to which he is regarded not to be in compliance and the facts respecting such alleged noncompliance. Within 30 days after the receipt of such notice of noncompliance, respondent Heater may petition the Commission for a hearing on such noncompliance or for a modification of the order provision giving rise to the disputed compliance or for such other relief as he believes is warranted and the Commission may set the matter down for hearing before itself or before an Administrative Law Judge or shall either grant or deny such petition by order formally entered in the same manner and form as if it were an original order of this Commission.

It is further ordered, That respondent Heater shall maintain adequate records, to be furnished upon request by the Federal Trade Commission, which disclose the manner and dates members and franchisees entitled to refunds under this order have received refunds or the reasons such members or franchisees have not received refunds.

It is further ordered, That the respondents shall forthwith deliver a copy of this order to cease and desist to all present and future salesmen and franchisees or other persons engaged in the sale of respondents' franchises and services, and secure from each such salesman, franchisee, or person a signed statement acknowledging receipt of said order.

It is further ordered, That the respondent corporations shall forthwith distribute a copy of this order to each of their operating divisions.

It is further ordered, That the respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondents such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That each of the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with all of the provisions of this order. The report which respondent Heater shall file within sixty (60) days after service upon him of this order shall include the list he is to compile in accordance with subsection (a) of the provision of this order requiring him to refund certain monies to named members and franchisees.

Thereafter, respondent Heater shall, within two hundred and ten (210) days after service upon him of this order, file with the Commission a second report in writing, setting forth in detail the manner and form in which he has complied with this refund order.

By direction of the Commission.[1]

Issued: February 16, 1973.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.73-5595 Filed 3-22-73;8:45 am]

[Docket No. C-2354]

PART 13—PROHIBITED TRADE PRACTICES

Western Apparel and Equipment Manufacturers Association et al.

Subpart—Coercing and intimidating: § 13.345 *Competitors;* § 13.350 *Distributors;* § 13.370 *Suppliers and sellers.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Western Apparel and Equipment Manufacturers Association et al., Albuquerque, N. Mex., docket No. C-2354, Feb. 13, 1973]

In the Matter of Western Apparel and Equipment Manufacturers Association, a Corporation, and John Sullivan, Individually and as an Officer of Said Corporation, and Sid M. Vinyard, Individually

Consent order requiring an Albuquerque, N. Mex., western apparel and equipment trade association, among other things to cease enforcing contractual provisions restricting association members from participating in non-WAEMA trade shows; coercing, intimidating, or inducing members from participating in trade shows sponsored by other trade associations or to participate in WAEMA-sponsored trade shows.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Western Apparel and Equipment Manufacturers Association, a corporation, its successors and assigns, and its officers and directors, and John Sullivan, individually, and as an officer of said corporation, and Sid M. Vinyard, individually, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the purchase or sale of western apparel and equipment and other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Enforcing, directly or indirectly, any contractual provision restricting any member of WAEMA from participating in any non-WAEMA trade show, exhibition, or display.

2. Requiring, directly or indirectly, through contract or other device, any member of WAEMA or any other exhibitor as a condition of membership or participation in any WAEMA trade show, exhibition, or display, to refrain from participating in any non-WAEMA trade show, exhibition, or display.

3. Requiring, directly or indirectly, through contract or other device, any member of WAEMA or any other exhibitor as a condition of participating in any WAEMA trade show, exhibition, or display, to purchase advertising, or any other product or service.

4. Coercing, intimidating, or inducing, in any manner or by any means, including boycott or threat of boycott, any manufacturer, wholesaler, distributor, salesman, or competitor to refrain from participating in any trade show, exhibition, or display sponsored by any other trade association, corporation, or other business entity, *Provided, however,* That nothing contained herein shall prohibit any individual respondent from advising or instructing any employee of his own company to refrain from participating in any trade show, exhibition, or display.

5. Coercing, intimidating, or inducing, in any manner or by any means, including boycott or threat of boycott, any manufacturer, wholesaler, distributor, salesman, or competitor to participate in any WAEMA trade show, exhibition,

[1] Chairman Kirkpatrick not participating. Commissioner MacIntyre concurred in the result, including the restitution provision since fraud is found to have been involved here.

or display. *Provided, however,* That nothing contained herein shall prohibit any individual respondent from advising or instructing any employee of his own company to participate in any WAEMA trade show, exhibition, or display.

It is further ordered, That respondent WAEMA shall:

1. Within thirty (30) days after this order becomes final, serve by mail or otherwise cause to be served on all its members (a) a copy of this consent order and (b) a copy of the letter attached hereto as Appendix A,[1] signed by the president of WAEMA.

2. Provide each applicant for membership in WAEMA within one (1) year after this order becomes final with (a) a copy of this consent order and (b) a copy of the letter attached hereto as appendix A,[1] signed by the president of WAEMA.

3. Within thirty (30) days after this order becomes final, or sooner, request each WAEMA member to serve on its respective salesmen, sales representatives, and sales agents a copy of the letter attached hereto as appendix B.[1]

4. Within thirty (30) days after this order becomes final, or sooner, serve on all persons, corporations, and other business entities engaged in the retail sale and distribution of western apparel and equipment that registered for the 1972 Western and Dress Apparel Show held at the Denver Merchandise Mart, Denver, Colo., a copy of the letter attached hereto as appendix C,[1] signed by the president of WAEMA.

It is further ordered, That respondent WAEMA shall, within thirty (30) days after this order becomes final, or sooner, place for publication the advertisement measuring 4¾" x 4¾", attached hereto as appendix D[1] in the following trade publications: "Western Wear and Equipment Magazine, Tack-'N-Togs, and Western Outfitter."

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: February 13, 1973.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.73-5594 Filed 3-22-73;8:45 am]

[1] Appendixes A, B, C, and D filed as part of the original document.

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER D—MISCELLANEOUS EXCISE TAXES

[T.D. 7250]

PART 53—FOUNDATION EXCISE TAXES

Taxes on Investment Income; Correction

In FR Doc. 72-22464 appearing at page 870 of the issue of Friday, January 5, 1973, the following change should be made:

The year "1972" appearing in the last line of paragraph (iv) of § 53.4940-1 should be "1971".

JAMES F. DRING,
Director, Legislation and Regulations Division.

[FR Doc.73-5681 Filed 3-22-73;8:45 am]

Title 29—Labor

CHAPTER V—WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR

PART 779—THE FAIR LABOR STANDARDS ACT AS APPLIED TO RETAILERS OF GOODS OR SERVICES

Clarification of Exempt and Nonexempt Work Performed by Mechanics on Mobile Homes

Part 779 of Title 29 of the Code of Federal Regulations is hereby amended in order to adapt it to the circuit court decision in Shultz v. Louisiana Trailer Sales, Inc., 428 F.2d 61 (C.A. 5). This decision sustained the position of the Administrator previously approved in D. W. Snell v. Quality Mobile Home Brokers, Inc., doing business as A to Z Mobile Homes, 424 F. 2d 233 (C.A. 4), that the mechanical work performed on trailers, including mobile homes, exempted from payment of overtime under section 13 (b) (10) of the Fair Labor Standards Act is limited to that performed by other mechanics on automobiles, trucks, farm implements, or aircraft. Work performed in converting mobile homes into permanent residences and servicing them after such conversions is not exempt.

The administrative provisions of 5 U.S.C. 533 which require notice of proposed rule making, opportunity for public participation, and delay in effective date are not applicable because these are interpretative rules. I do not believe such procedures will serve a useful purpose here.

Effective date. This amendment revising Part 779 shall become effective on March 23, 1973.

Paragraph (c) (3) of § 779.372 is amended to read as follows:

§ 779.372 Nonmanufacturing establishments with certain exempt employees under section 13(b)(10).

* * * * * *

(c) * * *

(3) As used in section 13(b)(10), a mechanic is any employee primarily engaged in doing mechanical work (such as get ready mechanics, automotive, truck, farm implement, or aircraft mechanics, used car reconditioning mechanics, and wrecker mechanics) in the servicing of an automobile, trailer, truck, farm implement, or aircraft for its use and operation as such. This includes mechanical work required for safe operation, as a vehicle, farm implement, or aircraft. The term does not include employees primarily performing such nonmechanical work as washing, cleaning, painting, polishing, tire changing, installing seat covers, dispatching, lubricating, or other nonmechanical work. Wrecker mechanic means a service department mechanic who goes out on a tow or wrecking truck to perform mechanical servicing or repairing of a customer's vehicle away from the shop, or to bring the vehicle back to the shop for repair service. A tow or wrecker truck driver or helper who performs nonmechanical repair work is not exempt. When employed by an establishment qualifying under section 13(b)(10) which sells and services trailers, mechanics primarily engaged in servicing the trailers for their use and operation as such may qualify for the exemption. "Trailers" include a wide variety of nonpowered vehicles used for industrial, commercial, or personal transport or travel on the highways by attaching the vehicle to the rear of a separate powered vehicle. Mechanics servicing mobile homes for operation and use as a trailer, if and to the extent that they are operated as such on their own suspension systems, would appear to be performing work within the purview of the exemption provided for mechanics in section 13(b)(10) to the same extent as mechanics servicing automobiles, ordinary travel, boat, or camping trailers, trucks, and truck or tractor trailers. On the other hand, there is no indication in the statutory language or the legislative history of any intent to provide exemption for mechanics whose work is directed to the habitability as a residence of a dwelling to be used as such on a fixed site in a particular locality, merely because the home is so designed that it may be moved to another location over the highways more readily than the traditional types of residential structures. Accordingly, servicemen checking, servicing, or repairing the plumbing, electrical, heating, air conditioning, or butane gas systems, the doors, windows, and other structural features of mobile homes to make them habitable or more habitable as residences are, while so engaged, not deemed to qualify as "mechanic(s) * * * servicing * * * trailers" within the meaning of section 13(b)(10). (Snell v. Quality Mobile Home Brokers, 424 F. 2d 233 (C.A. 4); Schultz v. Louisiana Trailer Sales, Inc. 428 F. 2d 61 (C.A. 5) certiorari denied, 400 U.S. 902.)

* * * * * *

(Sec. 13, 52 Stat. 1067, as amended; 29 U.S.C. 213)

Signed at Washington, D.C., this 19th day of March 1973.

BEN P. ROBERTSON,
Acting Administrator, Wage and Hour Division, United States Department of Labor.

[FR Doc.73-5625 Filed 3-22-73;8:45 am]

Title 24—Housing and Urban Development

SUBTITLE A—OFFICE OF THE SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-72-186]

PART 42—RELOCATION PAYMENTS AND ASSISTANCE AND REAL PROPERTY ACQUISITION UNDER THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

Establishment of Grievance Procedures

Correction

In FR Doc. 73-3538 appearing at page 5168 in the issue of Monday, February 26, 1973, the following changes should be made:

1. In the last complete paragraph in the third column on page 5168, in the third from the last line, the word "leabe" should read "leave".

2. In the first complete paragraph in the first column on page 5169:

a. The last word in the fifth line now reading "appellae" should read "appellate".

b. Directly after "for" in the third from the last line, insert, "review and reconsideration (see § 42.225) could include a mechanism for".

3. In the first column on page 5169 in the second complete paragraph, in the second from the last line, the word "claimans' ", should read "claimants' ".

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
* * *	* * *	* * *	* * *	* * *	* * *	* * *
Alabama	Jefferson	Homewood, City of.	I 01 073 1710 01 through I 01 073 1710 08	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Homewood City Hall, 1903 29th Ave., South, Homewood, AL 35209.	July 9, 1971 Emergency. Mar. 30, 1973. Regular.
Delaware	Sussex	Rehoboth Beach, City of.	I 10 005 0410 01	Division of Soil and Water Conservation, Department of Natural Resources and Environmental Control, Tatnall Bldg., Capital Complex, Dover, Del. 19901. Delaware Insurance Department 21 The Green, Dover, DE 19901.	Office of the City Manager, City of Rehoboth Beach, Post Office Box C, Rehoboth Beach, DE 19971.	Feb. 11, 1972. Emergency. Mr. 30, 1973. Regular.
Do	do	Lewes, City of				Mar. 23, 1973. Emergency.
Florida	Lee	Cape Coral	I 12 071 0457 01 through I 12 071 0457 09	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Office of the City Clerk, City of Cape Coral, Post Office Box 900, Cape Coral, FL 33904.	July 2, 1971. Emergency. Mar. 30, 1973. Regular.
Kentucky	Perry	Unincorporated areas.	I 21 193 0000 01 through I 21 193 0000 06.	Division of Water, Kentucky Department of Natural Resources, Capitol Plaza Office Tower, Frankfort, Ky. 40601. Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601.	Perry County Court Clerk Office, Courthouse, Hazard, Ky. 41701.	Dec. 17, 1971. Emergency. Mar. 30, 1973. Regular.
Louisiana	St. Mary Parish	Morgan City, City of.				Mar. 23, 1973. Emergency.
Michigan	St. Clair	Fort Gratiot, Township of.				Do.
Do	Wayne	Allen Park, City of.				Do.
Minnesota	Hennepin	Minneapolis, City of.				Do.
Do	Le Sueur	Unincorporated areas.				Do.
Do	Lyon	Marshall, City of.				Do.
Do	Stearns	Unincorporated areas.				Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
New York	Chemung	Big Flats, Town of.				Mar. 23, 1973, Emergency
Do.	Monroe	Henrietta, Town of.				Do.
Do.	do.	Penfield, Town of.				Do.
Do.	Steuben	Corning, Town of.				Do.
Do.	do.	Erwin, Town of.				Do.
Do.	Wayne	Williamson, Town of.				Do.
Ohio	Lucas	Washington, Township of.				Do.
Do.	Trumbull	Newton Falls, City of.				Do.
Pennsylvania	Lebanon	West Cornwall, Borough of.				Do.
Do.	Luzerne	Larksville, Borough of.				Do.
Do.	Montgomery	Rockledge, Borough of.				Do.
Tennessee	Williamson	Brentwood, City of.				Do.

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

Issued: March 16, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73–5507 Filed 3–22–73;8:45 am]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

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

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

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
* * *	* * *	* * *	* * *	* * *	* * *	* * *
Alabama	Jefferson	Homewood, City of.	H 01 073 1710 01 through H 01 073 1710 08	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, AL 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Homewood City Hall, 1903 29th Ave., South, Homewood, AL 35209.	Mar. 30, 1973.
Delaware	Sussex	Rehoboth Beach, City of.	H 10 005 0410 01	Division of Soil and Water Conservation, Department of Natural Resources and Environmental Control, Tatnall Bldg., Capital Complex, Dover, Del. 19901. Delaware Insurance Department, 21 The Green, Dover, DE 19901.	Office of the City Manager, City of Rehoboth Beach, Post Office Box C, Rehoboth Beach, DE 19971.	Do.
Florida	Franklin	Apalachicola, City of.	H 12 037 0060 01	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	City Office, City of Apalachicola, County Courthouse, Apalachicola, Fla. 32320.	Do.
Do.	Lee	Cape Coral, City of.	H 12 071 0457 01 through H 12 071 0457 09	do.	Office of the City Clerk, City of Cape Coral, Post Office Box 900, Cape Coral, FL 33904.	Do.
Kentucky	Perry	Unincorporated areas.	H 21 193 0000 01 through H 21 193 0000 06	Division of Water, Kentucky Department of Natural Resources, Capitol Plaza Office Tower, Frankfort, Ky. 40601. Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601.	Perry County Court Clerk Office, Courthouse, Hazard, Ky. 41701.	Do.
Missouri	Randolph	Moberly, City of.	H 29 175 5270 01 through H 29 175 5270 06	Water Resources Board, Post Office Box 271, Jefferson City, MO 65101. Division of Insurance, Post Office Box 690, Jefferson City, MO 65101.	Municipal Bldg., City of Moberly, 109 North Clark St., Moberly, MO 65270.	Do.
Pennsylvania	Delaware	Chester Heights, Borough of.	H 42 045 1280 01 H 42 045 1280 02	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120. Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Secretary's Office, Chester Heights Borough, Valley Brook Road, Chester Heights, Pa. 19017.	Do.
Do.	do.	Parkside, Borough of.	H 42 045 6390 01	do.	Borough Secretary's Office, 2700 Edgemont Ave., Parkside, PA 19013.	Do.
Do.	Elk	Ridgway, Borough of.	H 42 047 7010 01 through H 42 047 7010 04	do.	Ridgway Municipal Bldg., Main St., Ridgway, Pa. 15853.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Pennsylvania	Lebanon	Jonestown, Borough of.	H 42 075 4020 01	do	Lebanon Municipal Bldg., 400 South Eighth St., Lebanon, PA 17038.	Mar. 30, 1973
Do.	Luzerne	Forty Fort, Borough of.	H 42 079 2960 01	do	Forty Fort Municipal Bldg., Corner Wyoming Ave. and River St., Forty Fort, Pa. 18704.	Do.
Do.	do	Plymouth, Borough of.	H 42 079 6660 01 through H 42 079 6660 06	do	Plymouth Borough Bldg., 162 West Shawnee Ave., Plymouth, PA 18651.	Do.
Do.	do	Shickshinny, Borough of.	H 42 079 7630 01	do	Borough of Shickshinny, 5 McClintock St., Shickshinny, PA 18655.	Do.

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

Issued: March 16, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-5508 Filed 3-22-73;8:45 am]

Title 36—Parks, Forests, and Memorials

CHAPTER III—CORPS ENGINEERS, DEPARTMENT OF THE ARMY

PART 311—PUBLIC USE OF CERTAIN LAKES AND RESERVOIR AREAS

PART 326—PUBLIC USE OF CERTAIN NAVIGABLE LAKES AND RESERVOIR AREAS

PART 327—RULES AND REGULATIONS GOVERNING PUBLIC USE OF WATER RESOURCE DEVELOPMENT PROJECTS ADMINISTERED BY THE CHIEF OF ENGINEERS

Rules and Regulations Governing Public Use of Water Resource Development Projects Administered by the Chief of Engineers set forth in Part 327 below supersede Parts 311 and 326. Increased public use at these projects, changing patterns of recreation activity, and increased public interest made it necessary to amend the rules and regulations as set forth below in the interest of more effective recreation-resource management of the lake and reservoir projects.

Sec.

327.0 Applicability.
327.1 Policy.
327.2 Motor vehicles.
327.3 Vessels.
327.4 Aircraft.
327.5 Swimming.
327.6 Picnicking.
327.7 Camping.
327.8 Hunting, fishing and trapping.
327.9 Sanitation.
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327.25 Special recreation use fees. [Reserved]
327.26 Interference with Government employees.
327.27 Violation of rules and regulations.

AUTHORITY: Sec. 4, Act of December 22, 1944, 54 Stat. 899, as amended, 16 U.S.C. 460d; Public Law 90-483, 82 Stat. 746; and Public Law 92-347, 86 Stat. 459.

§ 327.0 Applicability.

The regulations covered in this Part 327 shall be applicable to all water resource development projects administered by the Chief of Engineers. All other Federal, State, and local laws and regulations remain in full force and effect where applicable to those water resource development projects. These regulations do not apply to those water resource development projects regulated jointly with other Federal agencies to which Parts 313 and 322, Chapter III, Title 36, Code of Federal Regulations apply.

§ 327.1 Policy.

(a) It is the policy of the Secretary of the Army acting through the Chief of Engineers to provide the public with safe and healthful recreational opportunities within all water resource development projects administered by the Chief of Engineers.

(b) Unless otherwise indicated herein, the term "District Engineer" shall include the authorized representatives of the District Engineer.

(c) All water resource development projects open for recreational use shall be available to the public without regard to sex, race, creed, color, or national origin. No lessee, licensee, or concessionaire providing a service to the public shall discriminate against any person or persons because of sex, race, creed, color, or national origin in the conduct of his operations under the lease, license, or concession contract.

§ 327.2 Motor vehicles.

(a) The operation and parking of motor vehicles, including off-road vehicles as set forth in paragraph (b) of this section, is prohibited on roadways of water resource development projects at those locations and at times designated by the District Engineer and marked by the posting of appropriate signs.

(b) The operation of off-road vehicles including but not limited to motorcycles, minibikes, trail bikes, snowmobiles, dune buggies, all terrain vehicles, and other motor vehicles designed for or capable of cross-country travel on natural terrain, when operated off the roadways of water resource development projects is prohibited except at locations and at times designated by the District Engineers and marked by the posting of appropriate signs.

(c) No person shall operate any motor vehicle including off-road vehicles in a careless, negligent, or reckless manner so as to endanger any person or property.

§ 327.3 Vessels.

(a) It shall be a violation of these regulations to operate any vessel for a fee or profit upon the waters of water resource development projects unless such operation is authorized by lease, license or concession contract with the Department of the Army. This paragraph shall not apply to the operation of vessels upon navigable waters of the United States.

(b) No vessel shall be operated in prohibited areas of a lake, reservoir, or other body of water. Such areas shall be designated by the District Engineer and marked by the posting of appropriate signs.

(c) No person shall operate any vessel or manipulate any water skis or other similar device in a careless, negligent, or reckless manner so as to endanger any person or property.

(d) The construction of floating or stationary mooring facilities or any other structure of any kind in the lake, reservoir, or other body of water is prohibited unless a permit therefor has been issued by the District Engineer. No habitation of such facilities will be permitted.

(e) All vessels when not in actual use shall be removed from the lake, reservoir, or other body of water unless securely moored at mooring facilities permitted by the District Engineer.

§ 327.4 Aircraft.

(a) The operation of aircraft on lands or waters other than at the landing areas designated by the District Engineer is prohibited. Such designated areas shall be marked by the posting of appropriate signs.

(b) Except in extreme emergencies involving the safety of human life or threat of serious property loss, the air delivery of any person or thing by parachute, helicopter, or other means without written permission of the District Engineer is prohibited.

(c) The provisions of this section shall not be applicable to aircraft engaged on official business of the Federal Government or used in emergency rescue in accordance with the directions of the District Engineer or forced to land due to circumstances beyond the control of the operator.

§ 327.5 Swimming.

Swimming, snorkling, or scuba diving is permitted, except in those areas of the lake, reservoir, or other body of water designated by the District Engineer and marked by the posting of appropriate signs.

§ 327.6 Picnicking.

Picnicking is permitted, except in those areas designated by the District Engineer and marked by the posting of appropriate signs.

§ 327.7 Camping.

(a) Camping is prohibited except in areas designated by the District Engineer. Such designated areas shall be marked by the posting of appropriate signs.

(b) Camping at a fee site without payment of designated fees as set forth in § 327.25 is prohibited.

(c) The length of stay at all campgrounds shall be limited to 14 consecutive days. Occupancy of any campsite for a period greater than 14 consecutive days is prohibited without written permission of the District Engineer.

(d) Camping equipment or other property left unattended at a campsite for the purpose of holding the site for future occupancy is prohibited.

(e) The digging or leveling of any ground or the construction of any facility without written permission of the District Engineer is prohibited.

(f) Camping equipment shall be completely removed and the sites cleaned before the departure of the campers.

§ 327.8 Hunting, fishing, and trapping.

(a) Hunting, fishing, and trapping are prohibited in areas designated by the District Engineer. Such restricted areas shall be marked by the posting of appropriate signs.

§ 327.9 Sanitation.

(a) Dumping or disposal in any manner of refuse, garbage, rubbish, trash, debris, or litter of any kind into the waters of or onto any land federally owned and administered by the Chief of Engineers is prohibited except at locations and in receptacles provided for such purposes.

(b) It shall be a violation to bring onto any water resource development project any refuse, garbage, rubbish, trash, debris, or litter of any kind for dumping or in any other manner disposing of such refuse, garbage, rubbish, trash, debris, or litter of any kind into the waters of or onto any land federally owned and administered by the Chief of Engineers.

§ 327.10 Fires.

(a) Gasoline and other fuels, except that which is contained in storage tanks of vehicles, vessels, camping equipment, or hand portable containers shall not be stored within the water resource development project areas without written permission of the District Engineer.

(b) Fires shall be confined to fireplaces, grills, or other facilities designed for this purpose and shall in addition be confined to those areas designated by the District Engineer.

(c) The gathering of wood for use as fuel at campsites or picnic areas is prohibited except for the gathering of dead material on the ground.

§ 327.11 Control of horses, dogs, cats, and pets.

(a) No person shall bring or have horses in camping, picnic, swimming, beach, or other similar areas, or developed recreation areas.

(b) No person shall bring dogs, cats, or other pets into developed recreation areas unless penned, caged, on a leash no longer than 6 feet in length, or otherwise under physical restrictive controls at all times.

§ 327.12 Restrictions.

(a) The District Engineer may establish a reasonable schedule of visiting hours for all or portions of a project area and close or restrict the public use of all or any portion of a project by the posting of appropriate signs indicating the extent and scope of closure. All persons shall observe such posted restrictions.

(b) Quiet shall be maintained in all public use areas between the hours of 10 p.m. and 6 a.m. Excessive noise during such times which unreasonably disturbs persons is prohibited.

(c) The operation or use of any audio or other noise producing device including but not limited to communications media and motorized equipment or vehicles in such a manner as to unreasonably annoy or endanger persons is prohibited.

§ 327.13 Explosives, firearms, other weapons, and fireworks.

(a) The possession of loaded firearms, ammunition, projectile firing devices, bows and arrows, cross bows, and explosives of any kind is prohibited unless: (1) In the possession of a law enforcement officer or Government employee on official duty; (2) used for hunting or fishing during the hunting or fishing season as permitted under § 327.8, or (3) unless written permission has been received from the District Engineer.

(b) The possession or use of fireworks is prohibited unless written permission has been received from the District Engineer.

§ 327.14 Public property.

Destruction, injury, defacement, or removal of public property including natural formations, historical and archeological features, and vegetative growth is prohibited without written permission of the District Engineer.

§ 327.15 Abandonment of personal property.

(a) Abandonment of personal property is prohibited. Personal property shall not be left unattended upon the lands or waters of the project except in accordance with these regulations. After a period of 24 hours, abandoned or unattended personal property shall be impounded and stored at a storage point designated by the District Engineer. The District Engineer shall assess a reasonable impoundment fee, which shall be paid before the impounded property is returned to its owners.

(b) The District Engineer shall by public or private sale or otherwise, dispose of all lost, abandoned, or unclaimed personal property that comes into his custody or control. However, property may not be disposed of until diligent effort has been made to find the owner, his heirs or next of kin, or his legal representative. If the owner, his heirs or next of kin, or his legal representative is determined but not found, the property may not be disposed of until the expiration of 120 days after the date when notice, giving the time and place of the intended sale or other disposition, has been sent by certified or registered mail to that person at his last known address. When diligent effort to determine the owner, his heirs or next of kin, or his legal representatives is unsuccessful, the property may be disposed of without delay, except that if it has a fair market value of $25 or more the property may not be disposed of until 3 months after the date it is received at the storage point designated by the District Engineer. The net proceeds from the sale of property shall be covered into the Treasury of the United States as miscellaneous receipts.

§ 327.16 Lost and found articles.

All lost articles shall be deposited by the finder at the Resource Manager's Office or with a ranger. The finder shall leave his name, address and phone number. All lost articles shall be disposed of in accordance with the procedures set forth in § 327.17.

§ 327.17 Advertisement.

Advertising by the use of billboards, signs, markers, audio devices, or any other means whatever is prohibited unless written permission has been received from the District Engineer.

§ 327.18 Commercial activities.

The engaging in or solicitation of business without the express written agreement of the District Engineer is prohibited.

§ 327.19 Permits.

(a) It shall be a violation of these regulations to refuse to comply with the

terms or conditions of any permit issued under the provisions of this regulation by the District Engineer.

(b) (1) Permits for floating structures of any kind in waters of water resources development projects whether or not such waters are deemed navigable waters of the United States but where such waters are under the management of a Corps of Engineers lake Resources Manager shall be issued under the authority of this regulation. District Engineers will delineate those portions of the navigable waters of the United States where this provision is applicable and post notices of this designation, in the vicinity of the lake Resource Managers Office.

(2) Permits for nonfloating structures of any kind constructed, placed in, or affecting waters of water resource development projects where such waters are deemed navigable waters of the United States shall be issued under the provisions of section 10 of the Act approved March 3, 1899, and § 209.120 of Title 33, Code of Federal Regulations.

(3) Permits for nonfloating structures of any kind in waters of water resources development projects where such waters are under the management of a Corps of Engineers lake Resources Manager and where such waters are not deemed navigable waters of the United States shall be issued as set forth in subparagraph (1) of this paragraph.

§ 327.20 Unauthorized structures.

The construction or placing of any structure of any kind under, upon, or over the project lands or waters is prohibited unless a permit therefor has been issued by the District Engineer. Structures not under permit are subject to summary removal by the District Engineer.

§ 327.21 Special events.

Special events such as water carnivals, boat regattas, music festivals, dramatic presentations, or other special recreation programs are prohibited unless a permit therefor has been issued by the District Engineer. The public shall not be charged any fee by the sponsor of such event unless the District Engineer has approved in writing the proposed schedule of fees.

§ 327.22 Unauthorized occupation of lands.

(a) Occupying any lands, buildings, or other facilities within water resource development projects for the purpose of maintaining same as a residence without the written authorization of the District Engineer is prohibited. The provisions of this section shall not apply to the occupation of lands for the purpose of camping in accordance with the provisions of § 327.7.

(b) The ranging, grazing, or watering of livestock on lands of water resource development projects administered by the Corps of Engineers is prohibited except when authorized by lease, license, or other agreement with the District Engineer.

(c) Unless otherwise authorized by law, use of project lands or waters for agricultural purposes is prohibited except when authorized by lease, license, or other agreement by the District Engineer.

§ 327.23 Outgranted lands.

Applicable laws and regulations of State and local governments shall be deemed to apply on project lands or waters which are outgranted by the District Engineer by lease, license, or other written agreement to State and local governments; *Provided, however,* That the regulations in this Part 327 are deemed to apply to such outgranted project lands and waters as a minimum regulatory requirement.

§ 327.24 Indian lands.

The regulations in this Part 327 shall be deemed to apply to those lands and waters which are subject to treaties and Federal laws and regulations concerning the rights of Indian Nations and which lands and waters are incorporated, in whole or in part, within water resource development projects administered by the Chief of Engineers to the extent that the regulations in this Part 327 are not inconsistent with such treaties and Federal laws and regulations.

§ 327.25 Special recreation use fees.

[Reserved]

§ 327.26 Interference with Government employees.

Interference with any Government employee in the conduct of his official duties pertaining to the administration of these regulations is prohibited.

§ 327.27 Violation of rules and regulations.

Except for violations coming within the scope of § 327.25 in accordance with section 234 of the River and Harbor Act of 1970 (84 Stat. 1818, 16 U.S.C. 460d, as amended), violations of the provisions of this regulation shall subject the violator to a fine of not more than $500 or imprisonment for not more than 6 months, or both. Any person charged with such violation may be tried and sentenced in accordance with the provisions of section 3401 of title 18, United States Code. All persons designated by the Chief of Engineers for that purpose shall have the authority to issue a citation for violation of these regulations, requiring the appearance of any person charged with violation to appear before the U.S. magistrate within whose jurisdiction the water resource development project is located for trial.

(Sec. 4, 58 Stat. 889, as amended; 16 U.S.C. 460d)

ROBERT F. FROEHLKE,
Secretary of the Army.

MARCH 16, 1973.

[FR Doc.73-5608 Filed 3-22-73;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Sulfur Dioxide Emissions in Arizona, New Mexico, and Utah

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved, with specific exceptions, plans for implementation of the national ambient air quality standards submitted by Arizona, New Mexico, and Utah. On July 27, 1972 (37 FR 15094), the Administrator proposed regulations to correct deficiencies in the regulatory provisions of the plans for these States. This publication sets forth final regulations limiting sulfur dioxide emissions and providing for compliance with such limitations with respect to four large electric powerplants in the three States. Particulate emission limitations also are being promulgated for the powerplant in Utah. Other deficiencies remaining in the plans for these three States will be corrected by regulations to be promulgated in the near future.

Three of the affected powerplants are not yet operating, but are presently under construction and, therefore, are not subject to the new source review procedures required by 40 CFR 51.18. Naturally, there are no measured air quality data which reflect the impact of the sources under construction. Limited air quality data are available around the powerplant presently in operation, but sampling sites have not been located in areas which diffusion calculations indicate will receive the maximum impact of the powerplant emissions.

In the absence of adequate measured air quality data, diffusion models were used to make estimates of the impact of the powerplant emissions on air quality. It is recognized that available diffusion models, when used to make such estimates for rugged terrain situations such as exist around these four plants, may be subject to error in their ability to predict ground level concentrations. There is a substantial difference in the predictions obtained from different models. It is the Administrator's judgment, however, that the diffusion model employed by the National Oceanic and Atmospheric Administration (NOAA) for purposes of the Southwest Energy Study is based on reasonable assumptions regarding meterological and topographical factors and on valid computational techniques. Therefore, while predictions obtained from unvalidated models are not regarded as a sufficient basis for determining the exact degree of emissions control necessary for attainment and maintenance of national ambient air quality standards in an area of rough terrain, it is the Administrator's judgment that the NOAA model has sufficiently sound technical basis to justify the conclusion that its predictions are

generally correct, i.e., that substantial control of emissions will be necessary for attainment and maintenance of the national standards in the Four Corners area. The plans submitted by the three affected States did not provide for such substantial control of sulfur oxides; in addition, the Utah plan failed to provide for such control of particulate emissions.

The regulations promulgated herein provide for 70 percent control of sulfur oxides emissions. To comply with this limitation, the affected powerplants, in all likelihood, will have to be equipped with alkaline scrubbers or equivalent emission control apparatus. Experience from demonstration testing, pilot studies, and technical consultations indicates that alkaline scrubbers are capable of providing at least 70 percent control of sulfur oxides emissions from these powerplants, which use or will use low-sulfur fuel, and probably could, if necessary, be upgraded to provide even higher efficiencies. For particulate emissions from the powerplant in Utah, an emission limitation of 0.075 pounds per million B.t.u. heat input is promulgated below. Given the uncertainty surrounding the use of diffusion modeling in this case and the flexibility of alkaline scrubbers, insofar as emission control efficiency is concerned, it is the Administrator's judgment that the regulations promulgated herein will provide for attainment and maintenance of the national ambient air quality standards for particulate matter and sulfur oxides. The Administrator recognizes that while there is reasonable assurance that the degree of emissions control now being required will meet the primary standards, there is somewhat less assurance with respect to the secondary standards. If, at any time, attainment or maintenance of the standards for either pollutant is found to require a greater degree of emissions control than is expressly required herein, these regulations will be revised. When and if additional control is found necessary just to meet the secondary standards, the prescribed attainment date for secondary standards can be reconsidered.

At public hearings held by the Environmental Protection Agency after the publication of these regulations as proposed rule-making, several utility companies presented testimony taking issue with the diffusion model used by EPA (i.e., the NOAA model) to estimate the impact of the powerplant emissions. Their objections centered on the behavior of plumes in complicated terrain situations, the wind regime at stack elevation, and the frequency and duration of the meteorological conditions producing high estimated short-term concentrations. The Administrator has reviewed the calculations and the assumptions used in the diffusion model and has determined that the conclusion discussed above regarding the need for substantial control, on which the proposal was based, is still valid. The estimated frequency of occurrence of the predicted high short-term concentrations is relatively low; however, in the Administrator's judgment, such concentrations would occur in the absence of the controls required herein, thus causing a violation of the national standards.

The utility companies also expressed reservations about their ability to comply with the emission limitations and still maintain the high reliability expected of the electric power industry. It is recognized that there may be unavoidable malfunctions of emission control systems, which would result in emission violations. It is anticipated that procedures for dealing with such conditions will be promulgated at a later date. Such procedures have been proposed in Part 60 of this chapter (37 FR 17215) for applicability to sources subject to new source performance standards, and EPA currently is evaluating comments submitted pursuant to this proposal.

In order to verify the adequacy of the control strategy and compliance with the emission limitations, the Administrator intends to utilize his authority under section 114 of the Act to require the power companies to install and operate stack gas monitoring devices and to perform ambient air quality monitoring. These requirements will provide means of making a continuing assessment of the adequacy of these regulations for attainment and maintenance of the national standards.

Section 110(a)(2)(A) of the Act has the effect of requiring attainment of the national primary ambient air quality standards by July 31, 1975, unless an extension is granted pursuant to section 110(e). On July 27, 1972 (37 FR 15080), the Administrator extended for 2 years, the deadline for attainment of the national primary standards for sulfur oxides in the Arizona, New Mexico, and Utah portions of the Four Corners air quality control region. Based on the considerations outlined below, the Administrator has now determined that an extension of 2 years is not justified at this time.

Of the 11 electric generating units affected by these regulations, the five units comprising the Four Corners plant are already in operation; the remainder are scheduled to begin operations at various times through 1976. The Four Corners plant is not now equipped to comply with these regulations. Insofar as can be determined, no steps have been taken, to design, build, or install sulfur oxides emission control equipment at the Four Corners plant or any of the plants now under construction, with the exception of the Navaho plant. Whether the equipment being designed for the Navaho plant will comply with these regulations has not been determined.

A study conducted by EPA in cooperation with other Federal agencies (Draft Report: Sulfur Oxides Control Technology Assessment Panel on Projected Utilization of Stack-Gas Cleaning Systems by Steam-Electric Plants, November 16, 1972) indicated that the design, fabrication, and installation of alkaline scrubbing systems, under circumstances such as those existing in the Four Corners area, can be expected to take approximately 30 months from the time an order is placed. Thus, even if orders were to be placed immediately, compliance prior to mid-September 1975 is unlikely. Given the nature of the economic and technological commitments involved, it is not reasonable to expect the affected plant owners and operators to place orders for emission control equipment until they are assured that the compliance schedules which they must submit are acceptable to EPA.

Notwithstanding the prescribed date for attainment of the applicable national ambient air quality standards, these compliance schedules will have to provide for compliance with the applicable emission control regulations as expeditiously as practicable. Moreover, these compliance schedules will be subject to public hearings before they can be approved. Since the plant owners and operators must abide by such compliance schedules once they are approved by EPA, and since such schedules therefore must reflect an owner's or operator's judgment as to the time required for each step in the design, fabrication, and installation of emission control equipment compatible with each electric generating unit, the Administrator has determined that 120 days is a reasonable allowance of time for submittal of compliance schedules.

Taking into account all of the above considerations, the Administrator has determined that an extension terminating no later than 36 months from the date of promulgation of these regulations is justified and therefore is granting such an extension. It is emphasized, however, that compliance schedules to be submitted by the plant owners and operators still will be required to provide for compliance with these emission control regulations as expeditiously as practicable. If, based on these compliance schedules, it appears that attainment of the national standards in less time than 36 months from the date of promulgation of these regulations is feasible, the extension will be modified.

Pursuant to section 110(e) of the Clean Air Act, the Administrator has considered alternative means of attaining the national standards by mid-1975, e.g., requiring the affected plants to burn virtually sulfur-free fuel. The only types of virtually sulfur-free fuel which might reasonably be available in the Four Corners area are natural gas and synthetic gas derived from coal. The use of natural gas in the affected plants would divert significant amounts of natural gas away from urban areas where its use (particularly by relatively small fuel users for which stack-gas cleaning is impractical) is a significant factor in meeting air quality standards. As to synthetic gas, it is unlikely that it will be available to the affected plants in appreciable quantities by mid-1975, since no synthetic gas production facilities capable of providing such quantities currently exist or are even being planned at this time.

Under section 110(e)(2), as applied to this situation, the Administrator may

grant an extension only if he determines that the emission control regulations needed for attainment of the primary standards will be applied to sources located in the Four Corners region other than the sources unable to comply with these regulations by mid-1975. In this regard, there are no other sulfur oxides sources which affect attainment of the primary standards in the area affected by emissions from the sources covered by these regulations.

Under section 110(e), the Administrator also must require the affected sources to take such interim measures of control as he determines to be reasonable under the circumstances. The regulations promulgated herein provide that any compliance schedule which extends beyond July 31, 1975, "shall apply any reasonably available interim measures of control to reduce the impact of emissions" on public health. As indicated by the Administrator on July 27, 1972 (37 FR 15094), intermittent process curtailment may be considered a reasonable interim control measure where an extension of the time for attainment of national standards is necessary.

Certain modifications have been made to the proposed regulations, as follows:

1. An upper emission limit of 0.90 lb./106 B.t.u., based on 70 percent control of the maximum sulfur content of the local coals, has been added. Because of the large supplies of low sulfur coal in close proximity to the affected sources, it is unlikely that high-sulfur coal, which would have to be transported from other areas, will be used; nevertheless, if high-sulfur coal is used, this upper emission limit still must be met, even though it might require greater than 70 percent removal.

2. A minimum emission requirement of 0.16 lb./106 B.t.u., based on 70 percent control of the lowest sulfur content of local coals, is also specified. Thus, the affected sources would not be required to achieve 70 percent removal of sulfur oxides when burning fuel such as natural gas, which has a negligible sulfur content.

3. The regulations promulgated herein also require the affected powerplants to submit schedules for compliance with the emission limitations promulgated herein. The date for submission of compliance schedules to EPA has been changed from December 31, 1972, to "120 days from the effective date of the compliance schedule regulation" because of the delay which occurred in promulgating these regulations.

The regulations promulgated herein are effective on March 23, 1973. The Agency finds that good cause exists for making such regulations effective upon publication, since they impose no immediate requirements and since section 110(c) of the Clean Air Act calls for prompt promulgation of such regulations by the Administrator, and the prescribed date for such promulgation has passed.

(42 U.S.C. 1857c-5)

Dated: March 15, 1973.

WILLIAM D. RUCKELSHAUS,
Administrator.

In 40 CFR Part 52, Subparts D, GG, and TT are amended to read as follows:

A. In 40 CFR Part 52, Subpart D, Arizona, is amended as follows:

1. In § 52.122, paragraph (a) is revised and paragraph (c) is added. As amended, § 52.122 reads as follows:

§ 52.122 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the national primary standards for sulfur oxides in the Phoenix-Tucson Intrastate Region and the Arizona portion of the Arizona-New Mexico Southern Border Interstate Region.

* * * * * *

(c) The Administrator hereby extends to March 15, 1976, the attainment date for the national primary standards for sulfur oxides in the Arizona portion of the Four Corners Interstate Region.

2. Section 52.125 is amended by adding paragraph (c) as follows:

§ 52.125 Control strategy and regulations: Sulfur oxides.

* * * * *

(c) *Replacement regulation for Regulation 7-1-4(c) (Fossil fuel-fired steam generators in the Four Corners Interstate Region).* (1) This paragraph is applicable to the fossil fuel-fired steam generating equipment designated as Units 1, 2, and 3 at the Navajo Power Plant in the Arizona portion of the Four Corners Interstate Region (§ 81.121 of this chapter).

(2) No owner or operator of the fossil fuel-fired steam generating equipment to which this paragraph is applicable shall discharge or cause the discharge of sulfur oxides into the atmosphere in excess of the amount prescribed by the following equations:

$$E=\frac{5.7\times10^{3}S}{H} \text{ or } e=\frac{5.7\times10^{3}S}{h}$$

where: E = Allowable sulfur oxides emissions (lb./10^6 B.t.u.).
e = Allowable sulfur oxides emissions (gm./10^6 gm.-cal.).
S = Sulfur content, in percent by weight, of fuel being burned.
H = Heat content of fuel (B.t.u./lb.).
h = Heat content of fuel (gm.-cal./gm.).

(3) For the purposes of this paragraph:

(i) E shall not exceed 0.90 lb. $SO_2/10^6$ B.t.u. (1.6 gm. $SO_2/10^3$ gm.-cal.).

(ii) If emissions are less than 0.16 lb. $SO_2/10^6$ B.t.u. (0.29 gm. $SO_2/10^3$ gm.-cal.), the requirements of paragraph (c)(2) of this section shall not apply.

(4) Compliance with this paragraph shall be in accordance with the provisions of § 52.134(a).

(5) The test methods and procedures used to determine compliance with this paragraph shall be those prescribed in § 60.46 (c), (d), and (e) of this chapter.

§ 52.131 [Amended]

3. In § 52.131, the attainment date table is revised by replacing the letter "b", which designates the date for attainment of the primary and secondary standards for sulfur oxides in the Four Corners Interstate Region, with the date "March 1976."

4. In Subpart D, § 52.134 is added as follows:

§ 52.134 Compliance schedules.

(a) *Federal compliance schedule.* (1) The owner or operator of the source subject to § 52.125(c) shall comply with such regulation at initial start-up of such source unless a compliance schedule has been approved by the Administrator pursuant to paragraph (a)(2) of this section. The owner or operator who achieves compliance with § 52.125(c) after the effective date of this regulation shall certify such compliance to the Administrator within 5 days of the date compliance is achieved.

(2) Any owner or operator of the stationary source subject to paragraph (a)(1) of this section may, no later than July 23, 1973, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with § 52.125(c) as expeditiously as practicable but not later than March 15, 1976.

(i) The compliance schedule shall provide for periodic increments of progress toward compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Submittal of final control plan to the Administrator; letting of necessary contracts for construction or process change, or issuance of orders for the purchase of component parts to accomplish emission control or process modification; initiation of on-site construction or installation of emission control equipment or process modification; completion of on-site construction or installation of emission control equipment or process modification; and final compliance.

(ii) Any compliance schedule for the stationary source subject to § 52.125(c) which extends beyond July 31, 1975, shall apply any reasonably available interim measures of control to reduce the impact of such source on public health.

(3) Any owner or operator who submits a compliance schedule pursuant to this paragraph (a) shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

B. In 40 CFR Part 52, Subpart GG, New Mexico, is amended as follows:

1. Section 52.1624 is amended by adding paragraph (c) as follows:

§ 52.1624 Control strategy and regulations: Sulfur oxides.

* * * * *

(c) *Replacement regulation for Regulation 602.B (Fossil fuel-fired steam generators in the Four Corners Interstate Region).* (1) This paragraph is applicable to the fossil fuel-fired steam generating equipment designated as Units 1, 2, 3, 4, and 5 at the Four Corners powerplant and Units 1 and 2 at the San Juan powerplant in the New Mexico portion of the Four Corners

Interstate Region (§ 82.121 of this chapter).

(2) No owner or operator of the fossil fuel-fired steam generating equipment to which this paragraph is applicable shall discharge or cause the discharge of sulfur oxides into the atmosphere in excess of the amount prescribed by the following equations:

$$E=\frac{5.7\times10^3S}{H} \text{ or } e=\frac{5.7\times10^3S}{h}$$

where:

E=Allowable sulfur oxides emisisons (lb./10^6 B.t.u.).
e=Allowable sulfur oxides emissions (gm./10^6 gm.-cal.).
S=Sulfur content, in percent by weight, of fuel being burned.
H=Heat content of fuel (B.t.u./lb.).
h=Heat content of fuel (gm.-cal./gm.).

(3) For the purposes of this paragraph:

(i) E shall not exceed 0.90 lb. $SO_2/10^6$ B.t.u. (1.6 gm. $SO_2/10^6$ gm.-cal.).

(ii) If emissions are less than 0.16 lb. $SO_2/10^6$ B.t.u. (0.29 gm. $SO_2/10^6$ gm.-cal.), the requirements of paragraph (c)(2) of this section shall not apply.

(4) Compliance with this paragraph shall be in accordance with the provisions of § 52.1626(c).

(5) The test methods and procedures used to determine compliance with this paragraph shall be those prescribed in § 60.46 (c), (d), and (e) of this chapter.

2. Section 52.1626 is amended by adding paragraph (c) as follows:

§ 52.1626 Compliance schedules.

* * * * *

(c) *Federal compliance schedules.* (1) Except as provided in paragraph (c)(3) of this section, the owner or operator of a source subject to § 52.1624(c) which has commenced operation as of March 23, 1973, shall comply with such regulation on or before January 31, 1974.

(2) The owner or operator of a source subject to § 52.1624(c) which has not commenced operation as of March 23, 1973, shall comply with such regulation at initial startup of such source, unless a compliance schedule has been approved by the Administrator pursuant to paragraph (c)(3) of this section.

(3) The owner or operator of the stationary source subject to paragraph (c)(1) or (2) of this section may, no later than July 23, 1973, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with § 52.1624(c) as expeditiously as practicable but no later than March 15, 1976.

(i) The compliance schedule shall provide for periodic increments of progress toward compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Submittal of necessary contracts for construction or process change, or issuance of orders for the purchase of component parts to accomplish emission control or process modification; initiation of onsite construction or installation of emission control equipment or process modification; completion of onsite construction or installation of emission control equipment or process modification; and final compliance.

(ii) Any compliance schedule for the stationary source subject to § 52.1624(c) which extends beyond July 31, 1975, shall apply to any reasonably available interim measures of control to reduce the impact of emissions from such source on public health.

(4) Any owner or operator who submits a compliance schedule pursuant to this paragraph (c) shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(5) Any owner or operator who achieves compliance with § 52.1624(c) after March 23, 1973, shall certify such compliance to the Administrator within 5 days of the date compliance is achieved.

§ 52.1630 [Amended]

3. In § 52.1630, the attainment date table is revised by replacing the letter "f", which designates the date for attainment of the primary and secondary standards for sulfur oxides in the Four Corners Interstate Region, with the date "March, 1976."

4. In § 52.1631, paragraph (a) is revised to read as follows:

§ 52.1631 Extensions.

(a) The Administrator hereby extends to March 15, 1976, the attainment date for the primary standards for sulfur oxides in New Mexico's portion of the Four Corners Interstate Region.

* * * * *

c. In 40 CFR Part 52, Subpart TT, Utah, is amended as follows:

1. In § 52.2322, paragraph (b) is revised and paragraph (d) is added. As amended, § 52.2322 reads as follows:

§ 52.2322 Extensions.

* * * * *

(b) The Administrator hereby extends for 2 years the attainment date for the primary standards for sulfur oxides in the Wasatch Front Intrastate Region.

* * * * *

(d) The Administrator hereby extends to March 15, 1976, the attainment date for the primary standards for sulfur oxides in the Utah portion of the Four Corners Interstate Region.

2. Section 52.2325 is amended by adding paragraph (c) as follows:

§ 52.2325 Control strategy: Sulfur oxides.

* * * * *

(c) *Regulation for control of sulfur oxides emissions (fossil fuel-fired steam generators in the Four Corners Interstate Region).* (1) This paragraph is applicable to the fossil fuel-fired steam generating equipment designated as Unit 2 at the Huntington Canyon powerplant in the Utah portion of the Four Corners Interstate Region (§ 81.121 of this chapter).

(2) No owner or operator of the fossil fuel-fired steam generating equipment to which this paragraph is applicable shall discharge or cause the discharge of sulfur oxides into the atmosphere in excess of the amount prescribed by the following equations:

$$E=\frac{5.7\times10^3S}{H} \text{ or } e=\frac{5.7\times10^3S}{h}$$

where:

E=Allowable sulfur oxides emissions (lb./10^6 B.t.u.).
e=Allowable sulfur oxides emissions (gm./10^6 gm.-cal.).
S=Sulfur content, in percent by weight, of fuel being burned.
H=Heat content of fuel (B.t.u./lb.).
h=Heat content of fuel (gm.-cal./gm.).

(3) For the purposes of this paragraph:

(i) E shall not exceed 0.90 lb. $SO_2/10^6$ B.t.u. (1.6 gm. $SO_2/10^6$ gm.-cal.).

(ii) If emissions are less than 0.16 lb. $SO_2/10^6$ B.t.u. (0.29 gm. $SO_2/10^6$ gm.-cal.), the requirements of paragraph (c)(2) of this section shall not apply.

(4) Compliance with this paragraph shall be in accordance with the provisions of § 52.2327(b).

(5) The test methods and procedures used to determine compliance with this paragraph shall be those prescribed in § 60.46 (c), (d), and (e) of this chapter.

3. Section 52.2327 is amended by adding paragraph (b) as follows:

§ 52.2327 Compliance schedules.

* * * * *

(b) *Federal compliance schedule.* (1) The owner or operator of the source subject to § 52.2325(c) or § 52.2330(b) shall comply with such regulation at initial startup of such source, unless a compliance schedule has been approved by the Administrator pursuant to paragraph (c)(2) of this section. The owner or operator who achieves compliance with § 52.2325(c) or § 52.2330(b) after the effective date of this regulation shall certify such compliance to the Administrator within 5 days of the date compliance is achieved.

(2) Any owner or operator of the stationary source subject to paragraph (b)(1) of this paragraph may, no later than July 23, 1973, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with § 52.2330(b) as expeditiously as practicable but no later than July 31, 1975, or with § 52.2325(c) as expeditiously as practicable but no later than March 15, 1976.

(i) The compliance schedule shall provide for periodic increments of progress toward compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Submittal of the final control plan to the Administrator; letting of necessary contracts for construction or process change, or issuance of orders for the purchase of component parts to accomplish emission control or process modification; initiation of

on-site construction or installation of emission control equipment or process modification; completion of on-site construction or installation of emission control equipment or process modification, and final compliance.

(ii) Any compliance schedule for the stationary source subject to § 52.2325(c) which extends beyond July 31, 1975, shall apply any available interim measures of control to reduce the impact of emissions from such source on public health.

(3) Any owner or operator who submits a compliance schedule pursuant to this paragraph (b) shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

4. Section 52.2330 is amended by adding paragraph (b) as follows:

§ 52.2330 Rules and regulations: Particulate matter.

* * * * *

(b) *Replacement for section 3.5 (Four Corners Interstate Region).* (1) The owner or operator of the fossil fuel-fired steam generating equipment designated as Unit 2 at the Huntington Canyon powerplant in the Utah portion of the Four Corners Interstate Region (§ 81.121 of this chapter) shall not discharge or cause the discharge of particulate matter into the atmosphere in excess of 0.075 lbs. per 10^6 B.t.u. (0.135 g. per million cal.) heat input.

(2) Compliance with this paragraph (b) shall be in accordance with provision of § 52.2327(b).

(3) The test methods and procedures used to determine compliance with this paragraph (b) shall be those prescribed for particulate matter in § 60.46 of this chapter.

§ 52.2331 [Amended]

5. In § 52.2331, the attainment date table is revised by replacing the letter "b", which designates the date for attainment of the primary and secondary standards for sulfur oxides in the Four Corners Interstate Region, with the date "March 1976."

[FR Doc.73-5550 Filed 3-22-73;8:45 am]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5332]

[Wyoming 36478]

WYOMING

Revocation of Reclamation Project Withdrawal

By virtue of the authority contained in section 10 of the Act of October 14, 1940, 16 U.S.C. 590y, 590z-11 (1970), it is ordered as follows:

1. The Secretarial Order of August 22, 1941, withdrawing lands for the Paintrock Project Investigations in connection with the Missouri River Basin Project, is hereby revoked:

BIG HORN NATIONAL FOREST

SIXTH PRINICIPAL MERIDIAN

T. 51 N., R. 86 W.,
Sec. 29, SW¼;
Sec. 30, lots 3 and 4, E½SW¼; SE¼;
Sec. 31, lots 1 and 2, E½NW¼, NE¼;
Sec. 32, NW¼.
T. 51 N., R. 87 W.,
Sec. 36, NE¼.

The areas described aggregate 1,096.51 acres in Big Horn County.

2. At 10 a.m. on April 21, 1973, the lands described above shall be open to such forms of disposition as may by law be made of national forest lands, except that the lands described as the SW¼ NE¼NE¼, SE¼NW¼NE¼, NE¼SW¼ NE¼, and NW¼SE¼NE¼, sec. 31, T. 51 N., R. 86 W., and the N½NW¼NE¼, sec. 36, T. 51 N., R. 87 W., which are withdrawn by Public Land Order No. 3250 of October 10, 1963, in connection with the Upper and Lower Lake Solitude Back Area Camps, will not be open to location and entry under the U.S. mining laws.

JACK O. HORTON,
Assistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5596 Filed 3-22-73;8:45 am]

[Public Land Order 5333]

[Colorado 13131]

COLORADO

Partial Revocation of Reclamation Project Withdrawals

By virtue of the authority contained in section 3 of the Act of June 17, 1902, as amended and supplemented, 43 U.S.C. sec. 416 (1970), it is ordered as follows:

1. The Secretary's Orders dated October 17, 1904, July 9, 1921, May 6, 1942, and July 13, 1943, and any other order or orders withdrawing lands for the Echo Park Unit, Colorado River Storage Project, and allied projects, are hereby revoked so far as they affect the following described lands identified as Groups A, B, and C:

SIXTH PRINCIPAL MERIDIAN

GROUP A

T. 6 N., R. 100 W.,
Secs. 16 through 20.
T. 6 N., R. 101 W.,
Secs. 5 through 11;
Secs. 13 through 15;
Secs. 17 and 24.
T. 7 N., R. 101 W.,
Sec. 32.
T. 6 N., R. 102 W.,
Secs. 1 and 2;
Secs. 4 through 15;
Sec. 16, N½, SW¼, N½SE¼, SW¼SE¼;
Sec. 17;
Sec. 18, lots 5, 6, 7, 8, N½NE¼, E½SW¼, SE¼;
Secs. 19 and 20;
Sec. 21, lots 2, 4, S½NE¼, W½, SE¼;
Sec. 22, lots 1, 4, NE¼, S½NW¼, S½;
Secs. 23, 29 and 30.
T. 7 N., R. 102 W.,
Secs. 30 and 31.
T. 8 N., R. 102 W.,
Secs. 6 and 7.
T. 9 N., R. 102 W.,
Sec. 16, lots 5, 6, 7, 8, 13, 14, 15, 17, 19, W½ NW¼, NW¼SW¼;
Sec. 17, lots 1, 3, 5, N½, N½S½, SW¼ SW¼;
Sec. 18, E½;
Sec. 19, E½;
Sec. 20, lots 2, 4, 6, NW¼NW¼, S½N½, S½;
Sec. 21, lots 5, 6, 9, S½NW¼, SW¼;
Sec. 28, W½;
Secs. 29 through 32.
T. 6 N., R. 103 W.,
Secs. 1 through 3;
Sec. 4, lot 5, S½SE¼;
Sec. 5, SE¼NW¼, NE¼SW¼, S½SW¼;
Sec. 6, lots 9, 10, 11, 12, 13, 14, SE¼NW¼, SE¼SW¼, S½SE¼;
Secs. 7 through 14;
Sec. 15, NW¼NE¼, W½, NE¼SE¼.
T. 7 N., R. 103 W.,
Secs. 3 through 5;
Secs. 8 through 10;
Secs. 15 and 16;
Sec. 17, E½, E½NW¼, SW¼NW¼, SW¼;
Secs. 19 through 31;
Sec. 32, lot 4, S½NE¼, W½NW¼, SE¼ NW¼, N½SW¼, SE¼;
Secs. 33 through 36.
T. 8 N., R. 103 W.,
Sec. 1;
Sec. 11, E½;
Secs. 12 through 14;
Secs. 22 and 23;
Sec. 24, N½, SW¼, N½SE¼, SE¼SE¼;
Secs. 26 and 27;
Sec. 32, E½NE¼, S½NW¼, S½;
Secs. 33 through 35.
T. 6 N., R. 104 W.,
Secs. 1 and 12.
T. 7 N., R. 104 W.,
Sec. 23, lots 7, 8, 9, 10, and 11;
Secs. 24 and 25;
Sec. 26, lots 7, 8, 9, and 10.

All of the lands described in Group A are within the exterior boundaries of the Dinosaur National Monument established by Presidential Proclamation No. 2290 of July 14, 1938, as revised by the Act of September 8, 1960, 74 Stat. 857, and are withdrawn from all forms of appropriation under the public land laws, including the mining laws, 30 U.S.C. Ch. 2, and from leasing under the mineral leasing laws. Portions of the lands described in Group A are also withdrawn in Powersite Reserves No. 5 of July 2, 1910, and No. 721 of July 11, 1919, and Powersite Classification No. 93 of April 16, 1925, and Powersite Classification No. 87 of February 14, 1925.

GROUP B

T. 9 N., R. 102 W.,
Sec. 5, lots 6, 8, 22, 23, 28, 42, 43, and 44;
Sec. 6, lots 8, 9, 10, 11, 22, 27, 29, 30, SE¼NW¼, E½SW¼, SW¼SE¼;
Sec. 7, lot 10, W½NE¼, SE¼NE¼, SE¼;
Sec. 8, lots 1, 2, 3, 4, 11, 12, 16, 17, 20, 22, SE¼NE¼, S½SW¼, SW¼SE¼, E½SE¼.
T. 10 N., R. 102 W.,
Sec. 19, lots 7, 14, 22, 23, 25, N½SE¼;
Sec. 30, lots 9, 25, 27, 28, 40, 42, NE¼SE¼;
Sec. 31, lots 9, 43, and 45;
Sec. 32, lots 5, 11, 13, 15, 18, 20, 22, 28, 30, 31, SE¼SE¼.
T. 10 N., R. 103 W.,
Sec. 6, lots 10, 11, 12, 13, 14, 18, 25, and 28;
Sec. 7, lots 6, 7, 8, 9, 14, 15, S½NE¼, SE¼ SW¼, SE¼;
Sec. 8, lots 1, 4, 5, 7, 10, SW¼NE¼, S½ NW¼, SW¼;
Sec. 9, lots 1, 4, 6, 8, 14, 17, 19, SE¼NE¼, E½SE¼;
Sec. 14, lots 1 and 3;
Sec. 15, lots 1, 3, 7, 9, 11, 13, 22, 24, 27, N½NE¼, SE¼NE¼;
Sec. 16, lots 1, 3, 5, 7, 14, 15, W½W½;
Sec. 17, lots 1, 4, 5, 7, 9, 12, SE¼NE¼, W½NW¼, S½;

Sec. 18, lots 5, 6, 7, E½, E½NW¼, NE¼ SW¼;
Sec. 21, lots 3, 5, 8, SW¼NE¼, N½SE¼;
Sec. 22, lots 5, 7, 13, 28, 30, 31, 34, 36, SW¼ SW¼;
Sec. 23, lots 1, 9, 10, 12, and 14;
Sec. 24, lots 1, 4, 6, and 9;
Sec. 25, lots 25, and 26;
Sec. 26, lots 10, 11, 14, 17, 19, 22, N½SW¼, NW¼SE¼, SE¼SE¼;
Sec. 27, lot 2, W½NE¼, SE¼NE¼.

T. 10 N., R. 104 W.,
Sec. 1, lots 5, 13, 20, 21, 22, 23, 24, 26, 28, and 31;
Sec. 12, lots 1, 2, 4, 8, 10, 12, 15, 22, 23, 28, 29, 31, 34, NE¼NW¼;
Sec. 13, lots 1, 2, 5, 12, 16, 18, and 20.

All of the lands described in Group B are withdrawn by Public Land Order No. 4973 of December 11, 1970, from all forms of appropriation under the public land laws, including the mining laws, 30 U.S.C. Ch. 2, and reserved as a noninviolate refuge as part of the Browns Park National Wildlife Refuge. Portions of the lands described in Group B are also withdrawn in Powersite Classification No. 93 of April 16, 1925.

GROUP C

T. 9 N., R. 102 W.,
Sec. 2, lots 5, 6, 7, 8, 16, 17, 20, 22, W½ SW¼, SE¼SW¼;
Sec. 3, lots 5, 6, 7, 8, 14, 17, 18, 21, S½;
Sec. 4, lots 5, 6, 7, 8, S½N½, S½;
Sec. 5, lots 5, 24, 25, 26, and 27;
Sec. 6, lots 12, 13, 14, and 15;
Sec. 7, lots 5, 6, 7, 8, E½W½;
Secs. 9 through 11;
Sec. 15;
Sec. 16, lots 1, 2, 3, 4, 9, 10, 11, 12, 20, and 21;
Sec. 18, lots 5, 6, 7, 8, E½W½;
Sec. 19, lots 5, 6, 7, 8, E½W½;
Sec. 21, lots 1, 2, 3, 4, S½NE¼, SE¼;
Secs. 22 and 23;
Secs. 26 and 27;
Sec. 28, E½.

T. 10 N., R. 102 W.,
Sec. 17, lots 1, 3, 5, 7, 10, N½, NW¼SW¼, E½SE¼;
Sec 18, lots 5, 6, 7, 8, 9, NE¼, E½W½, N½ SE¼, SW¼SE¼;
Sec. 19, lots 5, 6, 10, 12, NE¼NW¼, W½ NE¼, SE¼NE¼;
Sec. 20, lots 1, 4, 6, NE¼NE¼, S½N½, S½;
Sec. 21, lots 1, 2, 3, 4, S½N½, S½, and that part of tract 37 in the N½N½;
Secs. 28 and 29;
Sec. 32, lots 1 and 3, NW¼NE¼;
Sec. 33, lots 1, 4, 5, 7, 9, NE¼, E½NW¼, NE¼SW¼, S½SW¼, W½SE¼;
Sec. 34, lots 1, 4, 5, 10, NE¼, NE¼SW¼, N½SE¼;
Sec. 35, lots 1, 2, N½, N½S½, SW¼SW¼, SE¼SE¼.

T. 8 N., R. 103 W.,
Sec. 11, W½.

T. 9 N., R. 103 W.,
Sec. 1, lots 5, 6, 7, 8, S½N½, S½, and that portion of school section in the N½N½.

T. 10 N., R. 103 W.,
Secs. 4 and 5;
Sec. 6, lots 8, 9, 21, 22, SE¼NE¼, NE¼ SE¼, S½SE¼;
Sec. 7, N½NE¼;
Sec. 8, N½N½;
Sec. 9, N½N½;
Secs. 10 and 13;
Sec. 14, N½, N½SW¼, SE¼;
Sec. 15, lots 2, 4, 5, 6, 17, 18, 19, and 20;
Sec. 16, lots 2, 4, 6, 8, 9, 10, 11, 12, 13, 16, 17, and 18;
Sec. 18, lot 8, SE¼SW¼;
Secs. 19 and 20;
Sec. 21, lots 1, 4, 6, and 7, W½NW¼, SE¼ NW¼, SW¼, S½SE¼;
Sec. 22, lots 9 and 10;
Sec. 23, NE¼;
Sec. 24, N½;
Sec. 26, S½SW¼, SW¼SE¼;
Sec. 27, W½, SE¼;
Secs. 28 and 35;
Sec. 36, lots 2, 4, 6, and 8 through 24.

T. 10 N., R. 104 W.,
Sec. 1, lots 9, 10, 11, and 14 through 19, E½SW¼;
Sec. 13, lots 3, and 4, E½SW¼, SE¼;
Sec. 24.

The lands described in Group C, most of which are public lands, lie adjacent to and outside of the boundaries of the Dinosaur National Monument and the Browns Park National Wildlife Refuge. Of the lands described in Group C, the following lands are privately owned:

T. 9 N., R. 103 W.,
Sec. 1, that portion of School Section in the N½N½.

T. 10 N., R. 103 W.,
Sec. 15, lots 2, 4, 5, 6, 17, 18, 19, and 20;
Sec. 16, lots 2, 4, 6, 8, 9, 10, 11, 12, 13, 16, 17, and 18;
Sec. 21 lots 1 4 and 6;
Sec. 22, lots 9 and 10;
Sec. 36, lots 2, 4, 6, 8, 11, 12, 13, 14, 15, 16, 17 18, 21, 22, 23, and 24.

Of the public lands described in Group C, the following described lands are included in the withdrawal for Powersite Classification No. 93 of April 16, 1925:

T. 9 N., R. 102 W.,
Sec. 2, lots 7, 16, 17, W½SW¼, SE¼SW¼;
Sec. 3, lots 5, 6, 7, 8, 14, 17, 18, 21, S½;
Sec. 4, lots 5, 6, 7, 8, S½N½, N½S½, SW¼ SW¼;
Sec. 5, lots 5, 24, 25, 26, 27;
Sec. 6, lots 12, 13, 14, 15;
Sec. 7, E½W½;
Sec. 9, W½W½;
Sec. 10, E½NE¼;
Sec. 11, NW¼;
Sec. 21, lots 2, 4, S½NE¼, SE¼;
Sec. 22, lots 1, 4, SW¼NE¼, SE¼NW¼, NW¼SE¼, N½SW¼;
Sec. 28, NE¼.

T. 10 N., R. 102 W.,
Sec. 17, lots 5 and 7;
Sec. 18, lots 6, 7, 8, 9, SE¼NW¼, SW¼ NE¼, E½SW¼, N½SE¼, SW¼SE¼;
Sec. 19, lots 5, 6, 10, 12, NE¼NW¼, W½ NE¼, SE¼NE¼;
Sec. 20, lots 1, 4, 6, NE¼NE¼, S½N½, S½;
Sec. 28, S½NW¼, SW¼;
Sec. 29;
Sec. 32, lots 1, 3, NW¼NE¼;
Sec. 33, lots 1, 4, 5, 7, 9, NE¼, E½NW¼, NE¼SW¼, S½SW¼, W½SE¼;
Sec. 34, lots 1, 4, 5, 10, NE¼SW¼, N½SE¼.

T. 9 N., R. 103 W.,
Sec. 1, NE¼NE¼, unsurveyed (now lot 5, and that portion of School Section in the NE¼NE¼).

T. 10 N., R. 103 W.,
Sec. 8, N½NE¼, NE¼NW¼;
Sec. 10;
Sec. 13, S½N½, S½;
Sec. 14, N½, N½SW¼, SE¼;
Sec. 18, lot 8, SE¼SW¼;
Sec. 19, NE¼NE¼;
Sec. 20, NE¼, N½NW¼;
Sec. 21, lot 7, W½NW¼, SE¼NW¼, SW¼, , S½SE¼;
Sec. 23, NE¼;
Sec. 24, N½;
Sec. 26, S½SW¼, SW¼SE¼;
Sec. 27, NW¼, N½S½, SE¼SE¼;
Sec. 28, N½N½;
Sec. 35, N½NE¼;
Sec. 36, lots 9, 10, 19.

T. 10 N., R. 104 W.,
Sec. 13, E½SW¼, SE¼.

The areas described in Groups A, B, and C above aggregate approximately 103,661.50 acres in Moffat County.

2. At 10 a.m. on April 21, 1973, the public lands described in Group C shall be open to operation of the public land laws generally, including location and entry under the U.S. mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, except that the lands embraced in Powersite Classification No. 93 of April 16, 1925, will be open only to location and entry under the mining laws subject to the provisions of the Act of August 11, 1955, 30 U.S.C. section 621 (1970), and to leasing under the mineral leasing laws. All valid applications received at or prior to 10 a.m. on April 21, 1973, shall be considered in the order of filing.

All of the public lands described in Groups B and C above, including those described as being within Powersite Classification No. 93, have been and continue to be open to the filing of applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the State Director, Bureau of Land Management, 700 Colorado State Bank Building, 1600 Broadway, Denver, CO 80202.

JACK O. HORTON,
Assistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5597 Filed 3-22-73;8:45 am]

[Public Land Order 5334]

[Sacramento 4827]

CALIFORNIA

Addition to National Forest

By virtue of the authority vested in the President by section 24 of the Act of March 3, 1891, 16 U.S.C. 471 (1970), and the Act of February 20, 1925, 43 Stat. 952, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

Subject to valid existing rights, the following described land is hereby added to and made a part of the Eldorado National Forest, and hereafter shall be subject to all laws and regulations applicable thereto:

MOUNT DIABLO MERIDIAN

T. 10 N., R. 13 E.,
Sec. 26, Exchange Survey 338, within the NW¼NW¼.

The area described aggregates 2.64 acres in El Dorado County.

JACK O. HORTON,
Assistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5598 Filed 3-22-73;8:45 am]

[Public Land Order 5335]

[Oregon 8511]

OREGON

Partial Revocation of Reclamation Project Withdrawal

By virtue of the authority contained in section 3 of the Act of June 17, 1902, as amended and supplemented, 43 U.S.C. 416 (1970), it is ordered as follows:

1. The departmental orders of February 25, 1903, and August 16, 1906, withdrawing lands for the Umatilla Project, are hereby revoked so far as they affect the following described land:

WILLAMETTE MERIDIAN

T. 4 N., R. 26 E.,
Sec. 8, S½NE¼, N½SW¼.

The area described aggregates 160 acres in Morrow County.

2. At 10 a.m. on April 21, 1973, the land shall be open to operation of the public land laws generally, including the U.S. mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws. All applications received at or prior to 10 a.m. on April 21, 1973, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The land has been and will continue to be open to the filing of applications and offers under the mineral leasing laws.

Inquiries concerning the land should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Portland, Oreg. 97208.

JACK O. HORTON,
Assistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5599 Filed 3-22-73;8:45 am]

[Public Land Order 5336]

[Idaho 5048]

IDAHO

Exclusion of Lands From Salmon National Forest

By virtue of the authority vested in the President by section 1 of the Act of June 4, 1897, 16 U.S.C. 473 (1970), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. The following described lands are hereby excluded from the Salmon National Forest, and the boundaries of said national forest are modified accordingly:

BOISE MERIDIAN

T. 19 N., R. 24 E.,
Sec. 15, S½NW¼.

The area described aggregates 80 acres in Lemhi County.

2. At 10 a.m. on April 21, 1973, the land shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on April 21, 1973, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The land has been and will continue to be open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws.

Inquiries concerning the land should be addressed to the State Director, Bureau of Land Management, Boise, Idaho 83702.

JACK O. HORTON,
Assistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5600 Filed 3-22-73;8:45 am]

[Public Land Order 5337]

[Montana 18414]

MONTANA

Partial Revocation of Executive Order No. 1929

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. The Executive Order No. 1929 of May 4, 1914, withdrawing public domain lands for use by the Forest Service, Department of Agriculture, as a ranger station, is hereby revoked so far as it affects the following described land:

PRINCIPAL MERIDIAN

BONITA ADMINISTRATIVE SITE

T. 11 N., R. 16 W.,
Sec. 7, A tract of land described by metes and bounds as:
Beginning at the northeast corner of sec. 7, thence south 0°24' E. a distance of 720.09 feet to a point on the boundary of Shriner Placer, MS 3387, between Corner No. 4 and Corner No. 5; thence south 88°23' W. a distance of 434.19 feet to the Corner No. 5 of MS 3387; thence south 43°43' W. a distance of 649.59 feet to a point on the boundary of MS 3387 between Corner No. 5 and Corner No. 6, which is the true point of beginning; thence south 43°43' W. a distance of 53.41 feet to Corner No. 6 of MS 3387; thence south 07°47' E. a distance of 461.39 feet to a point on the boundary of MS 3387 between Corner No. 6 and Corner No. 7; thence north 88°48' W. a distance of 517.14 feet to a point; thence due north a distance of 495.21 feet to a point; thence south 88°48' E. a distance of 491.53 feet to the point of beginning.

The area described contains 5.51 acres in Missoula County.

2. At 10 a.m. on April 21, 1973, the land shall be open to operation of the public land laws generally, and to location under the U.S. mining laws for nonmetalliferous minerals. All valid applications received at or prior to 10 a.m. on April 21, 1973, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The land has been and continues to be open to applications and offers under the mineral leasing laws, and to location and entry under the U.S. mining laws for metalliferous minerals.

Inquiries concerning the land should be addressed to the Bureau of Land Management, Billings, Mont. 59101.

JACK O. HORTON,
Assistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5601 Filed 3-22-73;8:45 am]

[Public Land Order 5338]

[Idaho 5211]

IDAHO

Partial Revocation of National Forest Withdrawal

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. Public Land Order No. 3151 of July 30, 1963, withdrawing national forest lands for use as administrative sites, public service sites, and recreation sites, is hereby revoked so far as it affects the following described lands:

CLEARWATER NATIONAL FOREST

BOISE MERIDIAN

Elk Summit Work Center and Pasture

T. 34 N., R. 14 E.,
Unsurveyed, but when surveyed will likely be: Sec. 1, N½NW¼NE¼.
T. 35 N., R. 14 E.,
Unsurveyed but when surveyed will likely be: Sec. 36, W½SE¼SE¼, E½SW¼SE¼.

The areas described aggregate 60 acres in Idaho County.

2. At 10 a.m. on April 21, 1973, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

JACK O. HORTON,
Assistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5602 Filed 3-22-73;8:45 am]

[Public Land Order 5339]

[New Mexico 12780]

NEW MEXICO

Withdrawal for National Forest Recreation Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest land is hereby withdrawn from appropriation under the mining laws, 30 U.S.C. Ch. 2, but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

LINCOLN NATIONAL FOREST

NEW MEXICO PRINCIPAL MERIDIAN

Oak Grove Picnic Ground Addition

T. 10 S., R. 12 E.,
Sec. 36, what will probably be when surveyed the NE¼NE¼SE¼, S½NE¼SE¼, SE¼NW¼NE¼SE¼, SE¼SE¼NW¼SE¼, E½NE¼SW¼SE¼, N½SE¼SE¼NE¼SW¼SE¼SE¼, and NW¼SE¼SE¼SE¼.

The area described aggregates 65 acres in Lincoln County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permits, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

JACK O. HORTON,
Assistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5603 Filed 3-22-73;8:45 am]

[Public Land Order 5340]

[Idaho 5503]

IDAHO

Revocation of National Forest Administrative Site Withdrawal

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. The Secretary's Order of June 6, 1908, withdrawing the following described national forest land for use as an administrative site is hereby revoked:

NEZPERCE NATIONAL FOREST

BOISE MERIDIAN

Fish Creek Administrative Site

T. 29 N., R. 3 E.,
Sec. 22, SW¼NW¼, NW¼SW¼.

The area described aggregates 80 acres in Idaho County.

2. At 10 a.m. on April 21, 1973, the land shall be open to such forms of disposition as may by law be made of national forest lands.

JACK O. HORTON,
Asistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5604 Filed 3-22-73;8:45 am]

[Public Land Order 5341]

[Riverside 06454]

CALIFORNIA

Transferring Lands From National Aeronautics and Space Administration to Department of Navy (San Diego Missile Test Site)

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. The following described lands withdrawn by Executive Orders Nos. 8790 and 8791 of June 14, 1941, for use of the Department of the Navy, which were transferred to the jurisdiction of the Department of the Air Force by Public Land Order No. 2748 of August 8, 1962, and further transferred to the jurisdiction of the National Aeronautics and Space Administration by Public Land Order No. 3749 of July 26, 1965, are hereby transferred to the jurisdiction of the Department of the Navy:

SAN BERNARDINO MERIDIAN

T. 14 S., R. 1 W.,
Sec. 31, N½NE¼;
Sec. 32, NW¼NW¼, N½SW¼, SE¼SW¼, S½SE¼;
Sec. 33, W½W½.
T. 15 S., R. 1 W.,
Sec. 4, lots 4, 5, and 10;
Sec. 5, lots 1, 2, 3, 5, S½NE¼, SE¼NW¼, E½SW¼, SW¼SE¼, N½SE¼;
Sec. 6, lots 1, 6, 7, E½SW¼, W½SE¼;
Sec. 7, lot 1, NW¼NE¼, SE¼NE¼.
T. 15 S., R. 2 W.,
Sec. 11, lot 1;
Sec. 12, N½NE¼, NE¼NW¼.

The areas described aggregate 1,674.86 acres in San Diego County.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

JACK O. HORTON,
Assistant Secretary of the Interior.

MARCH 16, 1973.

[FR Doc.73-5605 Filed 3-22-73;8:45 am]

Title 49—Transportation

CHAPTER I—DEPARTMENT OF TRANSPORTATION

SUBCHAPTER A—HAZARDOUS MATERIALS REGULATIONS BOARD

[Docket No. HM-107; Amdts. 173-71, 177-25]

PART 173—SHIPPERS

PART 177—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

Department of Defense Material Sold to a Shipper

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to permit shipment of hazardous materials sold by the Department of Defense in packagings of equal or greater strength and efficiency than those specified for hazardous materials in 49 CFR Parts 170–189.

At the present time, the Hazardous Materials Regulations Board is receiving a substantial number of requests for special permits to allow shipment of materials bought from the Department of Defense that would be other than "* * * offered by or consigned to the Departments of the Army, Navy, and Air Force of the United States Government." It has been recently substantiated that many of these materials are in packagings that meet or exceed the requirements of Parts 173 and 178. However, the packagings are marked only in conformance with military specifications that correspond to Department of Transportation specifications.

This amendment permits the Department of Defense to execute certificates to indicate that packagings meet or exceed corresponding specifications of this Department. Since this amendment imposes no added burden on any person and no discernible change is being made in the level of safety requirements for shipments to which it pertains, notice and public procedure are unnecessary.

In consideration of the foregoing, 49 CFR Parts 173 and 177 are amended as follows:

I. Part 173, Shippers, is amended as follows:

(A) In Part 173 table of contents, § 173.7 is amended to read as follows:

§ 173.7 U.S. Government material.

(B) In § 173.7, the heading and paragraph (a) are amended to read as follows:

§ 173.7 U.S. Government material.

(a) Shipments of hazardous materials offered by or consigned to the Department of Defense (DOD) of the U.S. Government must be packaged, including limitations of weight, in accordance with the regulations in this subchapter or in containers of equal or greater strength and efficiency as required by DOD regulations.

(1) Hazardous materials sold by the DOD in packagings that are not marked in accordance with the requirements of this subchapter my be shipped from DOD installations if the DOD certifies in writing that the packagings are equal to or greater in strength and efficiency than the packaging prescribed in this subchapter. The shipper shall obtain such a certification in duplicate for each shipment. He shall give one copy to the originating carrier and retain the other for no less than 1 year.

* * * * *

II. Part 177, Shipments made by way of common, contract, or private carriers by public highway, is amended as follows:

(A) In Part 177 table of contents, § 177.806 is amended to read as follows:

Sec.
177.806 U.S. Government material.

(B) In § 177.806, the heading and paragraph (a) are amended to read as follows:

§ 177.806 U.S. Government material.

(a) Shipments of hazardous materials offered by or consigned to the Department of Defense (DOD) of the U.S. Government must be packaged, including limitations of weight, in accordance with the regulations in this subchapter or in containers of equal or greater strength and efficiency as required by DOD regulations.

(1) Hazardous materials sold by the DOD in packagings that are not marked in accordance with the requirements of this subchapter may be shipped from DOD installations if the DOD certifies in writing that the packagings are equal to or greater in strength and efficiency than the packaging prescribed in this subchapter. The shipper shall obtain such a certification in duplicate for each shipment. He shall give one copy to the originating carrier and retain the other for no less than 1 year.

* * * * *

This amendment is effective June 30, 1973. However, compliance with the regulations, as amended herein, is authorized immediately.

(Secs. 831–835, title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657; title VI sec. 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421–1430, 1472(h), 1655(c))

Issued in Washington, D.C., on March 16, 1973.

C. R. MELUGIN, Jr.,
Acting Board Member for the Federal Aviation Administration.

KENNETH L. PIERSON,
Alternate Board Member for the Federal Highway Administration.

MAC E. ROGERS,
Board Member for the Federal Railroad Administration.

[FR Doc.73-5578 Filed 3-22-73;8:45 am]

PART 173—SHIPPERS

CFR Correction

In 49 CFR Parts 100–199, revised as of October 1, 1972, page 162, in Note 1 preceding § 173.240, line 7, the date "June 30, 1972" should read "June 30, 1973".

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

[Docket No. 2-10; Notice 5]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

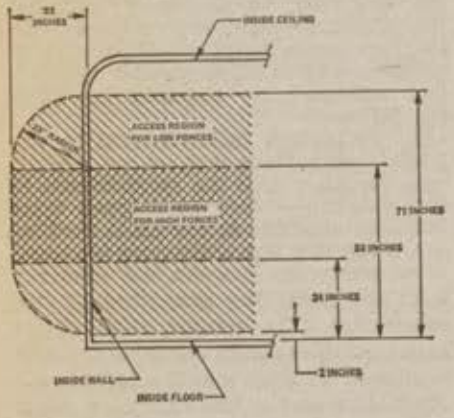
Bus Window Retention and Release; Correction

In FR Doc. 73-4257, published March 6, 1973 (38 FR 6070), the captions for Figures 3A and 3B were inadvertently transposed. The figures with their correct captions are set forth below.

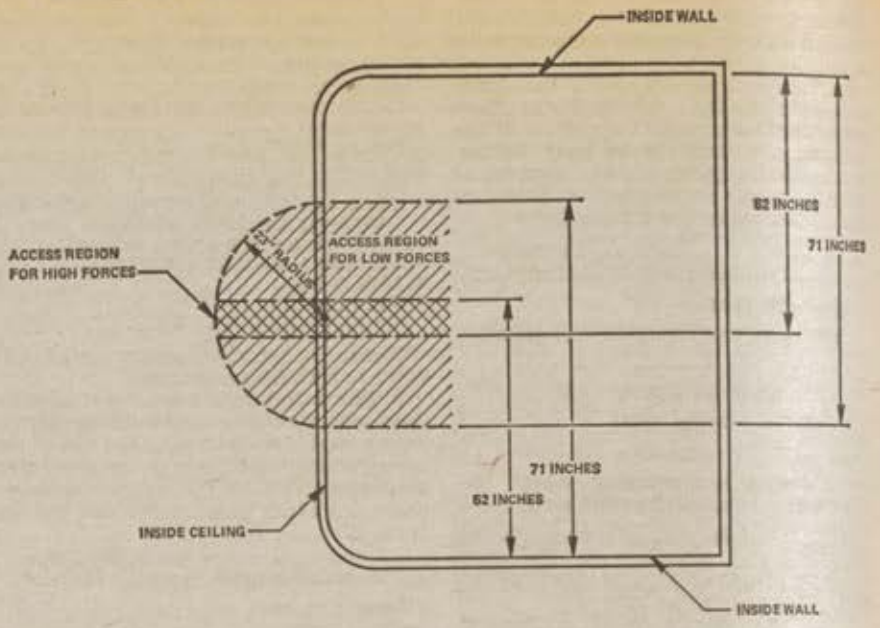
(Secs. 103, 113, 119, Public Law 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1401, 1407; delegations of authority at 49 CFR 1.51)

Issued on March 16, 1973.

JAMES E. WILSON,
Acting Administrator.



3A. SIDE EMERGENCY EXIT



3B. ROOF EMERGENCY EXIT

[FR Doc.73-5526 Filed 3-22-73;8:45 am]

[Docket No. 2-15; Notice 9]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Child Seating Systems

This notice makes certain amendments to Motor Vehicle Safety Standard No. 213 *Child seating systems*, 49 CFR 571.213. Standard No. 213 was published March 26, 1970 (35 FR 5120), and amended September 23, 1970 (35 FR 14778), April 10, 1971 (36 FR 6895), and June 29, 1971 (36 FR 12224). This notice is based in part on notices of proposed rule making published September 23, 1970 (36 FR 14786) (Notice 5), and April 10, 1971 (36 FR 6903) (Notice 7).

The definition of "child seating system" is amended by this notice to eliminate the qualification that the device be designed to restrain children. This modification was proposed in the notice of September 23, 1970, and is adopted in the form proposed. The proposal was based on petitions which suggested the change as a means of eliminating a possible loophole in the standard, which allowed the marketing of devices which could be advertised for transporting children in motor vehicles, but which made no provision for protecting them in crashes. As a result of the amendment, all devices designed to seat children in motor vehicles must conform to the standard. One comment to the notice suggested that the language of the definition be further modified to make it clear that the vehicle seat is not included within the definition. This suggestion is not accepted. The NHTSA does not agree that the language of the definition includes or will be construed to include vehicle seats taken separately. Moreover, the vehicle seat may be an integral part of devices which would fall under the standard, and a specific exclusion of vehicle seats in the definition might create the erroneous impression that the extent that the vehicle seat is utilized determines whether such a device is subject to the standard.

The standard is hereby clarified to make explicit the prohibition against recommending seating systems for use in other than designated seating positions. The NHTSA is of the opinion that Standard No. 213 at least implicitly prohibits manufacturers from doing this. The labeling requirements of paragraph S4.1 (e) specify that the label affixed to each child seating system must specify "both the types of motor vehicles and the designated seating positions * * * in which the system is either recommended or not recommended for use." Paragraph S4.4 requires each child seating system to be designed and constructed so that when it is installed in accordance with the manufacturer's instructions it shall be restrained against movement by either a Type 1 or Type 2 seat belt assembly. These seat belt assemblies are required to be installed at designated seating positions, pursuant to Motor Vehicle Safety Standard No. 208 *Occupant crash protection* (49 CFR 571.208).

The proposal of September 23, 1970, would have amended paragraph S4.3, to require only child seats having adjustable restraint systems (as distinguished from those using stationary impact shields) to be adjustable to fit all children for which they are recommended. An NHTSA opinion to this effect was published in

the preamble to the amendment published April 10, 1971. The NHTSA has decided that the proposed language is too broad. As written, it does not require even belt restraint systems to be adjustable. The NHTSA intended only that nonadjustable restraint designs, such as impact pads, need not be made adjustable. Consequently, this amendment modifies S4.3 to make it clear that belt restraint systems must be adjustable. In response to a comment, the NHTSA has modified the proposed requirement that the restraint system fit snugly to apply only to belt systems.

The notice of September 23, 1970, proposed more extensive head restraint requirements and test procedures than the standard presently specifies. The NHTSA has made public its plans to institute a dynamic test as the method for testing child seating system performance. These requirements are presently under development, and appropriate notice will be issued once NHTSA efforts have been completed. The NHTSA has decided to defer modification of head restraint requirements, because such requirements would require extensive redevelopment, until they can be incorporated into the dynamic performance requirements. The NHTSA has, however, modified the method for measuring head restraint height. The revised method utilizes the intersection of the longitudinal centerline of the seating surface with a plane through the torso block reference point as the base from which the head restraint measurement is to be made. The NHTSA agrees with the comments that this method is more precise than the existing procedure, as it is not based on the angle of the seat or the attitude of the child seating surface.

Requirements proposed in the notice of September 23, 1970, regarding energy absorbing material are also not adopted, because of the impending dynamic test procedures. Two minor amendments, however, are adopted. The first changes "energy-absorbing material" to "force-distributing material." Certain comments have indicated, and the NHTSA agrees, that the latter term is a more accurate description of these materials. The second amendment, based on certain comments, increases the number of components that need not be covered with these materials and need not meet minimum radius requirements, to include belt adjustment hardware attached only to webbing. The padding requirements of S4.10.1 are not practical for this belt adjustment hardware. Moreover, by exempting these components from the requirements, manufacturers are free to utilize smaller belt adjustment hardware, which is less hazardous in impact conditions than the larger belt adjustment components which would otherwise be necessary.

Paragraph S4.10 is further amended, as proposed in the notice of September 23, 1970, to eliminate the exemption to the padding requirements for components contactable by the head. The NHTSA has concluded that this exemption, for components of at least 24 square inches, is inappropriate for components contactable by the head, as the size of a component is not necessarily related to its ability to cushion head as compared to torso impacts.

The notice of April 10, 1971, proposed that the requirements of paragraph S4.9 for belt mechanism release be made part of child system test procedures, and to delete the existing test incorporated from Standard No. 209. No objections were received, and that proposal is adopted.

In light of the above, Motor Vehicle Safety Standard No. 213 *Child seating systems* appearing at 49 CFR § 571.213, is amended as follows:

1. Paragraph S3, *Definitions*, is revised to read:

S3. *Definitions.* "Child seating system" means an item of motor vehicle equipment for seating a child being transported in a motor vehicle.

2. Paragraph S4.1(e) is revised to read:

S4.1 *Labeling.*

* * * * *

(e) A statement describing in general terms both the types of motor vehicles and the designated seating positions in those vehicles in which the system is either recommended or not recommended for use. A child seating system may not be recommended for use in other than a designated seating position. The following, either stated separately or in combination, are examples of acceptable statements:

* * * * *

3. Paragraph S4.3, *Adjustment*, is revised to read:

S4.3 *Adjustment.* Each adjustable child seating system component and each belt system designed to restrain the child directly shall be sufficiently adjustable to fit a child of any size for which the seat is recommended pursuant to paragraph S4.1(h) and who is positioned in the system in accordance with the instructions required by S4.2. A belt system used to restrain the child directly shall be sufficiently adjustable to fit snugly any such child.

4. Paragraph S4.6.1 is revised to read:

S4.6.1 Except as provided in S4.6.2, each forward-facing child seating system shall have a head restraint that limits rearward angular displacement of the child's head relative to the child's torso line. The height of the head restraint, measured as the straight line distance between the highest point at the lateral center of the head restraint and the point on the longitudinal centerline of the seating surface at the intersection of a plane parallel to the rear surface of the torso block through the torso block reference specified in S5.1, when the torso block is positioned in the child seating system in accordance with the instructions required by S4.2, shall be as follows:

* * * * *

5. Paragraph S4.9 is revised to read:

S4.9 *Release mechanism.* The mechanism for releasing components of a child seating system that directly restrain the child shall release when a force of not more than 20 pounds is applied in accordance with S5.3.

6. Paragraph S4.10 is revised to read:

S4.10 *Impact protection.*

S4.10.1 *Head and torso.* Except as provided in S4.10.2, any rigid component of a child seating system (except restraint buckles, and belt adjustment hardware attached only to webbing) that, during forward, right side, left side, or rearward impact, may contact the head or torso of a child within the height and weight range recommended in accordance with S4.1(h) shall:

(a) Have no corner or edge with a radius of less than one-quarter inch; and

(b) Except as provided in S4.10.2, be covered with deformable force-distributing material having a thickness of at least one-half inch.

S4.10.2 *Exception.* S4.10.1(b) does not apply to the area of a rigid back or side of a child seating system that is contactable only by the child's torso, if the contactable area of the back or side is at least 24 square inches.

Effective date: November 1, 1973.

(Secs. 103, 112, 114, and 119, Public Law 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1401, 1403, 1407; delegation of authority at 49 CFR 1.51)

Issued on March 16, 1973.

JAMES E. WILSON,
Acting Administrator.

[FR Doc.73-5579 Filed 3-22-73;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER B—PRACTICE AND PROCEDURE

PART 1100—GENERAL RULES OF PRACTICE

Prohibition of Private Recording of Proceedings

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 14th day of March 1973.

There being under consideration § 1100.70 of the Commission's general rules of practice, and good cause appearing therefor:

It is ordered, That § 1100.70(b) is amended as follows:

§ 1100.70 Authority of officers. (Rule 70)

* * * * *

(b) At any oral hearing conducted before the Commission, or before an Administrative Law Judge of the Commission, at which an official record of the proceeding is made, the recording of the hearing by means of live or delayed television, radio, or the use of a tape recorder or other electronic or photographic equipment by any person other than the official reporter will not be permitted without special permission of the Chairman of the Commission.

It is further ordered, That this order shall become effective on April 20, 1973.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy of this notice in the Office of the Secretary of the Commission at Washington, D.C., for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

(Secs. 12, 17, 24 Stat. 383, as amended, 385, as amended; secs. 204, 205, 49 Stat. 546, as

amended, 548, as amended; sec. 304, 54 Stat. 933; sec. 403, 56 Stat. 285; 49 U.S.C. 12, 17, 304, 305, 904, 1003)

By the Commission.

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

[FR Doc.73-5614 Filed 3-22-73;8:45 am]

Title 50—Wildlife and Fisheries

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

PART 28—PUBLIC ACCESS, USE AND RECREATION

Dismal Swamp National Wildlife Refuge, Va.

The following special regulation is issued and is effective through the period March 12, 1973, to December 31, 1973.

§ 28.28 Special regulations; public access, use, and recreation; for the individual wildlife refuge area.

VIRGINIA

DISMAL SWAMP NATIONAL WILDLIFE REFUGE

Access to the refuge is permitted from sunrise to sunset for the purposes of nature study, photography, hiking, and sightseeing subject to the following restriction. Travel by motor vehicle, bicycle, or on foot is permitted on designated routes. Pets are permitted if on a leash not over 10 feet in length.

Information about the refuge area, comprising approximately 49,097 acres, located in the cities of Nansemond and Chesapeake, Va., is available from the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormack Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1973.

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

MARCH 12, 1973.

[FR Doc.73-5564 Filed 3-22-73;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

[Amdt. 3]

PART 719—RECONSTITUTION OF FARMS, ALLOTMENTS, AND BASES

Eligibility for Payment and Price-Support Loans on Federally Owned Land

This amendment is for the purpose of (1) adopting the proposals published in the FEDERAL REGISTER of February 14, 1973, and (2) announcing the Secretary's determination of price-supported commodities in surplus supply for the guidance of Federal agencies leasing agricultural lands to producers.

(1) There was published on February 14, 1973, in the FEDERAL REGISTER a notice of proposed rule making (38 FR 4407) regarding changes in the conditions under which producers leasing federally owned land would be eligible for participation in the payment and price-support programs administered by the Department of Agriculture. The period for receiving comments ended on March 1, 1973. No comments were received.

The proposed changes are being adopted and will, effective with the 1973 crop year, prohibit participation of federally owned land in the payment and price-support programs for upland cotton, feed grains, wheat, and other commodities. However, the prohibition against making payments and extending price support with respect to commodities produced on such land shall not apply during the current term of any lease to the extent that the lease permits the production of the commodities, but shall apply to any renewal of an existing lease or a new lease executed after the effective date of this amendment. Likewise, the prohibition shall not apply to land acquired by an agency having the right of eminent domain and leased back to the former owner with uninterrupted possession.

The adoption of this amendment, therefore, effectuates the changes proposed in the notice of proposed rule making. Other parts in this chapter and in Chapter XIV of this Title will be amended to conform with the changes.

(2) The Secretary of Agriculture is required by the Presidential memorandum of May 21, 1956, to determine from time to time and to publish a listing of price-supported commodities in surplus supply. In accordance with the Presidential memorandum, Federal agencies leasing agricultural lands to producers are required to restrict the production of price-supported commodities in surplus supply.

The Secretary, having considered supply and demand and other factors for the various commodities, has determined that price-supported commodities in surplus supply are peanuts and the kinds of tobacco for which marketing quotas are in effect.

Part 719 is amended as follows:

1. Section 719.3 is amended by revising paragraph (b)(3) and adding a new paragraph (d)(6) to read as follows:

§ 719.3 Farm constitution.

* * * * *

(b) *Farms constituted for the first time or reconstituted hereafter.* * * *

(3) Federally owned land except (i) land operated under a lease which does not restrict the production of price-supported commodities in surplus supply and executed prior to March 22, 1973, and (ii) land acquired by an agency having the right of eminent domain and leased back to the former owner with uninterrupted possession under terms which do not restrict the production of price-supported crops in surplus supply.

* * * * *

(d) *Required reconstitutions.* * * *

(6) A lease of federally owned land which does not restrict the production of price-supported crops in surplus supply is renewed unless the land was acquired by an agency having the right of eminent domain and is being leased to the former owner of the land who has enjoyed uninterrupted possession of the land.

Section 719.15 is amended to read as follows:

§ 719.15 Federally owned land.

(a) *Price-supported commodities in surplus supply.* It is the policy of the United States to prohibit the cultivation of crops of price-supported commodities in surplus supply on farmland leased from the United States. For the purposes of this paragraph, it has been determined that the following price-supported commodities are in surplus supply: Peanuts, and the kinds of tobacco for which marketing quotas are in effect.

(b) *Program participation.* Effective with the 1973 crop year, federally owned land shall be ineligible for participation in the payment programs for feed grains, upland cotton, wheat, and other commodities, and no price-support loans or purchases shall be made available with respect to feed grains, upland cotton, wheat, or any other commodity produced on federally owned land. The prohibition against the making of payments and the extension of price support shall not apply (1) to the former owner of federally owned land who has enjoyed uninterrupted possession of the land or (2) during the current term of any lease executed prior to March 22, 1973, to the extent that the lease permits the production of the commodities but shall apply to any renewal of an existing lease or a new lease executed after March 22, 1973. Federally owned land which has been leased subject to restrictions prohibiting the production of specified commodities shall not be eligible for payments under programs for such commodities administered by the Department of Agriculture, and federally owned land which has been leased subject to restrictions prohibiting the receipt of Federal payments for diversion or set aside of such acreage shall not be eligible for payments under programs administered by the Department of Agriculture. Commodities produced in violation of restrictive leases on federally owned land shall not be eligible for price support.

Effective date. Since Federal agencies are now making leases to producers and producers with leases are planning their 1973 farming operations, it is essential that this amendment be made effective as soon as possible. It is hereby found that compliance with the 30-day effective date provision of 5 U.S.C. 553 is impracticable and contrary to the public interest. Accordingly, this amendment shall become effective on March 23, 1973.

Signed at Washington, D.C., on March 21, 1973.

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

[FR Doc.73-5733 Filed 3-22-73;10:41 am]

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

[Orange Reg. 71, Amdt. 7]

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

Limitation of Shipments

This amendment extends current grade and size limitations for the period March 26, 1973, through September 30, 1973, applicable to oranges, including Navel, Temple, and Murcott Honey oranges, handled between the production area in Florida and any point outside thereof in the continental United States, Canada, or Mexico. Domestic shipments of Florida oranges are currently regulated through March 25, 1973, pursuant to Orange Regulation 71. The proposal to extend the period of regulation of Florida oranges was published in the FEDERAL REGISTER on February 23, 1973, and appears without change in the regulation as hereinafter set forth.

Notice was published in the FEDERAL REGISTER on February 23, 1973 (38 FR 4979), that consideration was being given to a proposal relative to limitation of shipments of oranges, including Navel, Temple, and Murcott Honey oranges, handled between the production area and any point outside thereof in the continental United States, Canada, or Mexico, recommended by the Growers Administrative Committee, established under the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice provided that all written data, views, or arguments in connection with the proposed amendment be submited by March 15, 1973. None were received.

The proposed regulation is based upon an appraisal of the Florida orange crop and the current and prospective market conditions. The Florida orange crop is estimated at 168 million boxes, 23 percent above last season. Hence, more than ample supplies of fruit of the better grades and more desirable sizes are available to fill the needs of consumers. Equivalent fresh on-tree returns for Florida oranges averaged $1.96 per box for the season through February 1973, or 52 percent of the equivalent parity price. The regulation herein specified is necessary to permit shipment of ample supplies of fruit of the better grades and more desirable sizes in the interest of both growers and consumers. The action is necessary to maintain orderly marketing conditions by preventing the demoralizing effect on the market and on grower returns caused by shipment of lower quality and smaller size fruit when more than ample supplies of the more desirable grades and sizes are available to serve consumer's needs. The regulation therefore is consistent with the objective of the act of promoting orderly marketing, maintaining grower returns, and protecting the interest of consumers.

After consideration of all relevant matter presented, including the proposal set forth in the aforesaid notice and other available information, it is hereby found that the limitation of shipments of oranges, including Navel, Temple, and Murcott Honey oranges, as hereinafter set forth, is in accordance with said amended marketing agreement and order and will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for making the aforesaid amendment effective at the time hereinafter set forth and for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) notice of proposed rule making concerning this amendment, with an effective date of March 26, 1973, was published in the FEDERAL REGISTER on February 23, 1973 (38 FR 4979), and no objection to this amendment or such effective date was received; (2) the recommendation and supporting information for regulation of oranges, including Navel, Temple, and Murcott Honey oranges, during the period specified herein were submitted to the Department after an open meeting of the committee on January 30, 1973, which was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; (3) the provisions of this amendment, including the effective time hereof, are identical with the aforesaid recommendation of the committee; (4) information concerning such provisions and effective time has been disseminated among handlers of such oranges, and (5) compliance with the regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

Order. In § 905.545 (Orange Reg. 71, 37 FR 21799, 24432, 25036, 27619, 28606; 38 FR 3396, 4569) the provisions of paragraph (a) preceding subparagraph (1) thereof are amended to read as follows:

§ 905.545 Orange Regulation 71.

(a) During the period March 26, 1973, through September 30, 1973, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

* * * * *

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

Dated: March 21, 1973, to become effective March 26, 1973.

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

[FR Doc.73-5726 Filed 3-22-73;8:45 am]

[Lemon Reg. 578]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period March 25–31, 1973. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.878 Lemon Regulation 578.

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

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is good on sizes 165 and larger, steady on size 200's and easier on sizes 235 and smaller. Average f.o.b. price was $5.65 per carton the week ended March 17, 1973, compared to $5.69 per carton the previous week. Track and rolling supplies at 153 cars were down 27 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 20, 1973.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period March 25, 1973, through March 31, 1973, is hereby fixed at 250,000 cartons.

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

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

Dated: March 22, 1973.

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

[FR Doc.73-5761 Filed 3-22-73;12:45 pm]

Title 19—Customs Duties

CHAPTER I—BUREAU OF CUSTOMS

[T.D. 73-84]

PART 153—ANTIDUMPING

Canned Bartlett Pears From Australia

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that canned bartlett pears from Australia are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the FEDERAL REGISTER of December 5, 1972 (37 FR 25859, FR Doc. 72-20806).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the U.S. Tariff Commission responsibility for determination of injury or likelihood of injury. The U.S. Tariff Commission has determined, and on March 1, 1973, it notified the Secretary of the Treasury that an industry in the United States is likely to be injured by reason of the importation of canned bartlett pears from Australia sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the FEDERAL REGISTER of March 7, 1973 (38 FR 6239, FR Doc. 73-4400).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to canned bartlett pears from Australia.

Section 154.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	*Country and T.D.*
Canned bartlett pears.....	Australia, 73-84

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173)

[SEAL] MATTHEW J. MARKS,
Acting Assistant Secretary of the Treasury.

MARCH 21, 1973.

[FR Doc.73-5729 Filed 3-22-73;9:34 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 THE TREASURY

Internal Revenue Service

[26 CFR Parts 1, 301]

INCOME TAX

Declaration of Estimated Tax by Individuals and Waiver of Penalty for Underpayment by Individuals of 1971 Estimated Income Tax

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by April 23, 1973. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commisioner by April 23, 1973. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

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

This document contains proposed amendments to the Income Tax Regulations (26 CFR Part 1) and the Regulations on Procedure and Administration (26 CFR Part 301) in order to conform such regulations to the provisions of sections 207 (relating to waiver of the penalty for underpayment of 1971 estimated income tax) and 209 (relating to declaration of estimated tax) of the Revenue Act of 1971 (85 Stat. 512, 517).

The proposed regulations conform to the changes made in section 6015(a) of the Code by section 209 of the Revenue Act of 1971. Under paragraph (a) of the proposed revision to § 1.6015(a)–1, the income level at which a declaration of estimated tax must be filed is increased over that under prior law to amounts in excess of $20,000 for a single person, a head of household, a surviving spouse, or a married individual whose spouse does not receive wages and amounts in excess of $10,000 for a married individual where both spouses receive wages. The income level remains at amounts in excess of $5,000 for a married individual if either spouse is a nonresident alien, if they are separated under a decree of divorce or of separate maintenance, or if they have different taxable years. A declaration is also required if gross income is expected to include more than $500 of income from sources other than wages. However, no declaration is required if the estimated tax can reasonably be expected to be less than $100. These amounts were increased over those under prior law. All of these changes are effective for taxable years beginning after December 31, 1971.

Section 1.6654–4 of the proposed regulations provides, pursuant to section 207 of the Revenue Act of 1971, that, in the case of individuals, the penalty prescribed by section 6654(a) and § 1.6654–1 for underpayment of estimated tax shall not apply in certain cases to taxable years beginning after December 31, 1970, and ending before January 1, 1972. Generally, those taxpayers for whom the penalty is waived are single persons (or married persons not entitled to file a joint return) whose gross income does not exceed $10,000, heads of households and surviving spouses if their gross income does not exceed $20,000, and married individuals entitled to file a joint return whose aggregate gross income does not exceed $20,000. However, the waiver does not apply if the taxpayer had more than $200 ($400 in the case of married taxpayers entitled to file a joint return) in income from sources other than wages.

PROPOSED AMENDMENTS TO THE REGULATIONS

In order to conform the Income Tax Regulations (26 CFR Part 1) and the Regulations on Procedure and Administration (26 CFR Part 301) to the provisions of sections 207 and 209 of the Revenue Act of 1971 (85 Stat. 512, 517), such regulations are amended as follows:

PARAGRAPH 1. Section 1.6015 is amended by revising section 6015(a) and by adding to the historical note. These revised and added provisions read as follows:

§ 1.6015(a) Statutory provisions; declaration of estimated income tax by individuals.

Sec. 6015. *Declaration of estimated income tax by individuals*—(a) *Requirement of declaration.* Except as otherwise provided in this section, every individual shall make a declaration of his estimated tax for the taxable year if—

(1) The gross income for the taxable year can reasonably be expected to exceed—

(A) $20,000, in the case of—

(i) A single individual, including a head of a household (as defined in section 2(b)) or a surviving spouse (as defined in section 2(a)); or

(ii) A married individual entitled under subsection (b) to file a joint declaration with his spouse, but only if his spouse has not received wages (as defined in section 3401(a)) for the taxable year; or

(B) $10,000, in the case of a married individual entitled under subsection (b) to file a joint declaration with his spouse, but only if both he and his spouse have received wages (as defined in section 3401(a)) for the taxable year; or

(C) $5,000, in the case of a married individual not entitled under subsection (b) to file a joint declaration with his spouse; or

(2) The gross income can reasonably be expected to include more than $500 from sources other than wages (as defined in section 3401(a)).

Notwithstanding the provisions of this subsection, no declaration is required if the estimated tax (as defined in subsection (c)) can reasonably be expected to be less than $100.

[Sec. 6015(a) as amended by sec. 5, Act of Sept. 14, 1960 (Pub. Law 86–779, 74 Stat. 1000); sec. 103(j)(1), Foreign Investors Tax Act 1966 (80 Stat. 1554); sec. 803(d)(7), Tax Reform Act 1969 (83 Stat. 684); sec. 209, Rev. Act 1971 (85 Stat. 517)]

PAR. 2. Section 1.6015(a)–1 is amended by revising the caption of paragraph (a)(1) and so much of such paragraph as precedes subdivision (i) thereof, by redesignating such revised paragraph (a)(1) and (2) as subparagraphs (a)(2) and (a)(3) respectively, by inserting immediately before such redesignated paragraph (a)(2) a new paragraph (a)(1), and by revising paragraphs (c) and (e). These revised, redesignated, and added provisions read as follows:

§ 1.6015(a)–1 Declaration of estimated income tax by individuals.

(a) *Requirement*—(1) *Taxable years beginning after December 31, 1971.* With respect to taxable years beginning after December 31, 1971, a declaration of estimated income tax by an individual is not required if the estimated tax (as defined in section 6015(c)) can reasonably

be expected to be less than $100. In all other cases a declaration of estimated income tax shall be made by every individual if the following conditions are met and if such individual is not a nonresident alien individual who is excepted under section 6015(i) and § 1.6015(i)–1 from the requirements of making a declaration:

(i) The gross income for the taxable year can reasonably be expected to exceed—

(*a*) $20,000, in the case of—

(*1*) A single individual including a head of a household (as defined in section 2(b)) or a surviving spouse (as defined in section 2(a)); or

(2) A married individual entitled under section 6015(b) to file a joint declaration with his spouse, if his spouse has not received wages (as defined in section 3401(a)) for the taxable year; or

(*b*) $10,000, in the case of a married individual entitled under section 6015(b) to file a joint declaration with his spouse, if both he and his spouse have received wages (as defined in section 3401(a)) for the taxable year; or

(*c*) $5,000, in the case of a married individual not entitled under section 6015(b) to file a joint declaration with his spouse; or

(ii) The gross income can reasonably be expected to include more than $500 from sources other than wages (as defined in section 3401(a)).

(2) *Taxable years beginning after December 31, 1966, and before January 1, 1972.* With respect to taxable years beginning after December 31, 1966, and before January 1, 1972, a declaration of estimated income tax by an individual is not required if the estimated tax (as defined in section 6015(c)) can reasonably be expected to be less than $40. In all other cases a declaration of estimated income tax shall be made by every individual if the following conditions are met and if such individual is not a nonresident alien individual who is excepted under section 6015(i) and § 1.6015(i)–1 from the requirement of making a declaration:

(i) The gross income for the taxable year can reasonably be expected to ex-Engineer.

(*a*) $5,000, in the case of—

(*1*) A single individual other than a head of a household (as defined in section 1(b)(2) for taxable years ending before January 1, 1971, or as defined in section 2(b) of the Code as amended by the Tax Reform Act of 1969 for taxable years beginning after December 31, 1970) or a surviving spouse (as defined in section 2(b) for taxable years ending before January 1, 1971, or as defined in section 2(a) of the Code as amended by the Tax Reform Act of 1969 for taxable years beginning after December 31, 1970);

(2) A married individual not entitled under section 6015(b) to file a joint declaration with his spouse; or

(3) A married individual entitled under section 6015(b) to file a joint declaration with his spouse, but only if the aggregate gross income of such individual and his spouse for the taxable year can reasonably be expected to exceed $10,000; or

(*b*) $10,000, in the case of—

(*1*) A head of household (as defined in section 1(b)(2)) for taxable years ending before January 1, 1971, or as defined in section 2(b) of the Code as amended by the Tax Reform Act of 1969 for taxable years beginning after December 31, 1970); or

(2) A surviving spouse (as defined in section 2(b) for taxable years ending before January 1, 1971, or as defined in section 2(a) of the Code as amended by the Tax Reform Act of 1969 for taxable years beginning after December 31, 1970); or

(ii) The gross income can reasonably be expected to include more than $200 from sources other than wages (as defined in section 3401(a)).

(3) *Taxable years beginning before January 1, 1967.* With respect to taxable years beginning before January 1, 1967, and after December 31, 1960, a declaration of estimated income tax by an individual is not required if the estimated tax (as defined in section 6015(c)) can reasonably be expected to be less than $40. In all other cases a declaration shall be made by every citizen of the United States, whether residing at home or abroad, every individual residing in the United States though not a citizen thereof, every nonresident alien who is a resident of Canada, Mexico, or Puerto Rico and who has wages subject to withholding at the source under section 3402, and every nonresident alien who has been, or expects to be, a resident of Puerto Rico during the entire taxable year, if—

(i) The gross income for the taxable year can reasonably be expected to exceed—

(*a*) $5,000, in the case of—

(*1*) A single individual other than a head of a household (as defined in section 1(b)(2)); or

(2) A married individual not entitled under section 6015(b) to file a joint declaration with his spouse; or

(3) A married individual entitled under section 6015(b) to file a joint declaration with his spouse, but only if the aggregate gross income of such individual and his spouse for the taxable year can reasonably be expected to exceed $10,000; or

(*b*) $10,000, in the case of—

(*1*) A head of household (as defined in section 1(b)(2)); or

(2) A surviving spouse (as defined in section 2(b)); or

(ii) The gross income can reasonably be expected to include more than $200 from sources other than wages (as defined in section 3401(a)).

* * * * *

(c) *Exemption of spouse.* For the purpose of determining whether a declaration of estimated tax is required under the provisions of paragraph (a)(3) of this section, a married person filing a separate declaration may not take into account the exemption of his spouse, if his spouse has, or is reasonably expected to have, gross income, or is reasonably expected to be the dependent of another taxpayer for the taxable year.

* * * * *

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

Example (1). H maintains as his home a household which is the principal place of abode of himself and his two dependent children. H's wife died in 1970 and he has not remarried. H and his wife filed a joint return for 1970. H's salary from January 1 to June 30, 1972, is at the annual rate of $18,000. However, effective July 1, 1972, his annual salary is increased to $24,000, and under the facts then existing it is reasonable to assume that his salary for the remaining portion of 1972 will remain unchanged and that his total salary for the year will, therefore, be $21,000. Since H is a surviving spouse (as defined in section 2(a)) and his gross income can reasonably be expected to exceed $20,000, he is required to file a declaration of estimated tax for 1972. Since it was not reasonable to assume that H's gross income for 1972 would exceed $20,000 until July 1972 (after June 1 and before September 2), H is not required to file a declaration until September 15, 1972. However, if H's estimated tax (as defined in section 6015(c)) can reasonably be expected to be less than $100, he is not required to file a declaration of estimated tax. See section 6073 and §§ 1.6073–1 to 1.6073–4, inclusive, for rules as to when a declaration must be filed.

Example (2). H, a taxpayer making his return on the calendar year basis, has an annual salary of $12,000 in 1972. W, H's wife, received wages (as defined in section 3401(a)) in December 1972. W did not receive wages prior to December. Assuming that H and W are entitled to file a joint declaration of estsmated tax under section 6015(b), H would not be required to file a declaration for 1972 until January 15, 1973, since prior to December 1972 W had not received wages. Since W received wages after September 1, 1972, H must file a declaration on or before January 15, 1973, because, under the rule contained in paragraph (a)(1)(i)(*b*) of this section, H's gross income could reasonably be expected to exceed $10,000 for 1972. However, no declaration would be required if H's estimated tax (as defined in section 6015(c)) could reasonably be expected to be less than $100. No declaration is required prior to January 15, 1973, because, under the rule contained in paragraph (a)(1)(i)(*a*)(2) of this section, H's gross income for 1972 could not reasonably be expected to exceed $20,000.

Example (3). P is a taxpayer making his return on the calendar year basis. P is engaged in the practice of his profession on his own account and has gross income of $2,000 from such profession for the 2 months of January and February 1972. He reasonably expects that his gross income from his profession will continue to average $1,000 each month throughout the year and that he will have no income from any other source during 1972. Since P has gross income which does not constitute wages subject to withholding, he is required to file a declaration of estimated tax for that year since he has income of more than $500 from sources other than wages, unless he reasonably expects his estimated tax to be less than $100.

Example (4). S, a married taxpayer, has been regularly employed for many years. As of January 1, 1972, his weekly wages are $305. For many years, S has also owned stock in a corporation which has regularly paid him annual dividends ranging from $575 to $600. Because his gross income can reasonably be expected to include more than $500

from sources other than wages, S is required to make a declaration of estimated tax for 1972, unless he reasonably expects his estimated tax to be less than $100.

* * * * *

PAR. 3. Immediately after the historical note of § 1.6654 is inserted the following:

Sec. 207. [Revenue Act of 1971] *Waiver of penalty for underpayment of 1971 estimated income tax*—(a) *Waiver of penalty.* Notwithstanding any other provision of law, section 6654(a) of the Internal Revenue Code of 1954) relating to addition to tax for failure by individual to pay estimated income tax) shall not apply to any taxable year beginning after December 31, 1970, and ending before January 1, 1972—

(1) If gross income for the taxable year does not exceed $10,000 in the case of—

(A) A single individual other than a head of a household (as defined in section 2(b) of such Code) or a surviving spouse (as defined in section 2(a) of such Code); or

(B) A married individual not entitled under section 6013 of such Code to file a joint return for the taxable year; or

(2) If gross income for the taxable year does not exceed $20,000 in the case of—

(A) A head of a household (as defined in section 2(b) of such Code); or

(B) A surviving spouse (as defined in section 2(a) of such Code); or

(3) In the case of a married individual entitled under section 6013 of such Code to file a joint return for the taxable year, if the aggregate gross income of such individual and his spouse for the taxable year does not exceed $20,000.

(b) *Limitation.* Subsection (a) shall not apply if the taxpayer has income from sources other than wages (as defined in section 3401 (a) of such Code) in excess of $200 for the taxable year ($400 in the case of a husband and wife entitled to file a joint return under section 6013 of such Code for the taxable year).

[Sec. 207, Rev. Act 1971 (85 Stat. 512)]

PAR. 4. Section 1.6654–2 is amended by revising so much of paragraph (a) as follows subparagraph (4) to read as follows:

§ 1.6654–2 Exceptions to imposition of the addition to the tax in the case of individuals.

(a) *In general.* * * *

In the case of a taxpayer whose taxable year consists of 52 or 53 weeks in accordance with section 441(f), the rules prescribed by paragraph (b) of § 1.441–2 shall be applicable in determining, for purposes of subparagraph (1) of this paragraph, whether a taxable year was a year of 12 months and, for purposes of paragraph (a) (3) and (4) of this section, the number of calendar months in a taxable year preceding the date prescribed for payment of an installment of estimated tax. For the rule to be applied in determining taxable income for any period described in paragraph (a) (3) and (4) of this section in the case of a taxpayer who employs accounting periods (e.g., 13 4-week periods or four 13-week periods) none of which terminates with the end of the applicable period described in paragraph (a) (3) or (4) of this section, see paragraph (a)(5) of § 1.6655–2. See § 1.6654–4 for certain cases where the imposition of the addition to the tax prescribed by section 6654(a) shall not apply with respect to taxable years beginning after December 31, 1970, and ending before January 1, 1972.

* * * * *

§ 1.6654–5 [Redesignated]

PAR. 5. Section 1.6654–4 is redesignated as § 1.6654–5.

PAR. 6. The following section is inserted immediately following § 1.6654–3:

§ 1.6654–4 Waiver of penalty for underpayment of 1971 estimated tax by an individual.

(a) *In general.* Section 207 of the Revenue Act of 1971 provides that, in the case of individuals, the penalty prescribed by section 6654(a) and § 1.6654–1 for underpayment of estimated tax shall not apply in certain cases to taxable years beginning after December 31, 1970, and ending before January 1, 1972. The penalty shall be waived only if the taxpayer meets one of the gross income requirements contained in paragraph (b) of this section and if the limitation contained in paragraph (c) of this section is not applicable.

(b) *Gross income requirement.* Except as provided in paragraph (c) of this section, the waiver provided in paragraph (a) of this section shall be applicable only—

(1) If the gross income for the taxable year does not exceed $10,000 in the case of—

(i) A single individual who is neither a head of a household (as defined in section 2(b)) nor a surviving spouse (as defined in section 2(a)), or

(ii) A married individual not entitled under section 6013 to file a joint return for the taxable year, or

(2) If the gross income for the taxable year does not exceed $20,000 in the case of—

(i) A head of a household (as defined in section 2(b), or

(ii) A surviving spouse (as defined in section 2(a)), or

(3) If the aggregate gross income for the taxable year does not exceed $20,000 in the case of a married individual (entitled under section 6013 to file a joint return for the taxable year) and his spouse.

(c) *Limitation.* Notwithstanding any other provision of this section, the waiver provided in paragraph (a) of this section shall not be applicable, if in the taxable year, the taxpayer has income from sources other than wages (as defined in section 3401(a)) in excess of $200 ($400 in the case of a husband and wife entitled to file a joint return for the taxable year under section 6013). Thus, for example, even if the aggregate gross income of a husband and wife (entitled under section 6013 to file a joint return for the taxable year) does not exceed $20,000, the waiver of the penalty for underpayment of estimated tax shall not apply if the husband and wife have, in the aggregate, income from sources other than wages in excess of $400.

PAR. 7. Section 301.6015 is amended by revising section 6015(a) and by adding to the historical note. These revised and added provisions read as follows:

§ 301.6015 Statutory provisions; declaration of estimated income tax by individuals.

Sec. 6015. *Declaration of estimated income tax by individuals*—(a) *Requirement of declaration.* Except as otherwise provided in this section, every individual shall make a declaration of his estimated tax for the taxable year if—

(1) The gross income for the taxable year can reasonably be expected to exceed—

(A) $20,000, in the case of—

(i) A single individual, including a head of a household (as defined in section (2)(b)) or a surviving spouse (as defined in section 2(a)); or

(ii) A married individual entitled under subsection (b) to file a joint declaration with his spouse, but only if his spouse has not received wages (as defined in section 3401(a)) for the taxable year; or

(B) $10,000, in the case of a married individual entitled under subsection (b) to file a joint declaration with his spouse, but only if both he and his spouse have received wages (as defined in section 3401(a)) for the taxable year; or

(C) $5,000, in the case of a married individual not entitled under subsection (b) to file a joint declaration with his spouse; or

(2) The gross income can reasonably be expected to include more than $500 from sources other than wages (as defined in section 3401(a)). Notwithstanding the provisions of this subsection, no declaration is required if the estimated tax (as defined in subsection (c)) can reasonably be expected to be less than $100.

* * * * *

[Sec. 6015 as amended by sec. 74, Technical Amendments Act 1958 (72 Stat. 1660); sec. 5(a), Act of Sept. 14, 1960 (Public Law 86–779, 74 Stat. 1000); sec. 1(a)(1), Act of Sept. 25, 1962 (Public Law 87–682, 76 Stat. 575); sec. 102 (a) and (d), Tax Adjustment Act 1966 (80 Stat. 38); sec. 301(j), Foreign Investors Tax Act 1966 (80 Stat. 1554); sec. 301(b)(12), 803(d)(7), and 944, Tax Reform Act 1969 (83 Stat. 586, 684, 729); sec. 209, Rev. Act 1971 (85 Stat. 517)]

PAR. 8. Immediately after the historical note of § 301.6654 is inserted the following:

Sec. 207. [Revenue Act of 1971] *Waiver of penalty for underpayment of 1971 estimated income tax*—(a) *Waiver of penalty.* Notwithstanding any other provision of law, section 6654(a) of the Internal Revenue Code of 1954 (relating to addition to tax for failure by individual to pay estimated income tax) shall not apply to any taxable year beginning after December 31, 1970, and ending before January 1, 1972—

(1) If gross income for the taxable year does not exceed $10,000 in the case of—

(A) A single individual other than a head of a household (as defined in section 2(b) of such Code) or a surviving spouse (as defined in section 2(a) of such Code); or

(B) A married individual not entitled under section 6013 of such Code to file a joint return for the taxable year; or

(2) If gross income for the taxable year does not exceed $20,000 in the case of—

(A) A head of a household (as defined in section 2(b) of such Code); or

(B) A surviving spouse (as defined in section 2(a) of such Code); or

(3) In the case of a married individual entitled under section 6013 of such Code to file a joint return for the taxable year, if

the aggregate gross income of such individual and his spouse for the taxable year does not exceed $20,000.

(b) *Limitation.* Subsection (a) shall not apply if the taxpayer has income from sources other than wages (as defined in section 3401 (a) of such Code) in excess of $200 for the taxable year ($400 in the case of a husband and wife entitled to file a joint return under section 6013 of such Code for the taxable year).

[Sec. 207, Rev. Act 1971 (85 Stat. 512)]

PAR. 9. Section 301.6654–1 is amended to read as follows:

§ 301.6654–1 Failure by individual to pay estimated income tax.

For regulations under section 6654, see §§ 1.6654–1 to 1.6654–5, inclusive, of this chapter (Income Tax Regulations).

[FR Doc.73-5607 Filed 3-22-73;8:45 am]

[26 CFR Part 31]

ELECTIVE SOCIAL SECURITY COVERAGE FOR VOW-OF-POVERTY MEMBERS OF RELIGIOUS ORDERS

Notice of Proposed Rule Making; Correction

On Monday, March 19, 1973, notice of proposed rule making was published in the FEDERAL REGISTER (38 FR 7230).

The following corrections are to be made: In lines 13 and 24 in paragraph 1 of column 1, "April 8" should read "April 18".

JAMES F. DRING,
Director, Legislation and Regulations Division.

[FR Doc.73-5682 Filed 3-22-73;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 930]

HANDLING OF CHERRIES GROWN IN CERTAIN STATES

Sale of Reserve Pool Cherries

This proposal, if accepted, would establish the conditions and procedures for the release of reserve pool cherries to eligible handlers under the order by the Cherry Administrative Board.

Notice is hereby given that the Department is considering a proposed amendment, as hereinafter set forth, to the rules and regulations (Subpart—Rules and Regulations, 7 CFR Part 930.101–930.161; 37 FR 273, 13789, 16169), currently in effect pursuant to the applicable provisions of Marketing Order No. 930 (7 CFR Part 930), regulating the handling of cherries grown in Michigan, New York, Wisconsin, Pennsylvania, Ohio, Virginia, West Virginia, and Maryland hereinafter referred to as the order. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

This amendment of said rules and regulations was proposed by the Cherry Administrative Board, established under said order, as the agency to administer the terms and provisions thereof. The amendment would establish the conditions and procedures for the release and sale of reserve pool cherries to eligible handlers.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than April 15, 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 business hours (7 CFR 1.27(b)).

As proposed a new § 930.591 *Conditions governing the sale of reserve pool cherries* would read as follows:

§ 930.591 Conditions governing the sale of reserve pool cherries.

(a) The Cherry Administrative Board, prior to any 10 day reserve pool release period, shall notify each handler of record by telephone, which notification shall be confirmed by registered letter of the: Time and date of the release period; quantity of said handler's share of the reserve pool release which may be purchased; and specific prices of such cherries. This shall be designated as the first offering.

(b) Each handler wishing to purchase first offering reserve pool cherries shall notify the Cherry Administrative Board, in person or by telephone, of the number of 30-pound containers or the percentage of his portion of reserve pool cherries, he desires to purchase. He shall confirm this offer in writing at the Board's office or at such other location as may be designated by the Board. The confirmation shall be accompanied by a deposit equal to $1 for each 30 pounds of cherries he offers to purchase. Both the confirmation and the deposit must be received at the office of the Board or at other locations within the production area as designated by the Board, within the first 72 hours of the release period. The total amount of the purchase price of such cherries shall be due within 30 days after the date of the invoice. No cherries shall be released by the Board until after it has received payment of the full amount due for such cherries. If the full amount is not paid within the aforesaid 30-day period, the $1 deposit for each 30 pounds of cherries shall be forfeited to the Board for the reserve pool account and the cherries shall remain in the reserve pool.

(c) In the event there remains for sale a portion of first offering cherries, the Board shall, during the second 72-hour period within the 10-day release period, notify each handler who purchased his portion of first offering reserve pool cherries, by telephone or telegram, of the quantity, the price, and grade composition of cherries remaining for purchase. This shall be designated as second offering.

(d) Each such handler who desires to purchase second offering cherries may do so within the remaining 96 hours of the 10-day release period. Such offer shall be made in the same manner as his offer to purchase first offering cherries and the $1 deposit shall also apply to the offer to purchase second offering. If the full amount is not paid within the aforesaid 30-day period, the $1 deposit for each 30 pounds of cherries shall be forfeited to the Board for the reserve pool account and the cherries shall remain in the reserve pool. In the event offers to purchase exceed the quantity of cherries offered, the quantity each handler may purchase shall be prorated in accordance with the handler's participation in the reserve pool as compared with the total participation in the reserve pool by all handlers who have made an offer to purchase second offering cherries: *Provided*, That if the proportion of any handler exceeds the quantity he desires to purchase, such excess shall be apportioned on the foregoing basis among the remaining handlers who have expressed a desire to purchase second offering cherries.

Dated: March 20, 1973.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.73-5636 Filed 3-22-73;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[24 CFR Part 42]

[Docket No. R–73–227]

RELOCATION SERVICES AND REPLACEMENT HOUSING

Establishment of Grievance Procedures

Pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894; 42 U.S.C. 4601) the Department proposes to amend Title 24, Part 42 of the Code of Federal Regulations to include a new Subpart G entitled "Grievance Procedures Relating to Adequacy of Relocation Services and Replacement Housing". This proposed Subpart is intended to prescribe the Department's procedures for the implementation of section 213 (b)(1) and (c) of the Act, which provides generally that the head of each Federal agency is authorized to establish such regulations and procedures as may be necessary to assure that payments and assistance shall be administered in a fair and equitable manner. The grievance procedures relating to payment claims were published for comment in the FEDERAL REGISTER on May 20, 1972, and will soon be republished in final form. Principal provisions of the proposed Subpart are set forth below:

Section 42.305 states the basic right of administrative review available to a person who believes himself aggrieved by a failure of a State agency to offer him

adequate relocation services and adequate replacement housing. A right to review head of a State agency, followed by furis available by the head of a State agency, followed by further review by HUD.

Section 42.310 details the procedures necessary to obtain State agency review.

Section 42.315 sets forth the elements which must be considered by a State agency in accomplishing this review, and the time limits for the issuance of a statement of findings upon review by the State agency.

Section 42.320 indicates that recommendations may be accepted from a third party.

Section 42.325 details the procedures for obtaining HUD review.

Section 42.330 sets forth the elements which must be considered by the HUD Area Office in accomplishing this review, and the time limit for the issuance of a statement of findings by the HUD Area Office.

Section 42.335 provides for a stay of displacement pending administrative review.

Section 42.365 provides that this Subpart is not intended to preclude review by the courts after completion of the administrative review.

Interested persons are invited to participate in the making of the proposed rule by submitting written data, views, or statements. Communications should be filed in triplicate with the Rules Docket Clerk, Office of General Counsel, Room 10256, Department of Housing and Urban Development, 451 Seventh Street SW., Washington DC 20410. All relevant material received on or before April 24, 1973 will be considered before adoption of final rules. Copies of comments submitted will be available for examination during business hours at the above address.

In 24 CFR Part 42 a new Subpart G is added to read as follows:

Subpart G—Grievance Procedures Relating to Adequacy of Relocation Services and Replacement Housing

Sec.

42.300 Purpose.
42.305 Right of appeal.
42.310 Request for State agency review.
42.315 State agency review.
42.320 Recommendations by third party.
42.325 Request for HUD review.
42.330 HUD review.
42.335 Stay of displacement pending review.
42.340 Remedies for persons displaced.
42.345 Extension of time limits.
42.350 Construction of rules and regulations.
42.355 Right to counsel.
42.360 Effect of determination on other complaints.
42.365 Right to judicial review.

AUTHORITY: Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 84 Stat. 1894; 42 U.S.C. 4601.

§ 42.300 Purpose.

The purpose of this Subpart is to set forth guidelines for processing complaints from persons who believe themselves aggrieved by the failure of the State agency to provide them with adequate relocation services and adequate replacement housing as provided by Subpart C of this part.

§ 42.305 Right of appeal.

(a) *General.* A complainant, meaning a person who believes himself aggrieved by a failure of a State agency to offer him adequate relocation services or adequate replacement housing as provided by Subpart C of this part, may file a complaint with the head of the State agency or his authorized designee. Advice on the right to file a complaint under these procedures shall be a part of the information statement required by § 42.165. Where such person is not satisfied with the results of the State agency's determination, he is entitled to have his complaint reviewed by HUD.

(b) *Joint claimants; class actions.* Two or more complainants may join in filing a single written request for review with the State agency provided that each is aggrieved by the failure of the State agency to offer him adequate relocation services or adequate replacement housing as provided in § 42.300. A written request for review may be filed on behalf of a class where one or more complainants are fairly representative of a class of persons who have allegedly not been offered adequate relocation services or replacement housing by the State agency. The State agency may refuse to review the complaint as a class action if it determines that there does not exist a class with a community of interest in the issues raised or if it determines that the complainants do not fairly represent the class.

§ 42.310 Request for State agency review.

(a) *Informal presentation.* Upon request of the complainant, the State agency shall, within 15 days of the request, afford him an opportunity to make an oral presentation prior to filing a written request for review pursuant to paragraph (c) of this section. This oral presentation shall enable the complainant in the company of an advisor, attorney or other representative, if he so wishes, to discuss his complaint with the head of the State agency or a designee. Such designee shall be someone other than the person who has been providing relocation services.

(b) *Time limits for requesting informal presentation.* This right to an oral presentation shall be available to a complainant at any time prior to the date of displacement and no later than six months after displacement, unless closeout of the project occurs prior to that time, in which case the oral presentation must be requested prior to project closeout or within 90 days following displacement, whichever is later. If the State agency rejects the complainant's contentions in whole or in part, it must notify the complainant, with a copy to HUD, that he has a right to file a written request for State agency review. The State agency shall make a summary of the matters discussed in the oral presentation and it should be included as part of its file.

(c) *The written request for review.* The complainant may file a written request for review within the time limits prescribed by paragraph (d) of this section and such written request may include any statement of fact within complainant's knowledge or belief, or other material which he feels has a bearing on his appeal. If the complainant requests more time to gather and prepare additional information for consideration or review and demonstrates a reasonable basis therefor, he may be granted additional time. If the complainant feels he is unable to prepare the written complaint, the State agency shall offer to provide assistance to the complainant and further notify the complainant of other available sources of assistance. The State agency, however, shall consider every complaint regardless of form. The making of an oral presentation pursuant to paragraph (a) of this section shall not be deemed a condition precedent to the filing of a written request for review.

(d) *Time limits for filing written request for review.* A complainant may file a written request for review with the State agency at any time prior to the date of displacement. Such request for review may also be filed with the State agency no later than 6 months after displacement, unless final closeout of the project occurs prior to that time, in which case the written request must be made prior to project closeout or within 90 days following displacement, whichever date is later: *Provided*, That in any case in which an oral presentation is requested after displacement pursuant to paragraph (a) of this section, the time period specified in this paragraph shall be extended if necessary so that a complainant shall have no less than 30 days from the date he is advised of the determination on the oral presentation.

§ 42.315 State agency review.

(a) *General.* The State agency shall review the written request for review and shall make a determination as to whether adequate relocation services or adequate replacement housing has been provided to a complainant as provided by Subpart C of this part. The State agency shall issue to the complainant a copy of the determination and shall notify the complainant of his right to seek HUD review. A copy of the determination shall also be sent to HUD. The review shall not be made by the official who provides the relocation services and housing, nor anyone subordinate to that official.

(b) *Scope of review.* In making its determination, the State agency shall consider the following:

(1) All material upon which the State agency based its original determination, including all applicable rules and regulations;

(2) The reasons given by the complainant in support of his complaint;

(3) Whatever additional written material has been submitted by the complainant for the purpose of this review; and

(4) Any further information the State agency may, in its discretion, obtain by

request, investigation or research to insure a fair and full review of the complaint.

(c) *Determination on review.* The written determination on review shall include, but is not limited to:

(1) The agency's decision upon review of the complaint;

(2) The factual and legal basis upon which this decision is based, including any pertinent explanation or rationale for the decision;

(3) The relief to which the complainant is entitled, and a brief statement on how this will be achieved; and

(4) A statement of complainant's right to seek further review by HUD and an explanation of what steps the complainant must take to obtain this review.

(d) *State agency determinations not based on merits.* A State agency's refusal to provide an oral presentation after one has been requested or review a written complaint on the merits (e.g., because of complainant's failure to request an oral presentation or file for written review within the required time or because the matter is not deemed ripe for determination) shall upon complainant's request, be reviewed by HUD in the manner described in §§ 42.325 and 42.330. However, in any case where a State agency refuses to provide an oral presentation or review a written complaint, prior to displacement, because the matter is not ripe for determination, the complainant shall also be notified that he may request an oral presentation or file a written complaint at a later time if services or adequate housing are not provided.

(e) *Time limits.* (1) The State agency shall issue its determination of review within 30 days from receipt of the last material submitted for consideration by the complainant in accordance with § 42.310.

(2) In the case of requests for oral presentations or written complaints dismissed for untimeliness or because the matter is not ripe for review or for any other reason not based on the merits, the State agency shall issue a statement to the complainant as to why the request for an oral presentation or written complaint was dismissed. The statement, with a copy to HUD, should be sent within 10 days of receipt of the last material submitted by the complainant or within 10 days of the complainant's request for an oral presentation.

§ 42.320 Recommendations by third party.

Upon agreement between the complainant and the State agency, a mutually acceptable third party or parties may review the complaint and make advisory recommendations thereon to the head of the State agency for his determination. The agreement between the complainant and the State agency may provide for an extension of the time limit for State agency review prescribed in § 42.315(e). In reviewing the complaint and making recommendations to the State agency, the third party or parties should be guided by the provisions of § 42.315(b) and of § 42.315(c) (1) through (3). The requirements of these sections and of § 42.315(c)(4) remain fully applicable to the State agency.

§ 42.325 Request for HUD review.

(a) *General.* A complainant who believes himself aggrieved as a result of the final determination of his written request for review by the State agency may request HUD to make a redetermination on his complaint. The request for HUD review shall be submitted in writing to the Director of the appropriate HUD Area Office or, where there is no HUD Area Office, to the Regional Administrator of the appropriate HUD Regional Office. (Unless the context indicates otherwise, "Area Director" shall be used in this Subpart to refer to the Regional Administrator where there is no Area Office.)

(b) *Submissions by complainant.* The complainant may include in the request for review by the Area Director any statement of facts within his knowledge or belief or other material which he feels will have a direct bearing on the complaint. The complainant need not, however, repeat arguments nor submit material previously provided to the State agency for its review: *Provided*, That where the complainant submits material to HUD which was not submitted to the State agency for review, HUD will provide the State agency with an opportunity to review such new material and to submit any comments which it wishes to make.

(c) *Submission of State agency's file.* Upon receipt of a request for review by HUD, the Area Director shall forward a copy of such request by certified mail, return receipt requested to the State agency which made the initial determination, and shall direct the State agency to submit a copy of the complete file of the complainant's case, including materials upon which the State agency based its decision. The State agency shall forward this material to the Area Director within 10 days of the receipt by the State agency of the notice from the Area Director.

(d) *Time limit.* The complainant shall file a written request for review of his complaint with the Area Director within 30 days from the date of receipt of the determination on review issued by the State agency.

§ 42.330 HUD review.

(a) *General.* The Area Director shall review the complaint as submitted by the complainant together with the material submitted to him by the State agency and shall issue to the complainant a copy of the determination within 30 days from the receipt of the complete file of complainant's case from the State agency.

(b) *Scope of review.* Ih making his determination, the Area Director shall consider the following:

(1) All the material upon which the State agency based its determination, including all applicable rules and regulations;

(2) The reasons given by the complainant for requesting reconsideration and review of his complaint;

(3) Whatever written material has been submitted by the complainant for the purposes of this review; and

(4) Any further information which HUD may, in its discretion, obtain by request, investigation or research to insure a fair and full review of the complaint.

(c) *Determination on review by HUD.* The written determination by HUD shall include, but need not be limited to:

(1) The Area Director's decision on reconsideration of the complaint;

(2) The factual and legal findings upon which the decision is based, including any pertinent explanation or rationale for the decision;

(3) The relief, if any, to which the complainant is entitled, and directions to the State agency on how this shall be achieved;

(4) Notification to the complainant of his right to seek further HUD assistance if the relief specified in paragraph (c) (3) of this section is not provided;

(5) Notification to the complainant of his right to seek judicial review in the event the determination is adverse.

(d) *Review of State agency determinations not based on the merits.* If the Area Director finds that the State agency's refusal to review the complaint on its merits was unreasonable, the complaint shall be remanded to the State agency for review on its merits within 30 days of the State agency's receipt of the remanded complaint. If the State agency's refusal to hear the complaint is not found to have been unreasonable, the Area Director shall so notify the complainant and inform him that he may have a right to judicial review: *Provided*, That in the case of complaints dismissed by a State agency as not ripe for determination and upheld by the Area Director, the claimant should again be notified that he may request an oral presentation or file a written complaint at a stage which would warrant an oral presentation or review.

§ 42.335 Stay of displacement pending review.

If the written request is filed before displacement, the State agency shall not require the complainant to move until at least 30 days after it has made a determination and the complainant has had an opportunity to seek HUD review. If the complainant seeks HUD review, no displacement shall occur pending HUD's determination. If the HUD determination is adverse to the complainant, he may not be displaced until at least 30 days after receipt of notice of the HUD determination. In all cases, the State agency must notify the complainant in writing 30 days prior to the proposed new date of displacement, and in no case may a complainant be displaced unless he is offered comparable replacement housing as provided in Subpart C of these regulations.

§ 42.340 Remedies for persons displaced.

Whenever it is determined by the State agency or by HUD that a complainant has been moved to replacement housing which fails to meet the criteria provided

in Subpart C of these regulations, the State agency shall take immediate steps to offer to the complainant replacement housing pursuant to Subpart C. The State agency will pay for the reasonable costs of the move to such replacement housing, either by arranging for the move and paying the mover directly, or by reimbursing the complainant for the reasonable costs of the move. Such expenditures are deemed eligible costs in connection with the administration of relocation.

§ 42.345 Extension of time limits.

The time limits specified in §§ 42.310 and 42.325 may be extended for good cause by the State agency or by the Area Director, respectively.

§ 42.350 Construction of rules and regulations.

This Subpart, and all applicable rules and regulations on which State agency and HUD determinations are based, shall be so construed as to fulfill the statutory purpose as declared in section 201 of the Act of "fair and equitable treatment" in order that displaced persons "not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole."

§ 42.355 Right to counsel.

Any aggrieved party has a right to representation by legal or other counsel at his own expense at any and all stages of the proceedings set forth in this Subpart.

§ 42.360 Effect of determination on other complaints.

The principles established in all determinations by a State agency (unless modified upon review by HUD) or by HUD shall be applied to all similar cases.

§ 42.365 Right to judicial review.

Nothing in this Subpart shall in any way preclude or limit a complainant from seeking judicial review of his complaint on the merits upon exhaustion of such administrative remedies as are available to him under this Subpart.

(42 U.S.C. 4601; section 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d))

Issued at Washington, D.C. on March 16, 1973.

JAMES T. LYNN,
Secretary of Housing and Urban Development.

[FR Doc.73-5571 Filed 3-22-73;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 2]

EXEMPTION FROM MANDATORY DISCLOSURE OF TRADE SECRETS AND OTHER INFORMATION

Notice of Proposed Rule Making

Notice is hereby given that the Environmental Protection Agency proposes to amend § 2.107a of Title 40, CFR, dealing with trade secrets and other information exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b)(4).

The proposed amendment deals with four issues, as follows:

1. Section 10 of the Federal Environmental Pesticide Control Act (FEPCA), prohibits the disclosure, not only of trade secrets, but of "commercial or financial information obtained from a person and privileged or confidential," if such information is required to be submitted pursuant to FEPCA. Thus, section 10 constitutes a new prohibition on disclosure of a category of information exempt under the Freedom of Information Act, 5 U.S.C. 552, but which has not been withheld by EPA in all cases as a matter of policy. In order to harmonize EPA regulations under the Freedom of Information Act with the new requirement of FEPCA, it will be necessary to amend 40 CFR 2.107a to make it clear that the rules contained therein for disclosure of certain nontrade secret information, the submission of which is required do not apply to the disclosure of such information if EPA receives it pursuant to FEPCA.

2. Section 10 also provides a procedure for dealing with disputes between an applicant or registrant and EPA as to whether particular information falls within the scope of the protection of section 10(a). If the Administrator proposes to disclose such information to the public, section 10(c) requires him to give 30 days' notice of his intention to the applicant or registrant, so that the applicant or registrant may seek a declaratory judgment concerning the applicability of the prohibition in section 10(a). The 30-day period is measured from the date the applicant receives the Administrator's notice of intent. Meanwhile, 40 CFR 2.107a(a), dealing with trade secrecy, also provides, in subparagraph (2), that EPA will give 30 days notice to a person who has submitted information to EPA, whenever it is determined that such information does not constitute trade secrets. The 30 days, however, is measured from the date of mailing, rather than the date of receipt. To insure uniform procedures, therefore, the proposed amendment would change the day, from that of mailing to that of receipt, which begins the 30-day notice period under § 2.107a(a)(2). In addition, the amendment would require that the 30-day notice be sent by certified mail (return receipt requested) so that EPA will be able to ascertain when the 30-day period ends.

3. Section 2.107a(a)(4) now provides that the Office of General Counsel may issue written determinations concerning trade secrecy of information contained in EPA records, if such a determination is requested by an "interested party." At present, EPA has no authority to initiate the procedure called for by Part 2 with respect to determinations of trade secrecy. In many instances, however, it is foreseeable that certain information submitted by industry will almost surely be the subject of a request from a member of the public under the Freedom of Information Act. In addition, there might be situations in which EPA wishes to make certain information available to the public as a matter of course, without receiving a specific request under the Freedom of Information Act. The proposed amendment would give EPA this latitude by permitting it, in effect, to require a showing of trade secrecy by the person who submitted the information in question.

4. Section 207a(b)(2)(i) limits the scope of the phrase "privileged or confidential information," appearing in 5 U.S.C. 552(b)(4), to information received pursuant to a pledge of confidentiality. In its present form, § 2.107a(b)(2)(i) generally requires that such a pledge of confidentiality be "contained in any EPA form, or obtained in writing from EPA." This language is subject to differing interpretations with respect to information which is submitted as part of a proposal, solicited or unsolicited, for an EPA grant or contract. To the extent that EPA grants and procurement regulations, or requests for proposals, extend confidential treatment to such information, it should be unnecessary for a separate written undertaking to be made with respect to each proposal. Accordingly, the amendments would make it clear that the pledge of confidentiality from EPA may be contained in the grants and procurement regulations or in a request for proposals.

For the foregoing reasons, the following amendments to § 2.107a are hereby proposed:

1. The last two sentences of 40 CFR 2.107a(a)(2) are proposed to be amended to read as set forth below.

§ 2.107a Trade secrets and privileged or confidential information.

* * * * *

(a) * * *

2. The first sentence of 40 CFR 2.107a(a)(4) is proposed to be deleted, and the two sentences set forth below are proposed to be inserted in its place.

3. Section 2.107a(b)(2) is proposed to be amended to read as set forth below.

(2) * * * If the General Counsel determines that the records requested do not contain trade secrets, notice of such determination will be served by certified mail (return receipt requested) by the Office of General Counsel upon the person making the claim. No sooner than 30 days following the receipt of such notice, the requested records will be disclosed in accordance with this part.

* * * * *

(4) Whether or not a request for information has been made under this part, the General Counsel may issue written determinations as to whether information contained in EPA records does or does not constitute trade secrets. Prior to making any such determination, however, the Office of General Counsel shall give notice of his intent to make such a determination, to any person who would have received notice under § 2.105(b) if a request for the information in question had been made under this part,

and shall follow the procedures of paragraph (a)(2) of this section as appropriate. * * *

(b) *Privileged or confidential information.* * * * (2) * * * For purposes of this paragraph, "privileged or confidential information" means:

(i) Commercial or financial information obtained from a person pursuant to the Federal Environmental Pesticide Control Act, and privileged or confidential within the meaning of section 10(b) thereof; and

(ii) Information which an agency is authorized (but not required) by law to withhold from the public when it has been:

(A) Submitted to EPA pursuant to, and in reliance on, a pledge of confidentiality contained in any EPA form, or obtained in writing from EPA, or extended by grants and procurement regulations under this title or Title 41, Code of Federal Regulations, or in any request for proposals issued by EPA; or

(B) Received from a State or Federal agency which in turn has received the information pursuant to, and in reliance on, a pledge of confidentiality, and which continues to consider itself bound by such pledge (unless EPA is entitled by law to demand such information from the original private source).

(iii) No pledges will be made by EPA under subdivision (ii)(A) of this paragraph in connection with information which EPA is entitled by law to demand (such as emission data under section 114 of the Clean Air Act, 42 U.S.C. 1857c-9) or which is submitted to EPA to fulfill a requirement imposed by statute or regulation in connection with a regulatory scheme of general applicability (such as information contained in application for registrations, permits, certifications, and the like). Nothing herein is intended to affect the status of information which is required by law to be treated as confidential.

Interested persons are invited to submit written comments on the amendments proposed herewith, by submitting them to the Office of General Counsel, Environmental Protection Agency, Waterside Mall, 401 M Street SW., Washington, DC 20460. Written comments will be assured of consideration if received on or before April 23, 1973. Comments received pursuant to this notice will be available for inspection in Room 511, Waterside Mall, during normal working hours.

Dated: March 20, 1973.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.73-5585 Filed 3-22-73;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19708; FCC 73-300]

FM BROADCAST STATIONS

Proposed Table of Assignments, Certain Cities in Minnesota and North Dakota

In the matter of amendment of § 73.202 (b), Table of assignments, FM Broadcast Stations (Park Rapids, Minn.; Albany, Minn.; Sauk Rapids-St. Cloud, Minn.; Jamestown, N. Dak.), Docket No. 19708, RM-1832, RM-2025, RM-2092.

1. Notice of proposed rule making is hereby given concerning the amendment of § 73.202(b) of the Commission's Rules, the Table of FM Assignments. The rule making is instituted on the basis of the following petitions.

(a) *RM-1832.* Proposal by De La Hunt Broadcasting Corp., licensee of Station KPRM-FM, for substitution of Channel 248 for Channel 279 at Park Rapids, Minn., to solve a second harmonic interference problem to Channel 12 television service.

(b) *RM-2025.* Proposal by Stearns County Broadcasting Co., licensee of standard broadcast Station KASM, Albany, Minn., for assignment of Channel 249A as a first FM channel to the community.

(c) *RM-2092.* Proposal by Herbert M. Hoppe doing business as Tri-County Broadcasting Co., licensee of standard broadcast Station WVAL, Sauk Rapids-St. Cloud, Minn., for assignment of Channel 251 as a third FM assignment to the area. (Two FM channels are presently assigned to St. Cloud. None is assigned to Sauk Rapids.)

2. These proposals are considered together because of conflicts that arise from the requests for FM channel assignments which are on adjacent channels, and the relative locations of the communities involved. Each of the proposals, which will be discussed below, appears to have sufficient merit to warrant inviting comments on the possible making of these assignments. This should not be construed as the expression of a view, even tentatively, that any or all of these assignments should be made as proposed. Additional information is required from the proponents; the nature of which is discussed below. Further, it appears that there are alternative approaches which, if followed, would permit the making of such assignments as might be warranted without regard to conflicts which otherwise would exist with other of these pending proposals. As it will be indicated below, we invite comments on each of the proposals individually and jointly, and on the possible alternative approaches discussed herein. Commenting parties are invited to suggest other possible alternative approaches.

3. *RM-1832 Park Rapids, Minn.* De La Hunt Broadcasting Co., licensee of Station KPRM-FM, Park Rapids, Minn. (De La Hunt), petitions for substitution of Channel 248 for Channel 279. It appears that the second harmonic frequency of Channel 279 falls in the television band for Channel 12 and has resulted in interference to the reception of Station KNMT-TV (Channel 12), operating at Walker, Minn., in the Park Rapids area. De La Hunt contends that additional harmonic filters have been added to the KPRM-FM transmitter to suppress the radiation of the second harmonic signal, that measurements indicate that the harmonic attenuation requirement of the Rule (73.317) is surpassed, and that it believes that much of the harmonic interference is generated in the preamplifiers used on many of the television receiver antenna installations or in the television sets. The petitioner asserts that its engineering department has found that the interference in most cases can be eliminated by the installation of an FM trap in front of the television booster, but that in severe cases, nothing can be done short of replacing the television set which has a very deficient front end.

4. With reference to the substitution of Channel 248 for Channel 279, De La Hunt asserts that, although the second harmonic frequency of Channel 248 falls within the Channel 10 television band, the operation of Channel 248 at Park Rapids would not cause a second harmonic interference to any Channel 10 television operation under the present television table of assignments. De La Hunt further states that it has no suggestions as to where Channel 279 should be assigned in lieu of Park Rapids, and that it would seem that if the channel were assigned to other cities in that area, stations using the channel in those cities would also subject the Channel 12 station in Walker, Minn., to the same second harmonic interference as has the Park Rapids station.

5. In urging the change in the assignment at Park Rapids, De La Hunt contends that it has on different occasions been forced to sign off during special events that are of high interest in this area such as football games and other related activities. It asserts that it can hardly be expected that the viewers of television in this area should be forced to stand the expense of trap devices or television set replacement when a simple change of frequency will eliminate the problem.

6. *RM-2025 Albany, Minn.* Stearns County Broadcasting Company, licensee of standard broadcast Station KASM, seeks assignment of Channel 249A to Albany, Minn. The channel could be assigned to Albany without requiring any changes in the present assignments and would be Albany's first FM assignment. However, the proposal conflicts with the request for a change in the assignment from Channel 279 to Channel 248 at Park Rapids, Minn., some 90 miles distant; the required separation is 105 miles. It also conflicts with a proposal for Sauk Rapids-St. Cloud, Minn., discussed below.

7. Albany, with a population of 1,599, is located in Stearns County (pop. 95,400). Albany has one daytime-only standard broadcast station, licensed to the petitioner. The other broadcast stations (2 AM's; 2 FM's) in Stearns County are located at St. Cloud, the county seat, some 20 miles southeast of Albany.

8. The petitioner contends that an FM station is needed to provide service, especially at night, to Albany and the surrounding rural area with information as to road and weather conditions, and school closings, and to provide coverage of public, governmental, and school board meetings, elections, and athletic events. The petitioner states that it will file an application for the use of the channel if it is assigned to the community.

9. *RM–2092 Sauk Rapids-St. Cloud, Minn.* Herbert M. Hoppe doing business as Tri-County Broadcasting Co., licensee of standard broadcast Station WVAL (Tri-County), requests assignment of Channel 251 to Sauk Rapids-St. Cloud, Minn., asserting that the assignment could be made without affecting any of the presently assigned channels. However, the station would have to be sited at least 13 miles almost due north of the city to meet the minimum separation requirements as provided by § 73.207(a) of the Rules. This proposal conflicts with the request for an assignment of Channel 249A at Albany, Minn., some 20 miles northwest; the required spacing is 65 miles.

10. Sauk Rapids is located northeast of and is contiguous to St. Cloud, Minn. Sauk Rapids has a population of 5,051 and is located in Benton County (pop. 20,841). Most of St. Cloud (pop. 39,691) lies in Stearns County (pop. 95,400). The remaining part of St. Cloud extends into Benton and Sherburne Counties. St. Cloud is the seat of Stearns County. The petitioner contends that its daytime-only AM Station WVAL is identified as a Sauk Rapids-St. Cloud station and requests the assignment of Channel 251 to the two communities. In addition, St. Cloud has two fulltime Class IV AM stations, two commercial FM stations, and one educational FM station.

11. Tri-County asserts that the St. Cloud-Sauk Rapids metropolitan area serves as the urban center and the focal points of a large nineteen-county area containing almost 350,000 residents; that St. Cloud's economy is healthy and rapidly expanding with increases in nonagricultural employment and in retail sales; that along with the increase in enrollment at St. Cloud's State College, the population of St. Cloud has been steadily increasing with the expansion of industry. It contends that, with the substantial growth projections for the St. Cloud area, there is also a strong interest and need in the county for an additional FM service. Tri-County alleges that the two FM stations in St. Cloud are operated in conjunction with the standard broadcast stations, and that there is significant duplication of AM programing.

12. The preclusion study shows that the proposed assignment of Channel 251 to Sauk Rapids-St. Cloud would preclude future assignments on Channels 248, 249, 251, and 252A. The preclusion on Channel 251 is limited to a number of small areas; the largest area is located north of St. Cloud. The preclusion on the other channels occurs over large areas. The petitioner contends that there is no community within these area with population greater than 10,000, and that there are a number of FM stations within or near these precluded areas which would provide FM services. The petitioner states that if Channel 251 is assigned to Sauk Rapids-St. Cloud, Minn., it will immediately apply for that channel and will promptly complete construction if granted a construction permit.

DISCUSSION

13. Of the three proposals under consideration here, the pivotal request is that for Albany, Minn. If Channel 249A were not to be assigned to Albany, the substitution of an assignment at Park Rapids and an assignment to Sauk Rapids-St. Cloud would be possible. On the other hand, assignment of Channel 249A to Albany would foreclose the requests for the other assignments as submitted by the petitioners. However, if Channel 227 instead of Channel 248 were to be substituted for Channel 279 at Park Rapids, then it would be possible to make an assignment to either Albany or Sauk Rapids-St. Cloud. The assignment of Channel 227 to Park Rapids would require the station there to be located at least 7 miles east of Park Rapids—the location of Station KPRM–FM would have to be moved approximately 4.5 miles east of its present site—to comply with the minimum mileage separation requirements as to Channel 227 at Jamestown, N. Dak. An alternative to the change in site would be a change in the assignment at Jamestown, N. Dak., from Channel 227 to Channel 223. This would require reimbursement by the station licensee at Park Rapids and the permittee at Albany for the reasonable cost that would be involved in the change of frequency of Station KSJM, operating on Channel 227 at Jamestown. As between Albany and Sauk Rapids-St. Cloud, a choice would have to be made as to which community has greater need for an assignment. It is noted that a change in assignment at Park Rapids would not allow the use of Channel 279 at Sauk Rapids-St. Cloud because of an assignment at Mankato, Minn. Another possible alternative would be to assign Channel 288A to Albany. Such an assignment would then permit substitution of Channel 248 for Channel 279 at Park Rapids and an assignment of Channel 251 to Sauk Rapids-St. Cloud. However, there is a question as to the feasibility of assigning Channel 288A to Albany because the transmitter site at Albany would have to be located at least 7 miles southeast of the community to meet the spacing requirement (65 miles) to Channel 290 at Wadena, Minn., presently assigned to Station KKWS. Due to lack of information as to terrain features in the area, it is not known whether a suitable site could be found from which a station would be able to operate in conformance with § 73.315 (a) and (b) of the rules. Parties are requested to submit information concerning this matter.

14. Although the possible substitution of a channel at Park Rapids to solve the second harmonic interference problem has been discussed above, the interference problem does not appear to be insurmountable. De La Hunt appears to have succeeded in eliminating the problem by installing harmonic filters into its transmitter and FM traps in front of the television boosters. The only exception appears to be the television receivers with deficient front ends. De La Hunt argues that the viewers of television should not be forced to stand the expense of trap devices or television set replacement when a simple change of frequency will eliminate the problem. In a public notice setting forth the policy to govern the change of FM channels to avoid interference to television reception (6 RR 2d 672, 31 FR 2567 (1966)), we noted that FM channel changes were not a satisfactory solution to the television interference problem because the deletion of the FM channel, which was harmonically related to the TV channel receiving the interference, and not assigning it to another community, which might have the same potential problem made for an inefficient allocation plan and reduced the assignments available to the FM service. The notice stated that, often, moving an offending assignment or making changes in assignment shifted the interference to another area or to another high band VHF TV station. It went on to say that petitions for FM changes would not receive favorable consideration unless, where actual interference to television reception is being caused, engineering showings are included which (a) give evidence of the interference claimed and indicate the efforts that have been made to eliminate the problem, and (b) show that no FM channels are deleted, no Class A channels are substituted for Class B or C channels, and the proposed reassignment will not result in a potential second harmonic problem being shifted to another city or television station. In this respect, although De La Hunt has shown the efforts made to eliminate the interference problem, it has not shown whether or not the second harmonic problem would be shifted to another city or another television station. A showing as to this should be made as well as to its willingness to reimburse Station KSJM at Jamestown, N. Dak., if, in the public interest, it is required to change its operating frequency.

15. *Showings required.* Comments are invited as to the proposals and the alternative solution outlined above as well as any further alternatives not discussed. The proponents will be expected to file comments demonstrating a continuing interest in the matter and a readiness to apply for the channel, if assigned, and if authorized, to promptly build the stations. Failure to make such a filing or to respond to questions which have been raised may result in denial of the petition.

16. *Cutoff procedure.* As in other FM rule making proceedings, the following procedures will govern:

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments.

(b) With respect to petitions for rule making which conflict with the proposals in this notice, they will be considered as comments in the proceeding, and public notice to this effect will be given, as long

as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision herein.

17. In view of the foregoing, subject to the conditions and reservations set forth hereinabove in certain respects [1] and pursuant to authority found in sections 4 (i), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend § 73.202 (b) of the Commission's rules, the table of FM assignments, as follows:

City	Add	Delete
Albany, Minn.	249A or 288A	
Park Rapids, Minn.	227 or 248	279
Sauk Rapids-St. Cloud, Minn.	251	
Jamestown, N. Dak.	223	227

[1] *E.g.*, the fact that a possible change of transmitter site for Station KPRM-FM is involved; the fact that a possible change of channel for Station KSJM is involved; the fact that Channel 288A may only be assigned if the transmitter site is located 7 miles southeast of Albany; and the fact that not all of the proposed assignments below can be made, i.e., the assignments would only be made in certain combinations (thus, if Channel 248 were assigned to Park Rapids and Channel 251 were assigned to Sauk Rapids-St. Cloud, we would not assign Channel 249A to Albany or change channels at Jamestown but Channel 288A might be assigned to Albany).

18. In view of the fact that all of the above-mentioned communities are within 250 miles of the United States-Canadian border, and the existence of the United States-Canadian agreement on FM assignments in such communities, the proposed assignments are subject to concurrence by the Canadian authorities.

19. *It is ordered*, That pursuant to section 316 of the Communications Act of 1934, as amended, the following licensees shall show cause why, if the assignments of Channel 227 to Park Rapids and Channel 223 to Jamestown are found to be in the public interest and are adopted, the licenses of their stations should not be modified to specify the new channels instead of their present channels, as indicated below: [2]

Call letters	Location	Licensee	Present channel	Proposed channel
KPRM-FM	Park Rapids, Minn	De La Hunt Broadcasting Corp	279	223
KSJM	Jamestown, N. Dak	Triple R, Inc	227	227

[2] If Channels 223, 227, and 249A are assigned to Jamestown, Park Rapids, and Albany, respectively, the Jamestown licensee will be subject to reimbursement from the Park Rapids licensee and the Albany permittee. The Albany permittee need not reimburse the Park Rapids licensee.

20. *It is further ordered*, That pursuant to section 316 of the Communications Act of 1934, as amended, De La Hunt Broadcasting Corp., the licensee of Station KPRM-FM, Park Rapids, Minn., shall show cause why, if it is found to be in the public interest to assign Channel 227 to Park Rapids, to assign Channel 249A to Albany, and not to assign Channel 223 to Jamestown, and Channels 227 and 249A are assigned to Park Rapids and Albany, respectively, the license of Station KPRM-FM should not be modified to specify a transmitter location at least 7 miles east of Park Rapids, and operation on Channel 227 in lieu of Channel 279.

21. De La Hunt Broadcasting Corp. has requested modification of its license to specify operation on Channel 248. We view the request as consent to modification, and therefore find it unnecessary to issue an order to show why its license should not be modified to specify operation on Channel 248 if that channel is substituted for Channel 279 at Park Rapids, Minn.

22. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before April 27, 1973, and reply comments on or before May 10, 1973. All submissions by parties to this proceeding, or persons acting in behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

23. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission. Responses will be available for public inspection during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, DC.

Adopted: March 13, 1973.

Released: March 19, 1973.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.73-5620 Filed 3-22-73;8:45 am]

[47 CFR Part 73]

[Docket No. 19707; FCC 73-299]

FM BROADCAST STATIONS

Proposed Table of Assignments, Sault Ste. Marie, Mich.

In the matter of amendment of § 73.202(b), *table of assignments*, FM Broadcast Stations (Sault Ste. Marie, Mich.), Docket No. 19707, RM-1916, RM-2125.

1. On January 31, 1972, Patterson Communications, Inc. (Patterson), licensee of standard broadcast Station WSOO at Sault Ste. Marie, Mich., filed a petition with this Commission requesting the assignment of FM Channel 267 to Sault Ste. Marie, Mich. On December 14, 1972, Miami County Broadcasting Co., Inc. (Miami), filed an independent petition requesting the assignment of FM Channel 258 to Sault Ste. Marie, Mich.[1] No other revisions, in our Table of Assignments, were proposed by either petitioner. No comments were received concerning either petition.

2. Sault Ste. Marie (population 15,136) [2] is the county seat of Chippewa County, Mich. (population 32,412). There is one FM assignment at Sault Ste. Marie, Channel 224A (WSMM), which was licensed to Mr. Leon B. VanDam doing business as Lock City Broadcasting Co. on July 14, 1972. There is only one standard broadcast station in the community, WSOO, licensed to Patterson.

3. The pleadings before us note that Sault Ste. Marie is located on the Michigan Peninsula approximately 200 miles north of Bay City, Mich. (population 49,449), which is the nearest substantial community. Patterson furnishes the following information about Sault Ste. Marie:

> The economy of Sault Ste. Marie is dependent upon: (1) Government installations, in particular the Soo Locks in the waterway between the ore mines along Lake Superior and the steel mills on the banks of the Detroit River and Lake Erie, and Kincheloe Air Force Base (one of the key bases of the Strategic Air Command), and (2) recreation and tourism. Lake Superior State College, the newest of Michigan's 12-State-supported collegiate institutions, overlooks the Soo Locks and the upper St. Marys River from a senic [sic] hilltop campus in Sault Ste. Marie. An enrollment of 3,000 by 1975 is expected. The rural areas support farming and forestry.

4. Our attention is invited to the fact of the community's isolation and the entire area's need for a wide coverage radio voice. Chippewa County is geographically the second largest county in Michigan and one of the largest in the United States (area, 1,562 square miles). The most distant points of the county lie 55 miles from Sault Ste. Marie. While noting that the only broadcast facilities in Chippewa County are at Sault Ste. Marie, WSOO (a Class IV standard broadcast operation) and WSMM (a Class A FM operation),[3] we are advised that rapid mass communications are particularly essential there in view of the extreme weather conditions. The mean snowfall in the area is 97.8 inches. The

[1] On Nov. 14, 1972, the Commission accepted for filing an application assignment of license of WSOO from Patterson to Miami (BAL-7732). That application is presently pending. From the information contained in the application, it does not appear that Patterson continues an interest in developing an FM facility at Sault Ste. Marie.

[2] All population figures cited are from the 1970 U.S. census.

[3] Patterson states that except for stations in Canada the nearest extra-county aural broadcast services are located at Newberry, Mich., 55 miles to the west, and Cheboygan, Mich., some 60 miles to the south.

pleadings point out that the exceptionally heavy snows from December through April indicate that broadcasts of road conditions and school closings are far more important than in most areas of the country. It is also suggested that an interference-free (FM) radio voice providing entertainment and information could make the area more attractive to residents thereby possibly retarding the exodus of young persons and ultimately strengthening the area's economy.

5. We believe that a threshold showing of the need of Chippewa County for a wide coverage Class C channel has been made. However, to make such an assignment at Sault Ste. Marie and leave the present Class A channel assigned there could result in a possible undesirable competitive situation between FM stations that would be contrary to the public interest. Although under some circumstances we have intermixed Class A with Class B or C channels in the same community, here, where an abundance of FM channels appears to be available for assignment, we think it is in the public interest to explore the possibility of amending our table to provide for two Class A channels or two Class C channels at Sault Ste. Marie. Therefore, we present alternative proposals for accomplishing the goal of better service to the Michigan Peninsula. Our first alternative would add Channel 237A to the existing channel assignment in the community, 224A. Our second alternative would substitute Class C Channel 258 for Channel 224A and assign a second Class C channel, 267, to the community. This alternative would involve possible modification of the license of Lock City Broadcasting Co. to specify operation on one of the two Class C channels. Each of these alternatives would permit the existing FM station and a new FM entity to operate with equal facilities. A third alternative is to retain Channel 224A at Sault Ste. Marie and add one Class C channel—258 or 267. This alternative would have the possible disadvantage described above.

6. As mentioned above, the alternative of assigning two Class C channels to Sault Ste. Marie involves modification of the license of the existing FM station, WSMM, to specify operation on a Class C channel instead of on Channel 224A. We are accordingly directing an appropriate order to show cause to the WSMM licensee in the event that alternative II below is adopted. In so doing, we are aware of the not insubstantial expense of converting from a Class A to a Class C operation and of the harmful effect that this could have on a new station that has been operating for little more than half a year. We therefore stress that if the licensee of WSMM opposes such a modification its views will weigh heavily in our considerations.

7. In view of the foregoing, we propose, for consideration, the following revisions in our FM Table of Assignments (§ 73.202(b) of our rules) with respect to the city listed below:

City, Sault Ste. Marie, Mich.:	*Channel No.*
Present assignment	224A
Proposed Alternative I.	224A, 237A
Proposed Alternative II.	258, 267
Proposed Alternative III.	224A, 258 (or 267)

In view of the fact that Sault Ste. Marie is within 250 miles of the United States-Canadian border the proposed assignments are subject to Canadian concurrence.

8. Authority for the actions proposed herein is contained in Sections 4(i), 303, 307(b) and 316 of the Communications Act of 1934, as amended.

9. *It is ordered*, That, pursuant to Section 316 of the Communications Act of 1934, as amended, Lock City Broadcasting Co. shall show cause why its license for Station WSMM should not be modified to specify operation on Channel 258 or Channel 267 in lieu of Channel 224A if Alternative II is adopted.

10. *Showings required.* Comments are invited on the alternative proposals discussed and set forth above. Proponents of any particular assignment are expected to file statements which indicate the public interest factors supporting their proposals. Comments may include, but are not limited to, discussions of the economic, sociological and governmental activity in and about the Sault Ste. Marie, Chippewa County area of Michigan. Proponents should also state their intentions to apply for a channel if it is assigned and, if authorized, to build the station promptly. Failure to file may lead to denial of a request.

11. *Cutoff procedures.* The following procedures will govern the consideration of filings in this proceeding:

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered, if advanced in reply comments.

(b) With respect to petitions for rule making which conflict with the proposals in this notice, they will be considered as comments in the proceeding, and Public Notice to this effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision in this docket.

12. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before April 27, 1973, and reply comments on or before May 10, 1973. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

13. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

14. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters in Washington, D.C. (1919 M Street NW.).

Adopted: March 13, 1973.

Released: March 19, 1973.

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

[FR Doc.73-5619 Filed 3-22-73;8:45 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 107]

SMALL BUSINESS INVESTMENT COMPANIES

Financing of Disadvantaged Small Concerns; Extension of Time for Comments

Notice is hereby given that the Small Business Administration has extended the period for comment on the proposed regulations captioned as above from March 19, 1973, to April 8, 1973. Written comments should be submitted in triplicate to the Office of the Associate Administrator for Finance and Investment, Small Business Administration, Washington, D.C. 20416, on or before April 9, 1973. The rule making proposal was published in the FEDERAL REGISTER for February 15, 1973, 38 FR 4519.

Dated: March 20, 1973.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.73-5683 Filed 3-22-73;8:45 am]

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[GRASP 3G0017]

OLIN CORP.

Notice of Filing of Petition for Affirmation of Gras Status

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784–1786; 21 U.S.C. 321(s), 348, 371(a)), and the regulations for affirmation of GRAS status (21 CFR 121.40), published in the FEDERAL REGISTER of December 2, 1972 (37 FR 25705), notice is given that a petition (GRASP 3G0017) has been filed by Olin Corp., 120 Long Ridge Road, Stamford, CT 06904, and placed on public display at the office of the Hearing Clerk, Food and Drug Administration, proposing affirmation that calcium hypochlorite is generally recognized as safe (GRAS) for use in potable water.

Interested persons may, on or before May 22, 1973, review the petition and/or file comments (preferably in quintuplicate) with the Hearing Clerk, Department of Health, Education, and Welfare, Food and Drug Administration, Room 6–88, 5600 Fishers Lane, Rockville, MD 20852. Comments should include any available information that would be helpful in determining whether the substance is, or is not, generally recognized as safe. A copy of the petition and received comments may be seen in the office of the Hearing Clerk, address given above, during working hours, Monday through Friday.

Dated: March 15, 1973.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.73-5569 Filed 3-22-73;8:45 am]

[GRASP 3G0019]

OLIN CORP.

Notice of Filing of Petition for Affirmation of GRAS Status

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784–1786; 21 U.S.C. 321(s), 348, 371(a)), and the regulations for affirmation of GRAS status (21 CFR 121.40), published in the FEDERAL REGISTER of December 2, 1972 (37 FR 25705), notice is given that a petition (GRASP 3G0019) has been filed by Olin Corp., 120 Long Ridge Road, Stamford, CT 06904, and placed on public display at the office of the Hearing Clerk, Food and Drug Administration, proposing affirmation that calcium hypochlorite is generally recognized as safe (GRAS) for use in sanitizing barley.

Interested persons may, on or before May 22, 1973, review the petition and/or file comments (preferably in quintuplicate) with the Hearing Clerk, Department of Health, Education, and Welfare, Food and Drug Administration, Room 6–88, 5600 Fishers Lane, Rockville, MD 20852. Comments should include any available information that would be helpful in determining whether the substance is, or is not, generally recognized as safe. A copy of the petition and received comments may be seen in the office of the Hearing Clerk, address given above, during working hours, Monday through Friday.

Dated: March 15, 1973.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.73-5570 Filed 3-22-73;8:45 am]

[GRASP 3G0020]

OLIN CORP.

Notice of Filing of Petition for Affirmation of Gras Status

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784–1786; 21 U.S.C. 321(s), 348, 371(a)), and the regulations for affirmation of GRAS status (21 CFR 121.40), published in the FEDERAL REGISTER of December 2, 1972 (37 FR 25705), notice is given that a petition (GRASP 3G0020) has been filed by Olin Corp., 120 Long Ridge Road, Stamford, CT 06904, and placed on public display at the office of the Hearing Clerk, Food and Drug Administration, proposing affirmation that chlorine dioxide is generally recognized as safe (GRAS) for use in the treatment of potable water and the washing of fruits and vegetables.

Interested persons may, on or before May 23, 1973, review the petition and/or file comments (preferably in quintuplicate) with the Hearing Clerk, Department of Health, Education, and Welfare, Food and Drug Administration, Room 6–88, 5600 Fishers Lane, Rockville, MD 20852. Comments should include any available information that would be helpful in determining whether the substance is, or is not, generally recognized as safe. A copy of the petition and received comments may be seen in the office of the Hearing Clerk, address given above, during working hours, Monday through Friday.

Dated: March 15, 1973.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.73-5568 Filed 3-22-73;8:45 am]

National Institutes of Health

BIOMETRY AND EPIDEMIOLOGY CONTRACT REVIEW COMMITTEE

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Biometry and Epidemiology Contract Review Committee, April 11, 1973, 9:30 a.m. National Institutes of Health, Landow Building, Conference Room A–313. This meeting will be open to the public from 9:30 a.m. to 10 a.m., April 11, 1973, to discuss the fields of biometry and epidemiology, and closed to the public from 10 a.m. until adjournment, April 11, 1973, and closed to the public from 10 a.m. until adjournment, April 11, 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.

Mr. Harvey Geller, Executive Secretary, Landow Building, Room B506A, National Institutes of Health, Bethesda, Md. 20014 (301—496–5251), will provide substantive program information.

Dated: March 13, 1973.

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

[FR Doc.73-5456 Filed 3-22-73;8:45 am]

BOARD OF SCIENTIFIC COUNSELORS

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, April 24–25, 1973, at 9 a.m., National Institutes of Health, Building 5, Room 216, on April 24 and Building 31, Conference Room 7A24 on April 25. This meeting will be closed to the public from 9 a.m. to 5 p.m. on both days, April 24 and April 25, 1973, in accordance with the provisions set forth in section 552(b)6 of title 5, United States Code, and 10(d) of Public Law 92–463.

1. Mr. Robert L. Schreiber, Information Officer, NIAID, NIH, Building 31, Room 7A32, Bethesda, Md. 20014, will furnish summaries of the meeting and rosters of the committee members.

2. Dr. John R. Seal, Executive Secretary, NIAID, NIH, Building 31, Room 7A03, Bethesda, Md. 20014, 496–6721, will

furnish substantive program information.

Dated: March 13, 1973.

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

[FR Doc.73-5449 Filed 3-22-73;8:45 am]

BREAST CANCER DIAGNOSIS COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Breast Cancer Diagnosis Committee, Breast Cancer Task Force, April 18, 1973, 9 a.m., National Institutes of Health, Building 31, Conference Room 4. This meeting will be open to the public from 9 a.m., April 18, 1973, to discuss the status of Breast Cancer Detection Demonstration Program, and closed to the public from 10:30 a.m., April 18, 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 meeting and roster of committee members.

Ihor J. Masnyk, Ph. D., Executive Secretary, Landow Building, Room B-404, National Institutes of Health, Bethesda, Md. 20014 (301—496-6773), will provide substantive program information.

Dated: March 13, 1973.

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

[FR Doc.73-5458 Filed 3-22-73;8:45 am]

CANCER CLINICAL INVESTIGATION REVIEW COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Cancer Clinical Investigation Review Committee April 25-27, 1973, at 8:30 a.m. at the Key Bridge Marriott Motel, Rosslyn, Va. This meeting will be open to the public from 8:30 a.m. until 12:30 p.m. April 25 and 26. On April 25 there will be a discussion on the scientific and programmatic aspects of the Cooperative Clinical Group Program and on the 26th there will be a mini-symposium on Brain Tumors. The meeting will be closed to the public from 12:30 p.m. April 25 and 26, and all day April 27 in accordance with the provisions set forth in section 522(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 meeting and roster of committee members.

William G. Hammond, M.D., Executive Secretary, Westwood Building, Room 10A03, National Institutes of Health, Bethesda, Md. 20014 (301—496-7058), will provide substantive program information.

Dated: March 13, 1973.

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

[FR Doc.73-5450 Filed 3-22-73;8:45 am]

COMMITTEE ON IMMUNODIAGNOSIS OF CANCER

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Committee on Immunodiagnosis of Cancer, April 25, 1973, at 9 a.m., at Versailles No. 2 Conference Room, Holiday Inn, Bethesda, Md. This meeting will be open to the public from 9 to 9:30 a.m., and closed to the public from 9:30 a.m., in accordance with the provisions set forth in section 10(d) of Public Law 92-463 and 552(b)4 of title 5, United States Code. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Information, 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.

Dorothy B. Windhorst, M.D., Executive Secretary, Building 10, Room 4B-11, National Institutes of Health, Bethesda, Md. 20014 (301—496-3639), will provide substantive program information.

Dated: March 13, 1973.

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

[FR Doc.73-5460 Filed 3-22-73;8:45 am]

COMMITTEE ON IMMUNOTHERAPY OF CANCER

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Committee on Immunotherapy of Cancer, April 16, 1973, at 1 p.m., National Institutes of Health, Building 10, Conference Room 4B14. This meeting will be open to the public from 1 p.m. to 1:30 p.m., April 16, 1973, for general business and discussion of review procedures for contract proposals, and closed to the public from 1:30 p.m. to adjournment, in accordance with the provisions set forth in section 10(d) of Public Law 92-463 and 552(b)4 of title 5, United States Code. 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.

Dorothy B. Windhorst, M.D., Executive Secretary, Building 10, Room 4B-11, National Institutes of Health, Bethesda, Md. 20014 (301—496-3639), will provide substantive program information.

Dated: March 13, 1973.

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

[FR Doc.73-5457 Filed 3-22-73;8:45 am]

COMMITTEE ON IMMUNOTHERAPY OF CANCER

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Committee on Immunotherapy of Cancer, April 27, 1973, at 1 p.m., National Institutes of Health, Building 10, Conference Room 4B-14. This meeting will be open to the public from 1 p.m. to 1:15 p.m., April 27, 1973, for general business and closed to the public from 1:15 p.m. to adjournment, April 27, 1973, in accordance with the provisions set forth in section 10(d) of Public Law 92-463 and 552(b)4 of title 5, United States Code. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A-31, National Institutes of Health, Bethesda, Md. 20014 (301-496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dorothy B. Windhorst, M.D., Executive Secretary, Building 10, Room 4B-11, National Institutes of Health, Bethesda, Md. 20014 (301-496-3639), will provide substantive program information.

Dated: March 13, 1973.

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

[FR Doc.73-5461 Filed 3-22-73;8:45 am]

COMMUNICATIVE DISORDERS REVIEW COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Communicative Disorders Review Committee, National Institute of Neurological Diseases and Stroke, National Institutes of Health, April 14, 1973, at 9 a.m., in Room 413, Statler-Hilton Hotel, Boston, Mass. This meeting will be open to the public from 9 a.m. until 10:30 a.m. to discuss program planning and program accomplishments and closed to the public from 10:30 a.m. until the conclusion of the meeting, to review, discuss, and evaluate and/or rank program project grant applications 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.

1. The Institute Information Officer who will furnish summaries of the meeting and rosters of committee members is: Mrs. Ruth Dudley, Information Officer, NINDS, Building 31, Room 8A03, Bethesda, Md., telephone 496–5751.

2. The Executive Secretary from whom substantive program information may be obtained is: Dr. J. Buckminster Ranney, Room 7A16A, Westwood Building, Bethesda, Md., telephone 496–7725.

Dated: March 15, 1973.

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

[FR Doc.73–5463 Filed 3–22–73;8:45 am]

CONSTRUCTION OF NURSE TRAINING FACILITIES REVIEW COMMITTEE

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Construction of Nurse Training Facilities Review Committee, April 30 to May 1, 1973, at 9:30 a.m., National Institutes of Health, Building 31, Conference Room 8. This meeting will be open to the public from 9:30 a.m. to 10:30 a.m. on April 30 to discuss the Construction of Nurse Training Facilities Program and other division of nursing programs and closed to the public from 10:30 a.m., April 30, in accordance with the provisions set forth in section 552(b)4 of title 5 United States Code and 10(d) of Public Law 92–463. Attendance by the public will be limited to space available.

1. Mrs. Norma Golumbic, Information Officer, Room 508, Federal Building, Bethesda, Md., telephone number 496–1143, will furnish summaries of the meetings and rosters of committee members.

2. Substantive program information may be obtained from Miss Anastasia Petras, Executive Secretary of the Construction of Nurse Training Facilities Review Committee, Room 6C–10, Federal Building, Bethesda, Md., telephone number 496–6924.

Dated: March 13, 1973.

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

[FR Doc.73–5439 Filed 3–22–73;8:45 am]

DENTAL EDUCATION REVIEW COMMITTEE

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Dental Education Review Committee, April 19, 1973, at 8:30 a.m., National Institutes of Health, Bethesda, Md., Building 31, Conference Room 5, A Wing. This meeting will be open to the public from 8:30 a.m. to 9:30 a.m., April 19, 1973, to discuss current status of dental special project grants, start-up assistance grants, capitation waiver requests and post construction site visit assessments. The meeting will be closed to the public at 9:30 a.m., in accordance with the provisions set forth in section 552(b)4 of title 5 United States Code and 10(d) of Public Law 92–463. Attendance by the public will be limited to space available.

The Executive Secretary who will furnish summaries of the closed meeting, rosters of committee members, and substantive program information is:

Leonard P. Wheat, National Institutes of Health, Building 31, Room 4B44, Bethesda, Md. 20014, phone: 496–6641.

Dated: March 13, 1973.

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

[FR Doc.73–5438 Filed 3–22–73;8:45 am]

DIAGNOSTIC RESEARCH ADVISORY GROUP

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Diagnostic Research Advisory Group, April 19, 1973, 9 a.m., National Institutes of Health, Building 31, Conference Room 2. This meeting will be open to the public from 9 a.m. to 9:30 a.m., to discuss general program considerations of the Lung Cancer and Breast Cancer Demonstration Projects and closed to the public from 9:30 a.m. to 5 p.m., April 19, 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 meeting and roster of committee members.

Dr. Kenneth B. Olson, Executive Secretary, Building 31, Room 3A06, National Institutes of Health, Bethesda, Md. 20014 301–496–1591 will provide substantive program information.

Dated: March 13, 1973.

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

[FR Doc.73–5452 Filed 3–22–73;8:45 am]

HYPERTENSION INFORMATION AND EDUCATION ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Hypertension Information and Education Advisory Committee, April 19, 1973, 9 a.m., Holiday Inn, 8120 Wisconsin Avenue, Bethesda, MD. This meeting will be open to the public from 9 a.m. to 4:30 p.m., April 19, to discuss recommendations for therapeutic guidelines and final recommendations for screening and referral procedures for hypertensives. Also discussed will be the status of the professional educational program, the community program, and the progress of the regional hearings. Attendance by the public will be limited to space available.

Mr. Hugh Jackson, Information Officer, NHLI, NIH Landow Building, Room C918, phone 496–4236, will furnish summaries of the meeting and rosters of the committee members. Substantive information may also be obtained from the Executive Secretary, Dr. John B. Stokes III, NHLI, NIH Building 31, Room 5A27, phone 496–6331.

Dated: March 13, 1973.

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

[FR Doc.73–5441 Filed 3–22–73;8:45 am]

HYPERTENSION RESEARCH CENTERS ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Hypertension Research Centers Advisory Committee, April 20, 1973, 8:30 a.m., Landow Building, 7910 Woodmont Avenue, Bethesda, MD, in the eighth floor conference room. This meeting will be open to the public from 8:30 a.m. to 5 p.m., April 20, for a general discussion of the Hypertension Specialized Centers of Research and of future Commitee plans. Attendance by the public will be limited to space available.

Dr. Jerome G. Green, Director, Division of Extramural Affairs, NHLI, NIH Westwood Building, Room 5A18B, phone 496–7416, will furnish summaries of the meeting and rosters of the committee members. Substantive program information may be obtained from the Executive Secretary, Dr. W. Glen Moss, NHLI, NIH Landow Building, Room C816A, phone 496–1857.

Dated: March 13, 1973.

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

[FR Doc.73–5459 Filed 3–22–73;8:45 am]

MEDICAL EDUCATION REVIEW COMMITTEE

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Medical Education Review Committee, April 17–19, 1973, 8:30 a.m. to 5 p.m., National Institutes of Health, Bethesda, Md., Building 31, Conference Room 9. This meeting will be closed to the public from 8:30 a.m. on April 17 to 5 p.m., on April 19, in accordance with the provisions set forth in section 552(b)4 of title 5, United States Code, and 10(d) of Public Law 92–463.

The Acting Executive Secretary who will furnish summaries of the meeting, rosters of committee members, and substantive program information is Dr. Robert F. Hendrickson, National Institutes of Health, Bethesda, Md., Building 31, Room 4C15, Area Code 301—496–6801.

Dated: March 13, 1973.

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

[FR Doc.73–5432 Filed 3–22–73;8:45 am]

NATIONAL ADVISORY ALLIED HEALTH PROFESSIONS COUNCIL

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the National Advisory Allied Health Professions Council, April 26, 1973, 9 a.m., National Institutes of Health, Building 31, Conference Room 7. This meeting will be open to the public from 9 a.m., April 26, to discuss status of current legislation and budget, a progress report on the study of clinical training in allied health professions, a feasibility study of a national system of certification of allied health manpower and closed to the public from 1 p.m. to adjournment, April 26, in accordance with the provisions set forth in section 552(b) 4 of title 5, United States Code, and 10(d) of Public Law 92–463. Attendance by the public will be limited to space available.

The Executive Secretary of the National Advisory Allied Health Professions Council will furnish summaries of the meetings, rosters of Council members, and substantive program information. He is:

Mr. Thomas D. Hatch, Director, Division of Allied Health Manpower, Bureau of Health Manpower Education, National Institutes of Health, PHS, Room 416, Federal Building, 9000 Rockville Pike, Bethesda, MD 20014, Telephone: 496–6975.

Dated: March 13, 1973.

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

[FR Doc.73–5433 Filed 3–22–73;8:45 am]

PUBLIC HEALTH REVIEW COMMITTEE

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Public Health Review Committee, April 25–27, 1973, 9 a.m., National Institutes of Health, Building 31, Conference Room 9. This meeting will be open to the public from 9 a.m., April 25, to discuss appropriate announcements, review of previous meeting minutes, determination of future meeting dates, the Executive Secretary's report, and clarification of review criteria prior to grant application review, and closed to the public from 10 a.m. to 5 p.m., April 25 and from 9 a.m. to 5 p.m., April 26–27, in accordance with the provisions set forth in section 552(b) 4 of Title 5, United States Code, and 10(d) of Public Law 92–463. Attendance by the public will be limited to space available.

The Executive Secretary of the Public Health Review Committee will furnish summaries of the meetings, rosters of Committee members, and substantive program information. He is:

Mr. William J. Holland, Program Officer, Public Health Professions Branch, Division of Allied Health Manpower, Bureau of Health Manpower Education, National Institutes of Health, PHS, Room 3C–09, Federal Building, 9000 Rockville Pike, Bethesda, MD 20014, Telephone: 496–6945.

Dated: March 13, 1973.

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

[FR Doc.73–5436 Filed 3–22–73;8:45 am]

STUDY SECTIONS/COMMITTEES

Notice of Meetings

Pursuant to Public Law 92–463, notice is hereby given of meetings of the following study sections/committees and the individuals from whom summaries of meetings and rosters of committee members may be obtained.

The Information Officer of the Division of Research Grants, Mr. Richard Turlington, will furnish summaries of the closed meetings and rosters of committee members. Substantive information may be obtained from each Executive Secretary whose name, room number and telephone extension are listed below his Study Section. Mr. Turlington and the Executive Secretaries are all located in the Westwood Building, National Institutes of Health, Bethesda, MD 20014. Mr. Turlington's room number is 433, telephone 496–7441.

These meetings will be open to the public to discuss administrative details relating to Study Section business for approximately 1 hour at the beginning of the first session of the first day of the meeting and closed thereafter in accordance with section 10(d) of Public Law 92–463 in order to review, discuss, and evaluate and/or rank grant applications. Attendance by the public will be limited to space available.

Study section/committee	Date	Time	Location of meeting
Allergy and Immunology, Dr. Mischa Friedman, Room 337, telephone 496–7380.	April 13–15	8:45 a.m.	Chalfonte-Haddon Hall, Atlantic City, N.J.
Applied Physiology and Bioengineering, Mrs. Ileen Stewart, Room A–22, telephone 496–7581.	April 14–15	8:30 a.m.	Bellevue Stratford Hotel, Philadelphia, Pa.
Bacteriology and Mycology, Dr. Milton Gordon, Room A–27, telephone 496–7340.	April 12–14	8:30 a.m.	Holiday Inn, Chevy Chase, Md.
Biochemistry, Dr. William Sanslone, Room 350, telephone 496–7516.	April 27–29	9 a.m.	Room 9, Bldg. 31, C–Wing, Bethesda, Md.
Biomedical Communications, Mrs. Ileen Stewart, Room A–22, telephone 496–7581.	April 26–27	9 a.m.	Holiday Inn, Chevy Chase, Md.
Biophysics and Biophysical, Chemistry A, Dr. Irvin Fuhr, Room 237, telephone 496–7060.	April 27–28	9 a.m.	Shoreham Hotel, Washington, D.C.
Biophysics and Biophysical, Chemistry B, Dr. John Wolff, Room 233, Telephone 496–7070.	April 27–28	8:30 a.m.	Room 2, Bldg. 31, Bethesda, Md.
Cardiovascular and Pulmonary, Research A, Dr. Wendell Kyle, Room 339, Telephone 496–7901.	April 26–28	9 a.m.	Benjamin Franklin Hotel, Philadelphia, Pa.
Cardiovascular and Pulmonary, Research B, Dr. Floyd Atchley, Room 339, Telephone 496–7901.	April 26–28	8:30 a.m.	Holiday Inn, Bethesda, Md.
Cell Biology, Dr. Evelyn Horenstein, Room 238, Telephone 496–7020.	April 13–15	9 a.m.	Four Seasons Motor Lodge, Gatlinburg, Tenn.
Communicative Sciences, Mr. Frederick Gutter, Room A–13, Telephone 496–7550.	April 14–16	2 p.m.	Room 10, Bldg. 31, C–Wing, Bethesda, Md.
Computer and Biomathematical Sciences, Dr. Bernice Lipkin, Room 357, Telephone 496–7568.	April 24–27	9 a.m.	Linden Hill Hotel, Bethesda, Md.
Dental, Dr. Ethel Jackson, Room 234, Telephone 496–7818.	April 24–26	9 a.m.	Statler Hilton Hotel, Washington, D.C.
Developmental Behavioral Sciences, Dr. Bertie Woolf, Room 236, Telephone 496–7471.	April 26–28	8:30 a.m.	Ramada Inn, Bethesda, Md.
Endocrinology, Mr. Morris Graff, Room 333, Telephone 496–7346.	April 11–14	9 a.m.	Sheraton Motor Inn of Silver Spring.
Epidemiology and Disease Control, Mr. Glenn Lamson, Room 236, Telephone 496–7471.	April 17–19	8:30 a.m.	Shoreham Hotel, Washington, D.C.
Experimental Psychology, Dr. Keith Murray, Room 220, Telephone 496–7004.	April 24–27	9:30 a.m.	Dupont Plaza Hotel, Washington, D.C.
[1] Experimental Therapeutics, Dr. Anne Bourke, Room A–23, Telephone 496–7839.	April 13–15	1 p.m.	Chalfonte-Haddon Hall, Atlantic City, N.J.
General Medicine A, Dr. S. S. Schiaffino, Acting Executive Secretary, Room 203, Telephone 496–7071.	April 23–25	9 a.m.	Room 6, Bldg. 31, C–Wing, Bethesda, Md.
General Medicine B, Dr. William Davis, Room 322, Telephone 496–7730.	April 12–14	2 p.m.	Statler Hilton Hotel, Washington, D.C.
Genetics, Dr. Katherine Wilson, Room 349, Telephone 496–7271.	April 26–28	9 a.m.	Room 4, Bldg. 31, Bethesda, Md.
Hematology, Dr. Joseph Hayes, Room 355, Telephone 496–7508.	April 25–27	9 a.m.	Holiday Inn, Chevy Chase, Md.
History of the Life Sciences, Mrs. Ileen Stewart, Room A–22, Telephone 496–7581.	April 20	9 a.m.	Room 2, Bldg. 31, Bethesda, Md.
Human Embryology and Development, Dr. Samuel Moss, Room 231, Telephone 496–7597.	April 26–28	9 a.m.	Room 10, Bldg. 31, C–Wing, Bethesda, Md.
Immunobiology, Dr. James Turner, Room A–25, Telephone 496–7780.	April 26–28	8:30 a.m.	Conference Room C, Westwood Bldg., Bethesda Md.
Medicinal Chemistry A, Dr. Asher Hyatt, Room 222, Telephone 496–7286.	April 13–15	7:30 p.m.	Holiday Inn, Bethesda, Md.
Medicinal Chemistry B, Mr. Richard Bratzel, Room 222, Telephone 496–7286.	April 12–14	9 a.m.	Holiday Inn, Bethesda, Md.
Metabolism, Dr. Robert Leonard, Room 218, Telephone 496–7091.	April 12–14	8:30 a.m.	Room 6, Bldg. 31, C–Wing, Bethesda, Md.
Microbial Chemistry, Dr. Gustave Silber, Room A–26, Telephone 496–7130.	April 12–14	8:30 a.m.	Gatlinburg Inn, Gatlinburg, Tenn.
Molecular Biology, Dr. George Eaves, Room 328, Telephone 496–7830.	April 19–21	9 a.m.	Room 7, Bldg. 31, C–Wing, Bethesda, Md.

[1] Name changed from Pharmacology B.

Study section/committee	Date	Time	Location of meeting
Neurology A, Dr. William Morris, Room 326, Telephone 496-7005.	April 19-21	9 a.m.	Room 4, Bldg. 31, Bethesda, Md.
Neurology B, Dr. Louise Thomson, Room 2A-10, Telephone 496-7422.	April 12-14	8:30 a.m.	Kenwood Country Club, Bethesda, Md.
Nutrition, Dr. John Schubert, Room 206, Telephone 496-7318.	April 12-14	9 a.m.	Room 9, Bldg., 31, C-Wing, Bethesda Md.
Pathology A, Dr. William Savchuck, Room A-19, Telephone 496-7305.	April 13-15	9 a.m.	Holiday Inn, Chevy Chase, Md.
Pathology B, Dr. James MacNamee, Room 352, Telephone 496-7244.	April 25-27	8:30 a.m.	Holiday Inn, Chevy Chase, Md.
Pharmacology, Dr. Lawrence Petrucelli, Room 334, Telephone 496-7408.	April 3-5	9 a.m.	Room 6, Bldg. 31, C-Wing, Bethesda, Md.
Physiological Chemistry, Dr. Robert Ingram, Room 338, Telephone 496-7837.	April 12-14	9 a.m.	Bethesdan Motor Inn, Bethesda, Md.
Physiology, Dr. Clara Hamilton, Room 219, Telephone 496-7878.	April 26-28	7:30 p.m.	Sheraton Motor Inn, Silver Spring, Md.
Population Research, Miss Carol Campbell, Room 210, Telephone 496-7140.	April 23-25	8:30 a.m.	Monteleone Hotel, New Orleans, La.
Radiation, Dr. Robert Straube, Room 248, Telephone 496-7510.	April 26-28	9 a.m.	Linden Hill Hotel, Bethesda, Md.
Reproductive Biology, Dr. Robert Hill, Room 206, Telephone 496-7318.	April 25-27	9 a.m.	Room 8, Bldg. 31, C-Wing, Bethesda, Md.
Surgery A, Dr. Raymond Helvig, Room 336, Telephone 496-7771.	April 20-21	8:30 a.m.	Sheraton-Silver Spring Motor Hotel, Silver Spring, Md.
Sugery B, Dr. Joe Atkinson, Room 348, Telephone 496-7506.	April 20-21	8:30 a.m.	Sheraton-Silver Spring Motor Hotel, Silver Spring, Md.
Toxicology, Dr. Rob McCutcheon, Room 220, Telephone 496-7570.	April 12-14	8:30 a.m.	Ben Franklin Hotel, Philadelphia, Pa.
Tropical Medicine and Parasitology, Dr. George Luttermoser, Room A-18, Telephone 496-7494.	April 26-28	9 a.m.	Conference Room D, Westwood Bldg., Bethesda, Md.
Virology, Dr. Claire H. Winestock, Room 340, Telephone 496-7128.	April 19-21	9 a.m.	Room 10, Bldg. 31, C-Wing, Bethesda, Md.
Visual Sciences A, Mr. Irving Gerring, Room 2A-05, Telephone 496-7064.	April 25-27	9 a.m.	Ramada Inn, Bethesda, Md.
Visual Sciences B, Dr. Marie A. Jakus, Room 353, Telephone 496-7251.	April 12-14	9 a.m.	Room 8, Bldg. 31, C-Wing, Bethesda, Md.
Arthritis and Metabolic Diseases, Program Project Committee, Dr. Harold Davidson, Room 2A-16, Telephone 496-7055.	April 27-28	9 a.m.	Room 432, Westwood Bldg., Bethesda, Md.

Dated: March 13, 1973.

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

[FR Doc.73-5430 Filed 3-22-73;8:45 am]

THERAPEUTIC EVALUATIONS COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Therapeutic Evaluations Committee, April 23 and 24, 1973, at 1:30 p.m., National Institutes of Health, Building 31, Conference Room 8. This meeting will be open to the public from 1:30 to 2:30 p.m., April 23, to discuss administrative reports and details relating to committee business; all other sessions will be closed to the public in accordance with the provisions set forth in section 552(b)4 of title 5 United States Code, and 10(d) of Public Law 92-463. Attendance by the public will be limited to space available.

Dr. Jerome G. Green, Director, Division of Extramural Affairs, NHLI, NIH Westwood Building, Room 5A18, phone 496-7416, will furnish summaries of the meeting and rosters of the committee members. Substantive program information may be obtained from the Executive Secretary, Dr. Eleanor M. K. Darby, NHLI, NIH Westwood Building, Room 657, phone 496-7445.

Dated: March 13, 1973.

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

[FR Doc.73-5442 Filed 3-22-73;8:45 am]

Office of Education

ADVISORY COMMITTEE ON ACCREDITATION AND INSTITUTIONAL ELIGIBILITY

Notice of Public Meeting

Notice is hereby given, pursuant to Public Law 92-463, that the next meeting of the Advisory Committee on Accreditation and Institutional Eligibility will be held on March 28-30, 1973, at 9 a.m., local time, in Room 129, the Brookings Institution, 1775 Massachusetts Avenue NW., Washington, DC.

The Advisory Committee on Accreditation and Institutional Eligibility is established pursuant to section 253 of the Veterans' Readjustment Assistance Act (chapter 33, title 38, United States Code). The Committee is established to advise the Commissioner of Education in fulfilling his statutory obligations to publish a list of nationally recognized accrediting agencies and associations which he determines to be reliable authority as to the quality of training offered by educational institutions and programs.

The meeting of the Committee shall be open to the public on Wednesday, March 28, 1973. The proposed agenda includes presentations by representatives of accrediting agencies and associations which have petitions for recognition pending before the Committee, presentations in opposition to the recognition of certain agencies, and a review of the second draft of the proposed criteria for Recognition of State Agencies Which Are Reliable Authorities as to the Quality of Public Postsecondary Vocational Education. Under the authority of section 10(d) of the Federal Advisory Committee Act (Public Law 92-463) and section 552(b) of title 5 of the United States Code, the meeting will be closed to the public on March 29-30. Records shall be kept of all Committee proceedings.

Signed at Washington, D.C., on March 20, 1973.

JOHN R. PROFFITT,
Director, Accreditation and Institutional Eligibility Staff,
Office of Education.

[FR Doc.73-5668 Filed 3-22-73;8:45 am]

NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT

Notice of Public Meeting

Notice is hereby given, pursuant to section 10(a)(2), Public Law 92-463, that the next meeting of the National Advisory Council on Education Professions Development will be held on March 29, 1973, 10 a.m. to 6 p.m., and March 30, 1973, 10 a.m. to 1 p.m., local time, at the Statler Hilton Hotel, 16th Street between K and L NW., Washington, D.C.

The National Advisory Council on Education Professions Development is established under section 502 of the Education Professions Development Act (Public Law 90-35). The Council is charged with the review of the Education Professions Development Act and of all other Federal programs for the training and development of educational personnel.

The meeting of the Council shall be open to the public. The proposed agenda includes discussion of Federal policies on evaluation, personnel training for bilingual and early childhood education, and appropriations for education professions development. Records shall be kept of all Council proceedings and shall be available for public inspection at the Council office, located at 1111 20th Street NW., Room 308, Washington, DC 20036.

Signed at Washington, D.C., on March 19, 1973.

JOSEPH YOUNG,
Executive Director.

[FR Doc.73-5606 Filed 3-22-73;8:45 am]

Social and Rehabilitation Service

GENERAL RESEARCH STUDY SECTION

Notice of Meeting

The General Research Study Section will hold a regular meeting to review re-

search and demonstration grant applications on March 27, 1973, 9 a.m. to 4 p.m., Room 1319, Department of Health, Education, and Welfare, Mary E. Switzer Memorial Building, 330 C Street SW., Washington, DC. The agenda includes introduction of new members, selection of a chairman and review of applications.

It is anticipated that the portion of the meeting devoted to the actual review of applications will be closed to the public as authorized under 5 U.S.C. 552(b)(4) and in accordance with section 10(d) of Public Law 92-463.

A summary of the meeting and roster of study section members may be obtained from Mr. William E. Flanigan, Executive Secretary, General Research Study Section, DHEW, SRS, Room 5330-A, 330 C Street SW., Washington, DC 20201.

WILLIAM E. FLANIGAN,
Executive Secretary.

MARCH 9, 1973.

[FR Doc.73-5586 Filed 3-22-73;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RI73-237 etc.]

RATE CHANGES

Order Providing for Hearing and Suspension and Effective Dates Subject to Refund [1]

MARCH 15, 1973.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto [18 CFR, Chapter I], and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawful of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI73-237	Champlin Petroleum Co.	111	[1] 9	Colorado Interstate Gas Co. (Table Rock Unit Area, Sweetwater County, Wyo.)	----------	2-16-73	3-19-73	[6] Accepted			
	do		10	do	$227,705	2-16-73		8-19-73	17.085	23.276	RI68-326.
	do	112	[1] 7	Colorado Interstate Gas Co. (Patrick Draw Area, Sweetwater County, Wyo.).	----------	2-16-73	3-19-73	[6] Accepted			
	do		8	do	44,142	2-16-73		8-19-73	17.2550	[3] 23.5074	RI68-326.
	do	118	[1] 7	Colorado Interstate Gas Co. (Table Rock Field, Sweetwater County, Wyo.).	----------	2-16-73	3-19-73	[6] Accepted			
	do		8	do	22,783	2-16-73		8-19-73	17.085	23.276	RI68-326.
RI73-238	Gulf Oil Corp.	223	[1] 9	Colorado Interstate Gas Co. (Patrick Draw Field, Sweetwater County, Wyo.).	----------	2-20-73	3-23-73	[6] Accepted			
	do		10	do	(5)	2-20-73		8-23-73	17.0	23.3337	R171-196.
RI73-239	Getty Oil Co.	79	[4] 8	West Texas Gathering Co. (Emperor (Ellenburger) Field, Winkler County, Tex., Permian Basin).	----------	2-20-73	3-23-73	[6] Accepted			
	do		9	do	73,957	2-20-73		8-23-73	19.0713	28.6	
	do	195	2	El Paso Natural Gas Co. (La Rica (Morrow) Field, Lea County, N. Mex.) (Permian Basin).	1,276	2-14-73		8-31-73	[3] 30.6	[3] 31.01	RI73-135.
RI73-240	Sun Oil Co.	493	7	El Paso Natural Gas Co. (Spraberry Field, Reagan County, Tex., Permian Basin).	2,423	2-16-73		4-19-73	14.5	19.071	
RI73-241	Atlantic Richfield Co.	508	9	El Paso Natural Gas Co. (Vinegarone Field, Val Verde County, Tex., Texas RR. District No. 1).	19,282	2-16-73		8-19-73	21.0	24.09	RI73-187.

FOOTNOTES:
* Unless otherwise stated, the pressure base is 14.65 p.s.i.a.
[1] Agreement providing for the increased rate.
[2] Includes a double amount of contractually due tax reimbursement to recover taxes on past sales of gas.
[3] No sales at present time.
[4] Amends pricing provisions.
[5] Includes upward B.t.u. adjustment.
[6] Accepted to be effective on the date shown in the "Effective Data" column.

The proposed redetermined increase filed by Champlin reflects, interalia, reimbursement of the Wyoming severance tax for both past and future production. After tax reimbursement applicable to past production has been recovered, Champlin shall reduce its proposed rate so as to provide for tax reimbursement for future production only. Since the proposed rate exceeds the ceiling for a 1-day suspension period, Champlin's proposed rate is suspended for 5 months.

The proposed increase of Sun Oil Co. does not exceed the rate limit for a 1-day suspension and therefore it is suspended for 1 day from the expiration of the 60-day notice period.

The remaining proposed increases exceed the rate limit for 1-day suspensions and are therefore suspended for 5 months.

The producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

The rate increases granted in these cases have been reviewed in the light of and are consistent with the Economic Stabilization Act of 1970 as amended, Executive Order No. 11695, and the rules and regulations issued thereunder.

[FR Doc.73-5515 Filed 3-22-73;8:45 am]

NOTICE OF APPLICATIONS

MARCH 15, 1973.

Take notice that each of the applicants listed herein has filed an application pursuant to section 205 of the Federal Power Act and Part 35 of the regulations issued thereunder.

Any person desiring to be heard or to make any protest with reference to said applications should on or before April 16, 1973, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The applications are on file with the Commission and available for public inspection.

Dockets Nos.	Date filed	Name of applicant	Action
E-8022	10-30-72	Middle South Services, Inc.	Company files Notice of Cancellation of Service Schedule E, Short Term Power, Supp. No. 13 to Rate Schedule No. 38 for Mississippi Power & Light Co. (Supp. No. 13 to FPC No. 15, Southern Services, Inc.; Supp. No. 10 to FPC No. 11 for Alabama Power Co.; Supp. No. 10 to FPC No. 225 for Georgia Power Co.; Supp. No. 10 to FPC No. 14 for Gulf Power Co.; and Supp. No. 10 to FPC No. 47 for Mississippi Power Co.).
E-8064	3- 2-73	Otter Tail Power Co.	Company filed additional material submitted in connection with the annual review of payment to be made by Cooperative Power Association under the Scheduling and Dispatching Agreement, dated Dec. 31, 1970, between Otter Tail Power Co. and Cooperative Power Association. The Company requests that billing under this revised determination of costs be permitted to become effective for the fiscal year beginning Apr. 1, 1973.
E-8012	10-25-72	Public Service Company of Oklahoma.	Company files Notice of Cancellation of subject Supp. No. 9 to Rate Schedule FPC No. 181. This agreement between the Empire District Electric Co. and Public Service Company of Oklahoma will expire by its own terms on Nov. 30, 1972.
E-8066	3- 5-73	Union Electric Co.	Company files Participation Power Transaction No. 1 under the Interchange Agreement dated July 17, 1967, between Iowa Power & Light Co. and Union Electric Co., designated Union Electric Co. Rate Schedule FPC No. 74.
E-8060	2-28-73	Northern Indiana Public Service Co.	Company files Notice of Cancellation effective Oct. 16, 1972, of a service agreement dated Aug. 2, 1950, with Siler Light & Water Plant covering wholesale electric service for resale, which was filed with the Commission on June 15, 1964, and a service agreement dated Aug. 9, 1972, Siler Light & Water Plant, covering wholesale electric service for resale, which was filed with the Commission on Sept. 21, 1972.
E-8034	6- 1-72	Arkansas-Missouri Power Co.	The Company filed with respect to its rate schedule FPC No. 31 a letter agreement dated May 26, 1972, between Arkansas-Missouri Power Co. (Ark-Mo) and Arkansas Electric Cooperative (Arkco). The Company states that the agreement provides for the sale by Ark-Mo of short-term firm power for the period between June 1, 1972, and May 31, 1973. The Company estimates that the revenue from the sale will be about $236 for the 12-month period. The Company requests waiver of the Commission's notice requirements so that the agreement may become effective June 1, 1972.
E-8039	2-20-73	Wisconsin Electric Power Co.	Company filed a letter agreement dated Feb. 7, 1973, between Wisconsin Electric Power Co. (WEPCO) and Wisconsin Public Service Corp. (WPSC). The Company states that the agreement in respect to WPSC purchasing specified amounts of power from WEPCO for a 3-week period beginning Feb. 5, 1973, and ending Feb. 25, 1973, under the terms of the letter agreement. The Company requests that the Commission waive the 30-day-notice requirement and allow the agreement to become effective Feb. 5, 1973.
E-8043	2-23-73	Commonwealth Edison Co. (Edison).	Company filed a letter agreement, dated Feb. 16, 1963, supplementing the interconnection agreement between Edison and Wisconsin Electric Power Co. (Wisconsin Electric) dated Feb. 9, 1961, and effective Apr. 1, 1961, wherein the interconnection agreement is designated as Edison Rate Schedule FPC No. 3. This letter agreement provides for an additional purchase by Wisconsin Electric of 200,00 kw. of power from Edison for the 2-week period Feb. 23, 1973, to Mar. 8, 1973, on the terms listed in the letter agreement between the companies dated Mar. 16, 1972, which is designated as Supp. No. 4 to Edison's rate schedule FPC No. 3. Edison requests that the Commission grant waiver of its notice requirements to permit the letter agreement to become effective Feb. 23, 1973.
E-8042	2-23-73	Fall River Electric Light Co.	Company filed supplement to its rate schedule FPC No. 9 between the company and Newport Electric Corp. (Newport). In addition, Newport filed a transmittal letter dated Feb. 15, 1973, and a certificate of concurrence of that date.
E-8060	2-28-73	Northern Indiana Public Service Co.	Company gives notice of cancellation of the following service agreements: (1) Service agreement dated Aug. 2, 1950, with Siler Light & Water Plant covering wholesale electric service for resale. This agreement was filed with the Commission on June 15, 1964. (2) Service agreement dated Aug. 9, 1972, with Carl M. Siler, doing business as Siler Light & Water Plant covering wholesale electric service for resale. This service agreement was filed with the Commission on Sept. 21, 1972. The Company states that the reason for cancellation is that on Oct. 16, 1972, the Company acquired the properties of Siler Light & Water Plant. Pursuant to an order of the Public Service Commission of Indiana in case No. 33047 issued Sept. 28, 1972. The Company requests waiver of the Commission's notice requirements so that cancellation be made effective on the date of acquisition of the property.
E-8061	3- 1-73	Iowa-Illinois Gas & Electric Co.	Company filed participation power agreement dated Feb. 1, 1973, with Northern States Power Co. (NIMN). Company states that under this agreement it would sell 100,000 kw. of participation power commencing May 1, 1973, through Oct. 31, 1973. The Company requests the proposed effective date of May 1, 1973. The Company states that the rates provided for in the agreement are negotiated rates with a demand charge of $150,000 per month for 10,000 kw. of capacity. Energy charge will be 4.5 mills per kilowatt hour.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-5518 Filed 3-22-73;8:45 am]

[Docket No. CI73-597]

GULF OIL CORP. ET AL.

Notice of Application

MARCH 16, 1973.

Take notice that on March 8, 1973, Gulf Oil Corp. (Operator), et al. (Applicant), Post Office Box 1589, Tulsa, OK 74102, filed in Docket No. CI73-597 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Cities Service Gas Co. from the North Waterloo Field, Logan County, Okla., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it intends to commence the sale of natural gas within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for 2 years from the end of the 60-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell up to 2,000 Mcf of gas per day, plus additional gas which may be available and which the purchaser may be able to receive, at $0.35 per Mcf at 14.65 p.s.i.a. subject to upward and downward B.t.u. adjustment. Estimated initial upward B.t.u. adjustment is $0.056 per Mcf.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before April 2, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein

must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-5511 Filed 2-22-73;8:45 am]

[Docket No. CI73-596]

GULF OIL CORP.

Notice of Application

MARCH 16, 1973.

Take notice that on March 8, 1973, Gulf Oil Corp. (Applicant), Post Office Box 1589, Tulsa, OK 74102, filed in Docket No. CI73-596 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Texas Eastern Transmission Corp. at Applicant's Houston Central Processing Plant in Colorado County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of natural gas on March 1, 1973, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and that it proposes to continue said sale for 1 year from the end of the 60-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell approximately 2,000 Mcf of gas per day at $0.45 per Mcf at 14.65 p.s.i.a., subject to upward and downward B.t.u. adjustment.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before April 2, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-5512 Filed 3-22-73;8:45 am]

[Docket No. CI73-595]

TIDEWAY OIL CO., INC.

Notice of Application

MARCH 16, 1973.

Take notice that on March 5, 1973, Tideway Oil Co., Inc. (Applicant), Post Office Box 92, Jackson, MS 39205, filed in Docket No. CI73-595 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Texas Gas Transmission Corp. from the East Dykesville Field, Webster Parish, La., all as more fully set forth in the application which is on file with the commission and open to public inspection.

Applicant proposes to sell up to 3,500 Mcf of gas per day for 1 year at $0.50 per Mcf at 15.025 p.s.i.a., subject to downward B.t.u. adjustment, within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70).

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before April 2, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-5513 Filed 3-22-73;8:45 am]

[Dockets Nos. RP72-151, RP72-154]

EL PASO NATURAL GAS CO.

Proposed Changes in Rates and Charges

MARCH 16, 1973.

Take notice that El Paso Natural Gas Co. (El Paso), on February 14, 1973, tendered for filing a notice of change in rates under its FPC Gas Tariff, First Revised Volume No. 3, applicable to service rendered to its Northwest Division System customers. Such change in rates is proposed to become effective as of April 1, 1973. The proposed rate change is submitted for the purpose of compensating El Paso for increases in its cost of purchased gas for the period July 1, 1972, through March 31, 1973, and is filed in accordance with the provisions of El Paso's Purchased Gas Adjustment Clause (PGAC) in effect in El Paso's said tariff.

El Paso states that annual increase in El Paso's Northwest Division System domestic purchased gas costs aggregates $2,926,953 based upon adjusted Northwest Division System domestic purchased gas volumes for the twelve (12) month period ending December 31, 1972. Additional increased purchased gas costs, aggregating $1,068,760, have occurred as a result of changes in the United States-Canadian currency rate and in the cost of gas purchased from El Paso's Canadian supplier, Westcoast Transmission Co., Ltd. When applied to El Paso's Northwest Division System total sales volumes for the same period, the aggregate of the increased domestic and imported purchased gas cost equates to $0.91 per Mcf ($0.087 per therm).

In addition, El Paso states that it has accrued in Account 191, Unrecovered

Purchased Gas Cost, $3,287,815 applicable to increases in its Northwest Division System purchased gas costs, both domestic and imported, which have occurred monthly during the period July 1, 1972, through December 31, 1972. Such costs, when applied to El Paso's Northwest Division System jurisdictional sales volumes for the same period, produce an additional increase in rates of 1.55 cents per Mcf (0.149 cent per therm) to be applied as a surcharge to all rate schedules identified in the subject filing.

Copies of the filing have been served upon all parties of record at Dockets Nos. RP72-151 and RP72-154, and, otherwise, upon all Northwest Division System customers and interested State regulatory commissions.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 28, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. El Paso's proposed tariff sheet and rate filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-5559 Filed 3-22-73;8:45 am]

[Docket No. CP73-232]

FLORIDA GAS TRANSMISSION CORP. AND UNITED GAS PIPE LINE CO.

Notice of Application

MARCH 16, 1973.

Take notice that on March 12, 1973, Florida Gas Transmission Corp. (Florida), Post Office Box 44, Winter Park, FL 32789, and United Gas Pipe Line Co. (United), 1525 Fairfield Avenue, Shreveport, LA 71101, filed in Docket No. CP73-232 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities to interconnect their natural gas pipeline systems and the exchange of natural gas by means of said facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants propose to construct and operate taps and metering and regulating facilities at the intersection of United's north-south 30-inch pipeline and Florida's 22-inch East White Lake lateral pipeline at Arnaudville, St. Landry Parish, La.; at the intersection of United's 20-inch Baxterville main pipeline and Florida's 24-inch and 30-inch transmission pipelines in Perry County, Miss.; and at the intersection of United's 24-inch main transmission pipeline and Florida's 20-inch main transmission pipeline in Refugio County, Tex. These facilities are estimated to cost $194,000, which would be financed with cash from current operations.

Applicants propose to use the subject facilities for deliveries of natural gas when either company is confronted with a situation on its system which can be alleviated by deliveries of natural gas by the other. The gas would be returned in quantities equal to that received and imbalances would be corrected as soon as possible. There would be no payment for the exchange of gas.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 9, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-5560 Filed 3-22-73;8:45 am]

[Docket No. CI73-593]

GETTY OIL CO.

Notice of Application

MARCH 16, 1973.

Take notice that on March 6, 1973, Getty Oil Co. (Applicant), Post Office Box 1404, Houston, TX 77001, filed in docket No. CI73-593 an application pursuant to section 7(c) of the Natural Gas Act and § 2.75 of the Commission's general policy and interpretations (18 CFR 2.75) for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Cities Service Gas Co. (Cities) from the Locke (Brown Dolomite) Field, Roberts County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes under the optional gas pricing procedure to sell gas to Cities at an initial rate of 40 cents per Mcf at 14.65 p.s.i.a. subject to upward and downward B.t.u. adjustment. The basic contract for the subject sale dated February 20, 1973, provides for price escalations of 1 cent per Mcf each year, for 87½-percent reimbursement to Applicant of any new or increased taxes after the date of first deliveries, for a term of 20 years and for a 1.5 cents per Mcf price reduction if Getty elects not to compress the gas. Applicant estimates monthly deliveries at 8,380 Mcf.

Applicant asserts that the contract prices are consistent with the objectives enunciated by Commission Order No. 455 and are just and reasonable for this sale particularly in light of the fact that the Nation is confronted with an increasingly critical shortage of natural gas as recognized by the Commission on numerous occasions.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 9, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-5561 Filed 3-22-73;8:45 am]

[Docket No. CP73-127]

MANCHESTER GAS CO.

Order Denying Rehearing

MARCH 16, 1973.

By order issued January 16, 1973, in Docket No. CP73-74, we authorized New England LNG Co. to sell to Manchester Gas Co. (Manchester) up to 8,250 Mcf of liquefied natural gas (LNG). The same order, in Docket No. CP73-127, authorized Manchester to transport the LNG in interstate commerce. Our order, and Manchester's application, indicate that the LNG will be carried by 11,000 gallon cryogenic semitrailer. The order does not specify who will haul the trailer loads, nor did Manchester request that any specific carrier be authorized or designated by us to perform any of the LNG transportation services proposed.

On February 14, 1973, Chemical Leaman Tank Lines, Inc. (Leaman), applied in Docket No. CP73-74 for rehearing of our January 16, 1973, order. Leaman contends that, by authorizing Manchester to transport LNG in interstate commerce, we have exceeded our statutory authority, and violated that of the Interstate Commerce Commission (ICC), which has jurisdiction over the use of motor carrier in interstate commerce. Leaman contends that our January 16, 1973, order should have specifically disclaimed any intention to limit Manchester's choice of motor carrier, and that, absent such disclaimer, the order should be declared null and void.

Leaman raises secondary "statements of error," contending that we failed to consider the facts, the law, or the evidence in arriving at our January 16, 1973, decision; that we erred in denying Leaman a hearing; and that, by naming the rulemaking in Docket No. R-377 as the proper forum for Leaman's arguments, we denied Leaman the due process of law.

Leaman's contention that we usurped the functions of ICC by authorizing the transportation of LNG in interstate commerce is without merit. The Natural Gas Act (Act) clearly gives us jurisdiction over the transportation of natural gas in interstate commerce. Whether that jurisdiction extends to transportation by means other than by a pipeline is a question reserved for our disposition in Docket No. R-377. (See finding (3) of our order of January 16, 1973.) We have concluded in earlier cases that LNG is natural gas for purposes of the Act.[1]

In the present case, because Manchester has chosen to transport LNG by motor carrier, it, or the carrier involved, may be required to seek ICC approval for such carriage. Any such ICC approval is required in addition to that issued by us, and our January 16, 1973, order does not relieve Manchester from complying with all applicable ICC requirements. Moreover, because our order reflects no intention to limit or control Manchester's dealings with motor carriers or the ICC, it required no specific language disclaiming such intention.

Leaman's arguments that it was improperly denied formal hearing are without merit. According to Leaman's petition to intervene, the only factual issue on which it would have presented evidence pertained to its willingness, ability, and authority to render the transportation services required by Manchester. No party has taken issue with Leaman's allegations.

Leaman's additional statements of error, cited above, are not supported by credible argument and require no further discussion here.

The Commission finds:

Our order issued January 16, 1973, in these proceedings does not by language or intention encroach upon the jurisdiction of the Interstate Commerce Commission. The arguments of Chemical Leaman Tank Lines, Inc., to the contrary, and the secondary arguments contained in its application for rehearing are without merit.

The Commission orders:

The application of Chemical Leaman Tank Lines, Inc., for rehearing is denied.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.73-5562 Filed 3-22-73;8:45 am]

[1] See, for example, our Opinion No. 613, issued Mar. 9, 1972, in Distrigas Corp., Docket No. CP70-196, et al.

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEES AND TASK FORCES

Order Designating Additional Members

MARCH 19, 1973.

The Federal Power Commission, by orders issued September 28, 1972, and December 7, 1972, established certain technical advisory committees and task forces.

2. *Membership.* Additional members to technical advisory committees and task forces, as selected by the Chairman of the Commission, with the approval of the Commission, are as follows:

TECHNICAL ADVISORY COMMITTEE ON CONSERVATION OF ENERGY

Dr. Richard H. Briceland, Member, Chief Scientific Adviser to the Assistant Administrator, Air and Water Programs, Environmental Protection Agency.

Dr. Edwin Royce, Member, Chief, Ecological Studies and Technology, Environmental Protection Agency.

TECHNICAL ADVISORY COMMITTEE ON CONSERVATION OF ENERGY TASK FORCE—ENVIRONMENTAL ASPECTS

Dr. Stephen Rattien, Member, Program Development Staff, Council on Environmental Quality.

TECHNICAL ADVISORY COMMITTEE ON CONSERVATION OF ENERGY TASK FORCE—PRACTICES AND STANDARDS

Dr. Harry L. Brown, Member, Director, Energy Sources and Systems Institute, Drexel Institute of Technology.

Mr. G. F. Moore, Member, Consultant Manager, Power, Engineering Department, E. I. du Pont de Nemours & Co., Inc.

Dr. Herman G. Roseman, Member, National Economic Research Associates.

Dr. Charles Olsen, Member, Department of Business Administration, University of Maryland.

Mr. Walter Meisen, Member, Assistant Commissioner for Construction Management, General Services Administration.

TECHNICAL ADVISORY COMMITTEE ON CONSERVATION OF ENERGY TASK FORCE—TECHNICAL ASPECTS

Dr. Harold Horowitz, Member, Program Manager, Division of Advanced Technology, National Science Foundation.
Dr. William Jackson, Member, Professor of Electrical Engineering, University of Tennessee Space Institute.

TECHNICAL ADVISORY COMMITTEE ON FINANCE TASK FORCE—FUTURE FINANCIAL REQUIREMENTS

Mr. John G. Winger, Member, Vice President, Energy Economics Division, The Chase Manhattan Bank.

TECHNICAL ADVISORY COMMITTEE ON FUELS TASK FORCE—ENVIRONMENTAL CONSIDERATIONS AND CONSTRAINTS

Mr. Glen Kendall, Member, Director, Policy Planning Division, Environmental Protection Agency.

TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT

Dr. Leland D. Attaway, Member, Deputy Assistant Administrator for Research, Environmental Protection Agency.

TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT TASK FORCE—ENVIRONMENTAL RESEARCH

Mr. Harold Falkenberry, Member, Chief, Power Research Staff, Tennessee Valley Authority.
Mr. L. J. Simpkin, Member, Director, Engineering Research Department, The Detroit Edison Co.
Dr. Ronald D. Doctor, Member, Engineering Sciences Department, The Rand Corp.

TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT TASK FORCE—ENERGY DISTRIBUTION RESEARCH

Mr. H. H. Brooksieker, Member, Manager, Transmission and Distribution Engineering, The Cleveland Electric Illuminating Co.
Mr. Clifford C. Diemond, Member, Assistant Chief, Engineer, Bonneville Power Administration.

By direction of the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-5559 Filed 3-22-73;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON POWER SUPPLY AND THE POWER SUPPLY TASK FORCE—FORECAST REVIEW

Order Designating Additional Member

MARCH 19, 1973.

The Federal Power Commission, by orders issued September 28, 1972, and December 19, 1972, established the Technical Advisory Committee on Power Supply and the Technical Advisory Committee on Power Supply Task Force—Forecast Review.

2. *Membership.* An additional member to the aforementioned Technical Advisory Committee and the Task Force, as selected by the Chairman of the Commission, with the approval of the Commission, is as follows:

Mr. William L. Porter, member, General Superintendent, electric system, Springfield Water Light & Power, Springfield, Ill.

By direction of the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-5555 Filed 3-22-73;8:45 am]

NATIONAL GAS SURVEY TRANSMISSION-TECHNICAL ADVISORY TASK FORCE—ECONOMICS

Order Designating Member

MARCH 19, 1973.

The Federal Power Commission by order issued December 21, 1971, established the Technical Advisory and Coordinating Commitee Task Forces of the National Gas Survey.

1. *Membership.* A new member to the Transmission-Technical Advisory Task Force—Economics, as selected by the Chairman of the Commission with the approval of the Commission is as follows:

Roy N. Gamse, Chief, Special Projects Planning and Evaluation Division, Environmental Protection Agency.

Mr. Gamse is to fill the position vacated by the resignation of Mr. Robert D. Berkowitz who is leaving the Federal service.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-5556 Filed 3-22-73;8:45 am]

[Docket No. E-7777]

PACIFIC GAS & ELECTRIC CO.

Application for Issuance of Subpena and Production of Documentary Evidence

MARCH 16, 1973.

On March 1, 1973, the Intervenor Cities of Alameda, Healdsburg, Lodi, Lompoc, Santa Clara, and Ukiah, Calif. (Cities) filed an application to the Commission for an issuance of a subpena to S. L. Sibley, Chairman and Chief Executive Officer of Pacific Gas & Electric Co. (PG&E) for data requested by Cities in "Cities Request Nos. 2 and 3" which PG&E has declined to provide. Cities allege that such data is necessary to support their claim of anticompetitive behavior on the part of PG&E in this proceeding.

Any person desiring to comment upon Cities' application should file such comments with the Federal Power Commission, 441 G Street NW., Washington, DC 20426 on or before March 29, 1973. Copies of Cities' application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-5563 Filed 3-22-73;8:45 am]

TECHNICAL ADVISORY COMMITTEE ON FUELS AND THE FUELS TASK FORCE—UTILITY FUELS REQUIREMENTS

Order Designating Additional Member

MARCH 19, 1973.

The Federal Power Commission, by orders issued September 28, 1972, and December 7, 1972, established the Technical Advisory Committee on Fuels and the Technical Advisory Committee on Fuels Task Force—Utility Fuels Requirements.

2. *Membership.* An additional member to the aforementioned Technical Advisory Committee and the Task Force, as selected by the Chairman of the Commission, with the approval of the Commission, is as follows:

Mr. Earl F. Brush, member, Assistant Manager, Lansing Board of Water and Light, Lansing, Mich.

By direction of the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-5557 Filed 3-22-73;8:45 am]

DEPARTMENT OF STATE

[Public Notice 382]

TRAVEL INTO OR THROUGH CUBA

Restriction on Use of U.S. Passports

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(c), use of U.S. passports for travel into or through Cuba remains restricted. To permit unrestricted travel would be incompatible with the resolutions adopted at the Ninth Meeting of Consultation of Ministers of Foreign Affairs of the Organization of American States, of which the United States is a member. At this meeting, held in Washington from July 21 to 26, 1964, it was resolved that the governments of the American States not maintain diplomatic, consular, trade, or shipping relations with Cuba under its present government. This resolution was reaffirmed in the Twelfth Meeting of Ministers of Foreign Affairs of the OAS held in September 1967, which adopted resolutions calling upon Member States to apply strictly the recommendations pertaining to the movement of funds and arms from Cuba to other American nations. Among other things, this policy of isolating Cuba was intended to minimize the capability of the Castro government to carry out its openly proclaimed programs of subversive activities in the Hemisphere.

U.S. passports shall not be valid for travel into or through Cuba unless specifically validated for such travel under the authority of the Secretary of State.

This public notice shall expire on June 25, 1973, unless extended or sooner revoked by public notice.

Effective date. This notice becomes effective on March 23, 1973.

Dated: March 20, 1973.

[SEAL] WILLIAM P. ROGERS,
Secretary of State.

[FR Doc.73-5642 Filed 3-22-73;8:45 am]

[Public Notice 383]

TRAVEL INTO OR THROUGH NORTH KOREA

Restriction on Use of U.S. Passports

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(c), use of U.S. passports for travel into or through North Korea remains restricted. In view of the continued hostility of the North Korean regime toward the United States, the unsettled situation along the Military Demarcation Line, and the special position of the Government of the Republic of Korea which is recognized by the U.S. as well as by U.N. resolution as the only lawful government in Korea, the Department of State believes that wholly unrestricted travel by American citizens to North Korea would seriously impair the conduct of U.S. foreign affairs.

U.S. passports shall not be valid for travel into or through North Korea unless specifically validated for such travel under the authority of the Secretary of State.

This public notice shall expire on June 25, 1973, unless extended or sooner revoked by public notice.

Effective date. This Notice becomes effective on March 23, 1973.

Dated: March 20, 1973.

[SEAL] WILLIAM P. ROGERS,
Secretary of State.

[FR Doc.73-5643 Filed 3-22-73;8:45 am]

[Public Notice 384]

TRAVEL INTO OR THROUGH NORTH VIETNAM

Restriction on Use of U.S. Passports

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(c), the use of U.S. passports for travel into or through North Vietnam remains restricted. In the aftermath of the signing on January 27, 1973, of the Agreement on Ending the War and Restoring Peace in Vietnam, tensions continue to be high and conditions unsettled in the Indo-China area. The Peace Agreement envisages that the implementation of the Agreement will create conditions for establishing a new, equal and mutually beneficial relationship between the United States and North Vietnam. However, the development of such a new relationship is still in its earliest stages. In these circumstances the Department of State believes that unrestricted travel by American citizens to North Vietnam would seriously impair the conduct of U.S. foreign affairs.

U.S. passports shall not be valid for travel into or through North Vietnam unless specifically validated for such travel under the authority of the Secretary of State.

This public notice shall expire on June 25, 1973, unless extended or sooner revoked by public notice.

Effective date. This Notice becomes effective on March 23, 1973.

Dated: March 20, 1973.

[SEAL] WILLIAM P. ROGERS,
Secretary of State.

[FR Doc.73-5644 Filed 3-22-73;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

SCIENTIFIC ADVISORY BOARD AEROMEDICAL-BIOSCIENCES PANEL STUDY

Notice of Meeting

MARCH 16, 1973.

The USAF Scientific Advisory Board Aeromedical-Biosciences Panel Study of the USAF Overall Health Plan will hold a closed meeting on March 28, 1973, from 9 a.m. until 5 p.m., at the Forrestal Building in Washington, D.C. 20314.

The Panel will receive classified briefings concerning medical problems in Air Force operations, and sensitive procurement requirements to support implementation of the proposed Health Care Program.

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

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

[FR Doc.73-5587 Filed 3-22-73;8:45 am]

Department of the Army

WINTER NAVIGATION BOARD

Notice of Meeting

1. Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given of a meeting of the Winter Navigation Board at Massena, N.Y., on March 28 and 29, 1973. The Board members will assemble on March 28, 1973, at 1:30 p.m. to observe ice conditions at the locks and canal in the international section of the St. Lawrence Seaway and at the facilities of the Power Authority, State of New York, as they affect the opening of the navigation season. A business meeting will be held at the Sheraton Hotel on March 29, commencing at 8:30 a.m.

2. The Winter Navigation Board is a multiagency organization which includes representatives of Federal agencies and non-Federal public and private interests. It was established to direct the Great Lakes and St. Lawrence Seaway Navigation Season Extension Demonstration Program being conducted pursuant to Public Law 91-611. The meeting will be open to the public. The purpose is to review completed demonstration activities and to consider plans for future demonstration activities.

3. Inquiries may be addressed to M. L. Dixon; U.S. Army Engineer Division, North Central, 536 South Clark Street, Chicago, IL 60605, telephone: 312—353-6395.

For the Adjutant General.

R. B. BELNAP,
Special Adviser to TAG.

MARCH 12, 1973.

[FR Doc.73-5567 Filed 3-22-73;8:45 am]

Office of the Secretary

DEFENSE ADVISORY COMMITTEE ON WOMEN IN THE SERVICES

Notification of Meeting

Pursuant to Public Law 92-463, notice is hereby given that a meeting of the Defense Advisory Committee on Women in the Services (DACOWITS) will be held April 8-12, 1973, at the Pentagon and the Crystal City Marriott Hotel, Arlington, Virginia.

The agenda for this semiannual meeting will include briefings by Department of Defense officials on matters affecting servicewomen and working sessions for the preparation of written recommendations to the Secretary of Defense on the subjects of recruitment, living conditions, legislative matters, and community relations.

The Department of Defense briefings scheduled for 8 a.m. to 11:30 a.m. on Monday, April 9, 1973, in the Pentagon will be open to the public. Inasmuch as the Pentagon is closed to the general public, it is necessary for persons desiring to attend the briefings to contact the DACOWITS Secretariat (202) OXford 7-6385, no later than April 4, 1973, so that proper escorts to and from the meeting can be arranged.

The remainder of the Committee's meeting time will be devoted to working sessions which will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, Office of the Assistant Secretary of Defense (Comptroller).

[FR Doc.73-5580 Filed 3-22-73;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

AUTHORIZED GRANITE REEF AQUEDECT, CENTRAL ARIZONA PROJECT, ARIZONA-NEW MEXICO

Notice of Public Hearing on 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, authorized as a part of the Central Arizona Project by Public Law 90-537, 82 Stat. 885, 43 U.S.C. 1501 et seq., on September 30, 1968. This statement (INT DES 73-15 dated March 14, 1973) filed with the Council on Environmental Quality on March 14, 1973, is available to the public, as specified in the notice of availability.

The draft environmental statement supplements the general information for

the Granite Reef Aqueduct system as covered in the final environmental statement for the overall Central Arizona Project which was filed with the Council on Environmental Quality on September 26, 1972 (FES 72–35). The purpose of the aqueduct is to convey Colorado River water from the Havasu diversion facilities covered in final environmental statement (FES 73–2) at Lake Havasu: (1) To water users along the aqueduct primarily in the Phoenix metropolitan area; (2) to the Salt-Gila Aqueduct for distribution elsewhere in the Central Arizona service area; and (3) to Orme Reservoir northeast of Phoenix for temporary storage as needed. The Granite Reef Aqueduct will raise the water 388 feet from the outlet portal of the Buckskin Mountains Tunnel while conveying it approximately 182 miles southeast through open concrete-lined canals, siphons, and tunnels to the aqueduct's terminus northeast of Phoenix.

A public hearing will be held in Scottsdale, Ariz., in the Drama Room, Scottsdale Community College, Pima Road and Chaparral Road, on May 2 and 3, 1973, to receive comments relating to the draft environmental statement. All hearings will commence at 8:30 a.m. and continue until 4 p.m.

Oral statements at the hearing will be limited to a period of 15 minutes. Speakers will not trade their time to obtain a longer oral presentation; however, the person authorized to conduct the hearing may allow any speaker to provide additional oral comment after all persons wishing to make comment have been heard. Speakers will be scheduled according to the time preference mentioned in their letter or telephone request, whenever possible. Any scheduled speaker not present when called will lose his or her privilege in the scheduled order and his name will be recalled at the end of the scheduled speakers. Request for scheduled presentation will be accepted up to 4 p.m., April 27, 1973, and any subsequent request will be handled on a first-come-first-serve basis following the scheduled presentations.

Organizations or individuals desiring to present their oral statements at the hearing should contact E. A. Lundberg, Regional Director, Bureau of Reclamation, Post Office Box 427, Boulder City, NV 89005, telephone 702—293–2161, and announce their intention to participate. Written comments from those unable to attend, and from those wishing to supplement their oral presentation at the hearing should be sent on or before May 11, 1973, to Mr. Lundberg so that they can be included in the hearing record.

Dated: March 20, 1973.

G. G. STAMM,
Acting Commissioner,
Bureau of Reclamation.

[FR Doc.73–5613 Filed 3–22–73;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

MANTI DIVISION G–10 ADVISORY BOARD

Notice of Open Meeting

The Manti Division G–10 Advisory Board (Region 4—Manti-LaSal National Forest) will meet at 1:30 p.m., April 12, 1973, in Room 211, Main Building, College of Eastern Utah, Price, Utah.

The purpose of this meeting is to discuss Off-Road Vehicle and Roadless Area Use and such other topics brought up that are within the objectives and scope of the board.

The meeting will be open to the public. To the extent time permits, persons may be permitted to comment on topics brought before the board at any time during the discussion.

Dated: March 14, 1973.

GEORGE F. MCLAUGHLIN,
Forest Supervisor.

[FR Doc.73–5565 Filed 3–22–73;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S–336]

WATERMAN STEAMSHIP CORP.

Notice of Application

Notice is hereby given that Waterman Steamship Corp., a New York corporation, has filed an application for a long-term operating-differential subsidy agreement under title VI (46 U.S.C. 1171–1183) of the Merchant Marine Act, 1936, as amended (herein called the Act) for operating-differential subsidy on Trade Route No. 22, U.S. Gulf/Far East. This company's current operating-differential subsidy agreement, Contract No. MA/MSB–138, covering operations on Trade Route No. 22 is scheduled to expire not later than June 23, 1975. In said application Waterman Steamship Corp. is requesting operating-differential subsidy on up to a maximum of 30 sailings per annum with such sailings to be performed initially with six war-built vessels and two Mariner vessels, with the six war-built vessels to be replaced in 1975 with four Mariner vessels, and with three Mariner vessels to be replaced about 1977/1978 with two LASH-type vessels, and the remaining three Mariners to be replaced about 1985/1986 with 2 LASH-type vessels.

Interested parties may inspect this application in the office of the Secretary of the Maritime Subsidy Board, Room 3099–B, Department of Commerce Building, 14th and E Streets NW., Washington, DC 20235.

Any person, firm, or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Act, 46 U.S.C. 1175, should by the close of business on April 6, 1973, notify the Secretary, Maritime Subsidy Board, in writing in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board (46 CFR Part 201). Each such statement of interest and petition to intervene should indicate with as much specificity as possible those portions of the application with which the intervenor is concerned with consideration being given particularly to the time period(s) and fleet consist(s) proposed by the applicant.

In the event that a section 605(c) hearing is ordered to be held the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel or vessels to be operated on an essential service served by citizens of the United States which would be in addition to the existing service or services, and if so, whether the service already provided by vessels of U.S. registry on such essential service is inadequate, (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon, (3) whether the application is one with respect to a vessel or vessels operated or to be operated on an essential service served by two or more citizens of the United States with vessels of U.S. registry, and if so, whether the effect of the requested contract would be to give undue advantage or be unduly prejudicial, as between citizens of the United States, in the operation of vessels in such essential service, and (4) whether it is necessary to enter into such contract in order to provide adequate service by vessels of U.S. registry.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: March 20, 1973.

By Order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.73–5637 Filed 3–22–73;8:45 am]

Office of Import Programs

BATES COLLEGE AND COLORADO SCHOOL OF MINES

Notice of Consolidated Decisions on Application for Duty-Free Entry of Michelson Interferometers

The following is a consolidated decision on applications for duty-free entry of interferometers 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.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consoli-

dated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00372-99-40500. Applicant: Bates College, Lewiston, Maine 04240. Article: Michelson Interferometer. Manufacturer: SOPRA, France. Intended use of article: The article is intended to be used for the instruction of students in its theory and operation in two physics courses. It will also be used in Physics 458 in which students do individual projects leading to the writing of senior thesis. Application received by Commissioner of Customs: February 4, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 5, 1973.

Docket No. 73-00154-01-40500. Applicant: Colorado School of Mines, Department of Physics, Golden, Colo. 80401. Article: SOPRA "Michelson" Interferometer. Manufacturer: Societe de Production et de Recherches appliquees, France. Intended use of article: The article is intended to be used partly for student research in general Fourier spectroscopy. In particular it will be valuable in work on near infrared spectra of gases, liquids, and solids of relevance to mineral studies. The article will also be used in the course Optics PH 332, which includes theory and laboratory work in geometrical and physical optics at the intermediate level. Application received by Commissioner of Customs: August 24, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 5, 1973.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: Each foreign article can be utilized for general purpose interferometry. In addition each foreign article incorporates a continuous scanning feature which permits Fourier-transform spectroscopy. The National Bureau of Standards (NBS) advised in its respectively cited memoranda that the characteristics described above are pertinent to the purposes for which each of the foreign articles described above are intended to be used. NBS also advised that it knows of no domestically manufactured instrument which is scientifically equivalent to any of the articles to which the foregoing applications relate for such purposes as these articles are intended to be used.

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

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

[FR Doc.73-5582 Filed 3-22-73;8:45 am]

HARVARD UNIVERSITY, 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 by April 12, 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. 73-00384-33-43400. Applicant: Harvard University, Purchasing Department, 75 Mount Auburn Street, Cambridge, MA 02138. Article: Automatic stepping micromanipulator with electronic control unit. Manufacturer: AB Transvertex, Sweden. Intended use of article: The article is intended to be used to hold the microelectrode and advance it into the brain during experiments on the central nevrous system of the cat. The aim of these experiments is to investigate the anatomical and physiological properties of single nerve cells in the visual cortex. Application received by Commisisoner of Customs: February 12, 1973.

Docket No. 73-00395-01-86500. Applicant: University of Akron, Akron, Ohio 44325. Article: Rheogoniometer, R-18. Manufacturer: Sangamo Control, Ltd., United Kingdom. Intended use of article: The article is intended to be used for a current research project involving viscoelastic effects on blood flow. Experiments must be conducted to measure normal stress effects in a number of low viscosity solutions (1-4 cps.) including blood. In these experiments, aqueous media (including blood) are to be altered by addition of 40-80 p.p.m. of soluble drag reducing polymers. Application received by Commissioner of Customes: February 21, 1973.

Docket No. 73-00396-01-11000. Applicant: Medical University of South Carolina, 80 Barre Street, Charleston, SC 29401. Article: Gas Chromatograph-Mass Spectrometer, LKB 9000S. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for the following research objectives:

(1) Determination of the chemical structure of microgram and nanogram quantities of drugs and drug metabolites isolated from biological materials, e.g. blood, urine spinal fluid, etc.;

(2) Determination of the metabolic fate of beta-blocking drugs, e.g. oxprenolol and propranolol;

(3) Development of a quantitative GC-MS measurement technique using the mass spectrometer as the detector and molecules labelled with stable isotopes as internal standards;

(4) Development of techniques for the determination of peptide sequence by GC-MS; and

(5) Studies of glucuronide conjugates of drugs and drug metabolites.

Application received by Commissioner of Customs: February 26, 1973.

Docket No. 73-00397-33-46040. Applicant: The Johns Hopkins University, Charles and 34th Street, Baltimore, MD 21218. Article: Electron Microscope, Model JEM 100B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in carrying out several research projects.

These research projects include the following:

(1) Formation of tropocollagen molecules from their constituent gelatin chains.

(2) Investigation of morphological abnormalities found in some histidine regulatory mutants of *Salmonella typhimurium* and a study of flagellar mutants in this same organism by electron microscopy to properly characterize such mutants.

(3) Localization at the electron microscope level of Drosophila alcohol dehydrogenase activity in cells of the fat body.

(4) Appearance of alcohol dehydrogenase activity in the cells of the developing imaginal discs.

(5) Localization by appropriate electron microscope biochemistry of beta-hydroxybutyrate dehydrogenase activity in the fat body.

(6) Investigation of the precise mechanism of sugar transport across membranes, and very possibly the structure of permeases in bacterial membranes.

Application received by Commissioner of Customs: February 2, 1973.

Docket No. 73-00398-90-46070. Applicant: University of Wyoming, Department of Geology, University Station, Box 3006, Laramie, WY 82070. Article: Scanning Electron Microscope, Model JSM-U3. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for a wide range of research projects in the department of geology, botany, zoology, and plant science. Some of these projects will include:

A. Examination of the test porosities of species of recent planktonic foraminifera;

B. Study of chemical reactions in sediments from cores taken by the Deep Sea Drilling Project;

C. Study of the surface textures of sand grains;

D. Study of the seeds and pollen of western North American taxa of *Chenopodium*.

E. Survey of the surface and stomatal structural features of the cuticles of the coniferous species: *Pinus contorta, Pinus flexilis, Abies lasiocarpa,* and *Piecea engelmanii.*

F. Studies of grass systematics, cell interaction and surfaces with cyclic adenosine monophosphate.

G. Mycological research and identification of immature insects.

Application received by Commissioner of Customs: January 30, 1973.

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

[FR Doc.73-5581 Filed 3-22-73;8:45 am]

UNIVERSITY OF ROCHESTER ET AL.

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

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

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

Docket No. 73-00218-33-46500. Applicant: University of Rochester School of Medicine and Dentistry, 260 Crittenden Boulevard, Rochester, NY 14642. Article: Ultramicrotome, Model OM U3. Manufacturer: C. Reichert Optische Werke, Austria. Intended use of article: The article is intended to be used in conjunction with a transmission electron microscope for studies of: (i) The ultrastructure of normal and pathologic spleen and bone marrow from animals and humans.

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

(iii) The ultrastructural fine detail of blood cell membranes at high resolution.

In addition, the article will be used for research training for hematology trainees to teach the students the techniques of electron microscopy including those involved in specimen preparation.

Application received by Commissioner of Customs: November 6, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Docket No. 73-00224-33-46500. Applicant: Veterans Administration Hospital, Archer Road, Gainesville, Fla. 32601. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for ultrathin sectioning of resin embedded specimens of normal and diseased tissues from humans as well as experimental animals. These specimens will be examined with an electron microscope during experiments centered primarily around human diseases and their experimental counterparts in laboratory animals, in order to study the ultrastructure of the disease process itself. The article will also be used in a course in electron microscopy, both at the technical and professional level, for instruction in the techniques of electron microscopy and interpretation of the ultrastructural features of disease states.

Application received by Commissioner of Customs: November 7, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Docket No. 73-00226-33-46500. Applicant: Scripps Clinic and Research Foundation, 476 Prospect Street, La Jolla, CA 92037. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for investigation of biological materials, mainly mammalian tissues derived from experimental animals, to reveal at the ultrastructural level the structural bases of transport of macromolecules into and across cells under physiological and pathologic conditions; the position of tumor specific antigens, viral antigens, and histocompatibility antigens on lymphocyte and macrophage surfaces; and the synthesis of immunoglobulin molecules in lymphocytes.

Application received by Commissioner of Customs: November 14, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Docket No. 73-00227-33-46500. Applicant: University of Virginia, School of Medicine, Anatomy Department, Jordan Building R. 3-35, 1300 Jefferson Park Avenue, Charlottesville, VA 22901. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for preparing ultrathin sections of biological tissues derived from normal and experimental animals for use in experiments which will include electron microscopic studies of nerve cells and their processes.

Application received by Commissioner of Customs: November 14, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Docket No. 73-00228-33-46500. Applicant: Brooklyn College of C.U.N.Y., Biology Department, Bedford Avenue and Avenue H., Brooklyn, N.Y. 11210. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for experiments on the normal physiological behavior of endocrine structures with special emphasis placed on study of osmoregulations, segmentation, and pituitary and gonad function. The article will also be used for educational purposes in the courses Animal Histology and Micro Technique, and Endocrinology. Application received by Commissioner of Customs: November 14, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Docket No. 73-00230-58-46500. Applicant: University of Maryland, Department of Microbiology, College Park, Md. 20742. Article: Ultramicrotome, Model LKB 8800. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to examine preparations of deep ocean and estuarine particulate matter, bacteria, and viruses. The experiments to be conducted are designed to determine cellular structure of bacteria under hydrostatic pressure. Also, cellular effects during uptake of mercury and during hydrocarbon degradation will be studied. The article will also be used in graduate research work for students pursuing the M.S. and Ph. D. degrees in marine microbiology and microbial ecology. Application received by Commissioner of Customs: November 14, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Docket No. 73-00236-33-46500. Applicant: Eunice Kennedy Shriver Center, 200 Trapelo Road, Waltham, MA 02154. Article: Ultramicrotome, Model LKB 8800. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of biological materials consisting of muscle, peripheral nerve, and central nervous system tissue from fetal, newborn, young, and adult experimental animals and from humans in a program aimed at defining the causes and mechanisms of mental retardation and related disorders, to relate structural phenomena to disturbed mental and neurological functions, and ultimately to prevent, ameliorate, or cure such disturbances in man. The article will also be used to demonstrate the uses of electron microscopy in research clinical neuropathology in a short course in the application of electron microscopy to the nervous system for neurology residents at Massachusetts General Hospital. Application received by Commissioner of Customs: November 14, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Docket No. 73-00248-33-46500. Applicant: Veterans' Administration Hospital, Chief, Supply Service, 508 Fulton Street, Durham, NC 27705. Article: Ultramicrotome, Model OMU3. Manufacturer: C. Reichert Optische Werke, Austria. Intended use of article: The article is intended to be used to prepare sections of tissues obtained from operating rooms or by other surgical procedures to be studied by electron microscopy after embedding in various plastics, especially epoxy resins. The article will also be used in connection with the teaching of interns and residents in pathology who wish to work with electron microscopic techniques. Application received by Commissioner of Customs: November 22, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: Each of the foreign articles provides a range of cutting speeds from equal to or less than 0.5 millimeters/second (mm./sec.) to equal to or greater than 10 mm./sec. The most closely comparable domestic instrument is the Model MT-2B ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Model MT-2B has a range of cutting speeds from 0.09 to 3.2 mm./sec. The conditions for obtaining high-quality sections that are uniform in thickness depend to a large extent on the hardness, consistency, toughness, and other properties of the specimen materials, the properties of the embedding materials, and the geometry of the block. In connection with a prior application (Docket No. 69-00118-33-46500) which relates to the duty-free entry of an article in the category of instruments to which the foregoing applications relate, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] obvious factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned."

In connection with another prior case (Docket No. 69-00665-33-46500) relating to the duty-free entry of an article in the same category as those described above, HEW advised that "The range of cutting speeds and a capability for the higher cutting speeds is * * * a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with still another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an article similar to those described above, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness, etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." Accordingly, HEW advises in its respectively cited memoranda, that cutting speeds in excess of 4 mm./sec. are pertinent to the satisfactory sectioning of the specimen materials and the relevant embedding materials that will be used by the applicants in their respective experiments.

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

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

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

[FR Doc.73-5584 Filed 3-22-73;8:45 am]

VETERANS ADMINISTRATION HOSPITAL, NORTHPORT, N.Y., ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes 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.). (See especially § 701.11(e).)

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

Docket No. 73-00139-33-46040. Applicant: Veterans Administration Hospital, Middleville Road, Northport, N.Y. 11768. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article is intended to be used in pathology and medicine-related biology to study the following materials by electron microscopy in conjunction with immunohistologic and histochemical studies:

(1) Biopsy and necropsy specimens of human tissue,

(2) Specimens of experimentally induced lesions in animals, chromosomes, and tissue fractionation products, and

(3) Purified preparations of macromolecular isolates.

The objective of these studies is to identify the disease process, to uncover the mechanisms through which it develops, to seek a rationale for therapy and to evaluate the progress of the disease and the prognosis.

The article will also be used in teaching "Electron Microscopy in Diagnostic and Experimental Pathology" and "Electron Microscopy in Chemical and Physical Studies in Human Biology" for Ph.D. and M.D. degree holders associated with the State University of New York at Stony Brook and a rotation for pathologists-in-training in standard diagnostic applications of electron microscopy. Application received by Commissioner of Customs: September 1, 1972. Advice submitted by Department of Health, Education, and Welfare on: January 24, 1973.

Docket No. 73-00234-33-46040. Applicant: Johns Hopkins University School of Medicine, Department of Microbiology, 725 North Wolfe Street, Baltimore, MD 21205. Article: Electron microscope, Model JEM-100B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for electron microscopic studies of virus particles and their nucleic acids (DNA), as well as virus-infected cells and cancer cells. The article will also be used for research training of scientists in the fields of cancer and molecular genetics. Application received by Commissioner of Customs: November 7, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Docket No. 73-00235-33-46040. Applicant: Long Island Jewish-Hillside Medical Center, 270-05 76 Avenue, New Hyde Park, NY 11040. Article: Electron microscope, Model JEM 100B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used to study the fine structural localization of various cytoplasmic enzymes in normal and malignant cells of both animal and human tissues. The organelles under study will be plasma membranes, endoplasmic reticulum, Golgi apparatus, and lysosomes. Special attention will be given to the nature of cytoplasmic microtubules, various forms of microfibrils, unit membranes and identification of macromolecular structures such as ferritin and other experimentally injected materials. Application received by Commissioner of Customs: November 13, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Docket No. 73-00249-33-46040. Applicant: Auburn University, Pathology and Parasitology Department, Auburn, Ala. 36830. Article: Electron microscope, Model EM 301. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used for investigations of the ultrastructural alterations of cellular organelles and membranes occurring in renal disease and neoplasia of food producing and pet animals. Other research will include high resolution studies of animal viruses and viral components and the investigation of the effects of specific immunoglobulins on virus morphology; investigation of antibody—complement, interaction with the cell wall of gram negative bacteria; determination of liver cell mitochondrial damage by aflatoxins and determination of the effects of aging on cellular and membranous structures of the blood-retinal barrier of swine and dog eyes. The article will also be used in departmental veterinary student teaching programs for the preparation of electron micrographs of both normal and diseased cells and tissues as instructional aids for the supplementation of course material in anatomy, histology, embryology, pathology, and microbiology. Application received by Commissioner of Customs: November 22, 1972. Advice submitted by Department of Health, Education, and Welfare on: March 6, 1973.

Comments: No comments have been received in regard to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the

United States. Reasons: Each foreign article has a specified resolving capability of 3 angstroms. The most closely comparable domestic instrument is the Model EMU–4C electron microscope which is manufactured by the Forgflo Corp. (Forgflo). The Model EMU–4C has a specified resolving capability of 5 angstroms. (Resolving capability bears an inverse relationship to its numerical rating in angstrom units, i.e., the lower the rating, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda, that the additional resolving capability of the foreign articles is pertinent to the purposes for which each of the foreign articles to which the foregoing applications relate is intended to be used. We, therefore, find that the Forgflo Model EMU–4C is not of equivalent scientific value to any of the articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

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

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

[FR Doc.73–5583 Filed 3–22–73;8:45 am]

ATOMIC ENERGY COMMISSION

HIGH ENERGY PHYSICS ADVISORY PANEL

Notice of Meeting

MARCH 13, 1973.

On April 2–3, 1973, there will be a meeting of the High Energy Physics Advisory Panel at the Lawrence Berkeley Laboratory in Berkeley, Calif.

Below is that portion of the panel's meeting agenda which will be open to the public; practical considerations may dictate changes in this schedule.

(1) *Monday, April 2, 1973*
10 a.m. to 5 p.m., LBL Program Review and other topics, Building 50, Auditorium.[1]
8 p.m., General Discussion of Status of High Energy Physics, Building 50, Auditorium.

(2) *Tuesday, April 3, 1973*
9:30 a.m. to 12 noon, Review of other aspects of High Energy Physics Program, 50–B Conference Room.

In addition to the above agenda items, on Monday morning (prior to the open meeting) and on Tuesday afternoon, the panel will hold executive sessions. These sessions will be closed to the public under authority of section 10(d) of Public Law 92–463 (the Federal Advisory Committee Act).

Written statements relating to the agenda items, above, may be filed with the executive secretary before the meeting.

Most of the Monday evening session will be devoted to a discussion of current problems facing high energy physics. Questions and remarks by interested members of the public will be limited to this evening session.

The chairman of the panel is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business.

Questions on details of the agenda or matters pertaining to public participation should, by March 27, be referred to:

Dr. Walter D. Wales, Executive Secretary, High Energy Physics Advisory Panel, Division of Physical Research, U.S. Atomic Energy Commission, Washington, D.C. 20545, Telephone: 301—973–3367.

JOHN V. VINCIGUERRA,
Advisory Committee
Management Officer.

[FR Doc.73–5588 Filed 3–22–73;8:45 am]

[Docket No. 50–335]

FLORIDA POWER AND LIGHT CO.

Notice of Receipt of Application for Facility Operating License; Issuance of Facility License and Opportunity for Hearing

Notice is hereby given that the Atomic Energy Commission (the Commission) has received an application for facility operating license from Florida Power and Light Co. (the applicant) to possess, use, and operate the St. Lucie Plant, Unit 1, a pressurized water nuclear reactor (the facility), located on the applicant's site in St. Lucie County, Fla., about halfway between the cities of Fort Pierce and Stuart on the east coast of Florida, at steady-State power levels not to exceed 2,560 megawatts thermal.

The Commission will consider the issuance of a facility operating license to Florida Power and Light Co., which would authorize the applicant to possess, use, and operate the St. Lucie Plant, Unit 1, in accordance with the provisions of the license and the technical specifications appended thereto, upon the completion of a favorable safety evaluation on the application by the Commission's Directorate of Licensing, the completion of the environmental review required by the Commission's regulations in 10 CFR Part 50, Appendix D, the receipt of a report on the applicant's application for a facility operating license by the Advisory Committee on Reactor Safeguards, and a finding by the Commission that the application for the facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended (Act), and the Commission's regulations in 10 CFR Chapter 1. Construction of the facility was authorized by Construction Permit No. CPPR–74, issued by the Commission on July 1, 1970.

Prior to issuance of any operating license, the Commission will inspect the facility to determine whether it has been constructed in accordance with the application, as amended, and the provisions of Construction Permit No. CPPR–74. In addition, the license will not be issued until the Commission has made the findings, reflecting its review of the application under the Act which will be set forth in the proposed license, and has concluded that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public. Upon issuance of the license, the applicant will be required to execute an indemnity agreement as required by section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

The facility is subject to the provisions in 10 CFR Part 50, Appendix D, for notice of opportunity for filing petitions for leave to intervene and requests for a hearing on environmental considerations related to issuance of the facility operating license.

On or before April 23, 1973, the applicant may file a request for a hearing, with respect to issuance of the facility operating license and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission or an atomic safety and licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel will rule on the request and/or petition and the Secretary or the designated atomic safety and licensing board will issue a notice of hearing or an appropriate order.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR 2.714. As required in 10 CFR 2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or a petition for leave to intervene must be filed with the Office of the Secretary of the Com-

[1] Part of the Monday afternoon session may be held in one of the conference rooms in Bldg. 50, in which case the limited space available will be on a first-come-first served basis.

mission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or may be delivered to the Commission's Public Document Room, 1717 H Street NW., Washington, DC, not later than April 23, 1973. A copy of the petition and/or request should also be sent to the Chief Hearing Counsel, Office of the General Counsel, U.S. Atomic Energy Commission, Washington, D.C. 20545, and to Jack Newman, Esquire, Newman, Reis and Axelrad, 1100 Connecticut Avenue, Washington, DC 20006, attorney for the applicant.

A petition for leave to intervene which is not timely will not be granted unless the Commission, the presiding officer, or the atomic safety and licensing board designated to rule on the petition and/or request determines that the petitioner has made a substantial showing of good cause for failure to file on time and after considering those factors specified in 10 CFR 2.714(a)(1)–(4) and 2.714(d).

For further details pertinent to the matters under consideration, see the application for the facility operating license, dated February 28, 1973, which was docketed on March 5, 1973, and the Applicant's Environmental Report, dated May 20, 1971, as supplemented, and the Commission's Draft Environmental Statement pursuant to 10 CFR Part 50, Appendix D; which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Indian River Junior College Library, 3209 Virginia Avenue, Ft. Pierce, FL. As they become available, the following documents may be inspected at the above locations: (1) The safety evaluation prepared by the Directorate of Licensing; (2) the Commission's Final Environmental Statement; (3) the report of the Advisory Committee on Reactor Safeguards on the application for facility operating license; (4) the proposed facility operating license; and (5) the technical specifications, which will be attached to the proposed facility operating license.

Copies of items (1), (2), (3), and (4), when available, may be obtained by request to the Deputy Director for Reactor Projects, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 20th day of March 1973.

For the Atomic Energy Commission.

A. GIAMBUSSO,
Deputy Director for Reactor Projects, Directorate of Licensing.

[FR Doc.73-5611 Filed 3-22-73;8:45 am]

[Docket No. 50-423]

MILLSTONE POINT CO., ET AL.

Receipt of Application for Construction Permit and Facility License and Availability of Applicants' Environmental Report; Time for Submission of Views on Antitrust Matters

The Millstone Point Co.; the Connecticut Light and Power Co.; the Hartford Electric Light Co.; Western Massachusetts Electric Co.; New England Power Co.; the United Illuminating Co.; Public Service Company of New Hampshire; Central Vermont Public Service Corp.; Vermont Electric Power Corp.; city of Burlington, Vt., Green Mountain Power Corp.; Montaup Electric Co.; Fitchburg Gas and Electric Light Co., Chicopee; Massachusetts Municipal Lighting Plant; town of South Hadley Electric Light Department, Westfield; Massachusetts Gas and Electric Light Department, Peabody; Massachusetts Municipal Light Plant, North Attleborough; Massachusetts Electric Department, Boylston; Massachusetts Municipal Lighting Plant, West Boylston; Massachusetts Municipal Lighting Plant, Wakefield; Massachusetts Municipal Light Department, Shrewsbury; Massachusetts Light Plant, Paxton; Massachusetts Municipal Light Department, Middleton; Massachusetts Municipal Light Department, Ashburnham; Massachusetts Municipal Lighting Plant, Templeton; Massachusetts Municipal Lighting Plant, and Marblehead; Massachusetts Municipal Light Department (the applicants), pursuant to section 103 of the Atomic Energy Act of 1954, as amended, have filed an application, which was docketed February 10, 1972, for authorization to construct and operate a pressurized water nuclear reactor at its site, located in the town of Waterford, New London County, Conn. The site consists of 500 acres of land, and is located on the north shore of Long Island Sound approximately 3 miles from New London, Conn., and 40 miles southeast of Hartford, Conn.

The proposed nuclear facility, designated by the applicants as Millstone Nuclear Power Station, Unit 3, is designed for initial operation at approximately 3,425 megawatts (thermal) with a net electrical output of approximately 1,156 megawatts.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission by May 22, 1973.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545, and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Conn. 06385.

The applicants have also filed, pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in Appendix D to 10 CFR Part 50, a report entitled, "Environmental Report—Construction Permit Stage," dated February 7, 1973. The report has been made available for public inspection at the aforementioned locations. The report, which discusses environmental considerations related to the proposed construction of the Millstone Nuclear Power Station, Unit 3, is also being made available at the Office of State Planning, Department of Finance and Control, 340 Capitol Avenue, Hartford, CT 06115, and at the Southeastern Connecticut Regional Planning Agency, 139 Boswell Avenue, Norwich, CT 06360.

After the report has been analyzed by the Commission's Director of Regulation or his designee, a draft environmental statement related to the proposed action will be prepared by the Commission. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement. The summary notice will request comments from interested persons on the proposed action and on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies and State and local officials thereon will be made available when received.

Dated at Bethesda, Md., this 15th day of March 1973.

For the Atomic Energy Commission.

D. B. VASSALLO,
Chief, Pressurized Water Reactors Branch No. 1 Directorate of Licensing.

[FR Doc.73-5659 Filed 3-22-73;8:45 am]

[Docket No. 50-423]

MILLSTONE POINT CO., ET AL.

Notice of Hearing on Application for Construction Permit

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and Part 2, "Rules of Practice," notice is hereby given that a hearing will be held, at a time and place to be set in the future by an Atomic Safety and Licensing Board (Board), to consider the application filed under the Act by the Millstone Point Co.; the Connecticut Light and Power Co.; the Hartford Electric Light Co.; Western Massachusetts Electric Co.; New England Power Co.; the United Illuminating Co.; Public Service Company of New Hampshire; Central Vermont Public Service Corp.; Vermont Electric Power Corp., city of Burlington, Vt.; Green Mountain Power Corp.; Montaup Electric Co.; Fitchburg Gas and Electric Light Co., Chicopee; Massachusetts Municipal Lighting Plant; Town of South Hadley Electric Light Department, Westfield; Massachusetts Gas and Electric Light Department, Peabody; Massachusetts Municipal Light Plant, North Attleborough; Massachusetts Electric Department, Boylston; Massachusetts Municipal Lighting Plant, West Boylston; Massachusetts Municipal Lighting Plant, Wakefield; Massachusetts Municipal Light Department, Shrewsbury; Massachusetts Light Plant, Paxton; Massachusetts Municipal Light Department, Middleton; Massachusetts Municipal Light Department, Ashburnham; Massachusetts Municipal Lighting Plant, Templeton; Massachusetts Municipal Lighting Plant, and Marblehead; Massachusetts Municipal Light Department (the applicants), for a construction permit for a pressurized water nuclear

reactor designated as the Millstone Nuclear Power Station, Unit No. 3 (the facility), which is designed for initial operation at approximately 3,425 thermal megawatts with a net electrical output of approximately 1,156 megawatts. The proposed facility is to be located on the north shore of Long Island Sound, in the town of Waterford, New London County, Conn. The hearing will be scheduled to begin in the vicinity of the site of the proposed facility.

The Board will be designated by the Atomic Energy Commission (Commission) or the Chairman of the Atomic Safety and Licensing Board Panel. Notice as to its membership will be published in the FEDERAL REGISTER.

Upon completion by the Commission's regulatory staff of a favorable safety evaluation of the application and an environmental review, and upon receipt of a report by the Advisory Committee on Reactor Safeguards, the Director of Regulation will consider making affirmative findings on Items 1–3, a negative finding on Item 4, and an affirmative finding on Item 5 specified below as a basis for the issuance of a construction permit to the applicants:

ISSUES PURSUANT TO THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

1. Whether in accordance with the provisions of 10 CFR 50.35(a):

(a) The applicants have described the proposed design of the facility including, but not limited to, the principal architectural and engineering criteria for the design, and have identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;

(c) Safety features or components, if any, which require research and development have been described by the applicants and the applicants have identified, and there will be conducted a research and development program reasonably designed to resolve any safety questions associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facility, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

2. Whether the applicants are technically qualified to design and construct the proposed facility;

3. Whether the applicants are financially qualified to design and construct the proposed facility; and

4. Whether the issuance of the permit for construction of the facility will be inimical to the common defense and security or to the health and safety of the public.

ISSUE PURSUANT TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (NEPA)

5. Whether, in accordance with the requirements of Appendix D of 10 CFR Part 50, the construction permit should be issued as proposed.

In the event that this proceeding is not a contested proceeding, as defined by 10 CFR 2.4(n), the Board will determine (1) without conducting a de novo evaluation of the application, whether the application and the record of the proceeding contain sufficient information, and the review of the application by the Commission's regulatory staff has been adequate, to support the findings proposed to be made by the Director of Regulation on Items 1–4 above, and to support, insofar as the Commission's licensing requirements under the Act are concerned, the issuance of the construction permit proposed by the Director of Regulation; and (2) determine whether the review conducted by the Commission pursuant to NEPA has been adequate. In the event that this proceeding is not contested, the Board will convene a prehearing conference of the parties within sixty (60) days after this notice of hearing or such time as may be appropriate, at a time and place to be set by the Board. It will also set the schedule for the evidentiary hearing. Notice of the prehearing conference and the hearing will be published in the FEDERAL REGISTER.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as issues in this proceeding, Items 1–5 above as a basis for determining whether the construction permit should be issued to the applicants.

The Board will convene a special prehearing conference of the parties to the proceeding and persons who have filed petitions for leave to intervene, or their counsel, to be held by May 22, 1973, or within such other time as may be appropriate, at a place to be set by the Board for the purpose of dealing with the matters specified in 10 CFR 2.751a.

The Board will convene a prehearing conference of the parties, or their counsel, to be held subsequent to any special prehearing conference and within sixty (60) days after discovery has been completed, or within such other time as may be appropriate, at a place to be set by the Board for the purpose of dealing with the matters specified in 10 CFR 2.752.

Notices of the dates and places of the special prehearing conference, the prehearing conference, and the hearing will be published in the FEDERAL REGISTER.

With respect to the Commission's responsibilities under NEPA, and regardless of whether the proceeding is contested or uncontested, the Board will, in accordance with section A.11 of Appendix D of 10 CFR Part 50, (1) determine whether the requirements of section 102(2) (C) and (D) of NEPA and Appendix D of 10 CFR Part 50 have been complied with in this proceeding; (2) independently consider the final balance among conflicting factors contained in the record of the proceeding with a view to determining the appropriate action to be taken; and (3) determine whether the construction permit should be issued, denied, or appropriately conditioned to protect environmental values.

For further details, see the application for construction permit dated February 7, 1973, and amendments thereto, and the applicants' environmental report dated February 7, 1973, which were docketed on February 10, 1973, and are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, between the hours of 8:30 a.m. and 5 p.m. on weekdays. Copies of those documents will also be made available at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Conn. 06385, for inspection by members of the public between the hours of 8:30 a.m. and 5 p.m. on weekdays. As they become available, a copy of the safety evaluation by the Commission's Directorate of Licensing, the Commission's draft and final detailed statements on environmental considerations, the report of the Advisory Committee on Reactor Safeguards (ACRS), the proposed construction permit, other relavant documents, and the transcripts of the prehearing conferences and of the hearing will also be available at the above locations. Copies of the Directorate of Licensing's safety evaluation and the Commission's final detailed statement on environmental considerations, the proposed construction permit, and the ACRS report may be obtained, when available, by request to the Deputy Director of Reactor Projects, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Any person who does not wish to, or is not qualified to become a party to this proceeding may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715. A person making a limited appearance may only make an oral or written statement on the record, and may not participate in the proceeding in any other way. Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, not later than April 23, 1973.

A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set out above.

Any person whose interest may be affected by the proceeding, who does not wish to make a limited appearance and who wishes to participate as a party in the proceeding must file a written petition under oath or affirmation for leave to intervene in accordance with the provisions of 10 CFR 2.714.

A petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A petition for leave to intervene must be filed with the office of the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or may be delivered to the Commission's Public Document Room, 1717 H Street NW., Washington, DC, not later than April 23, 1973. A petition for leave to intervene which is not timely will not be granted unless the Board determines that the petitioner has made a substantial showing of good cause for failure to file on time and after the Board has considered those factors specified in 10 CFR 2.714(a)(1)–(4) and 2.714(d).

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have all the rights of the applicants to participate fully in the conduct of the hearing, such as the examination and cross-examination of witnesses, with respect to their contentions related to the matters at issue in the proceeding.

An answer to this notice, pursuant to the provisions of 10 CFR 2.705, must be filed by the applicants not later than April 12, 1973.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, DC. A copy of the petition or request for limited appearance should also be sent to the Chief Hearing Counsel, Office of the General Counsel, U.S. Atomic Energy Commission, Washington, D.C. 20545, and to C. Duane Blinn, Esq., Day, Berry, and Howard, 1 Constitution Plaza, Hartford, CT 06103, attorney for the applicants.

Pending further order of the Board, parties are required to file, pursuant to the provisions of 10 CFR 2.708, an original and twenty (20) conformed copies of each such paper with the Commission.

With respect to this proceeding, pursuant to 10 CFR 2.785, an Atomic Safety and Licensing Appeal Board will exercise the authority and the review function which would otherwise be exercised and performed by the Commission. Notice as to the membership of the Appeal Board will be published in the FEDERAL REGISTER.

Dated at Washington, D.C., this 20th day of March 1973.

UNITED STATES ATOMIC ENERGY COMMISSION,
PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.73-5658 Filed 3-22-73;8:45 am]

[Docketa Nos. 50-361, 50-362]

SOUTHERN CALIFORNIA EDISON CO., AND SAN DIEGO GAS AND ELECTRIC CO.

Notice of Availability of Final Environmental Statement

Pursuant to the National Environmental Policy Act of 1969 and the U.S. Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that the Final Environmental Statement prepared by the Commission's Directorate of Licensing, related to the proposed San Onofre Nuclear Generating Station Units 2 and 3, to be constructed in San Diego County, Calif., is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW., Washington, DC, and in the San Clemente Public Library, 233 Granada Street, San Clemente, CA 92672. The Final Environmental Statement is also being made available at the Office of the Lieutenant Governor, Office of Intergovernmental Management, 1400 10th Street, Room 108, Sacramento, CA 95814, and at the San Diego County Comprehensive Planning Organization, County Administration Center, 1600 Pacific Highway, San Diego, CA 92101.

The notice of availability of the Draft Environmnetal Statement for the San Onofre Nuclear Generating Station Units 2 and 3, and the requests for comments from interested persons was published in the FEDERAL REGISTER on November 21, 1972 (37 FR 24778). The comments received from Federal, State, and local officials and interested members of the public have been included as appendices to the Final Environmental Statement.

Single copies of the Final Environmental Statement may be obtained by writing the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 19th day of March 1973.

For the Atomic Energy Commission.

B. J. YOUNGBLOOD,
Chief, Environmental Projects Branch 3, Directorate of Licensing.

[FR Doc.73-5610 Filed 3-22-73;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Notice of Meeting

MARCH 21, 1973.

The FEDERAL REGISTER notice, published at 38 FR 7425 (March 21, 1973), relating to the ACRS Subcommittee Meeting on the Cooper Nuclear Station, March 29, 1973, and April 4, 1973, is revised to include two additional topics for discussion, which may be included in the closed portion of these meetings, as follows:

(a) Matters relating to the design and manufacturing processes of the reactor fuel, which matters are proprietary information; and

(b) Physical plant security, which is proprietary information.

Because these topics involve proprietary information, I have determined, in accordance with subsection 10(d) of Public Law 92-463, that these topics fall within exemption (4) of 5 U.S.C. 552(b) and may properly be included in the closed portions of the meetings for March 29, 1973, and April 4, 1973.

JOHN V. VINCIGUERRA,
Advisory Committee Management Officer.

[FR Doc.73-5742 Filed 3-22-73;11:00 am]

CIVIL AERONAUTICS BOARD

[Docket No. 25235; Order 73-3-64]

AIR AFRIQUE

Order of Investigation and Suspension Regarding Transatlantic Fare Structure

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the eighth day of March 1973.

By tariffs filed January 12, 1973, for effect from April 1, 1973, Air Afrique proposes to revise the existing fare structure over the North Atlantic between the United States and Africa. As in the case of our recent disposition of the U.S.-carrier transatlantic fare proposals (Order 73-1-76), this order will be concerned with Air Afrique's proposal as it relates to the period from April 1, 1973, through October 1, 1973.

Air Afrique proposes to retain first-class and normal economy fares at status quo, and to consolidate the promotional fare structure into three new fares—a 13-45-day excursion fare, a 13-21-day individual inclusive tour fare and an advance-purchase excursion fare (APEX). Its structure would, therefore, closely parallel that proposed by the U.S. carriers. However, Air Afrique would permit one free stopover in each direction for travel on the 13-45-day excursion and the 13-21-day individual inclusive

tour fares, and one additional stopover in each direction at a charge of $15. Stopovers would be prohibited in connection with APEX-fare travel. Air Afrique does not propose a surcharge for weekend travel on any of its fares.

A complaint requesting suspension of Air Afrique's proposal has been filed by Pan American World Airways, Inc. (Pan American). Pan American's primary concern is that Air Afrique would permit free stopovers in connection with the excursion and individual inclusive tour fare, whereas Pan American would not. Pan American also expresses concern with Air Afrique's failure to impose a weekend surcharge on all promotional fares. Pan American estimates that, if these elements of the fare structure were to become applicable throughout the transatlantic market, it would sustain a revenue loss in excess of $6 million, as compared to the result it anticipates under its proposal.

By Order 73–1–76, the Board indicated that it was not disposed to suspend the fare package proposed by the U.S. carriers. This decision was based on the understanding that the structure was not advanced as a definitive one for the future, but rather as an acceptable one for the travel season immediately ahead. Indeed the carriers did not support their proposal as one that would adequately compensate for the cost of providing scheduled service, but rather as a reasonable competitive response to changing market conditions which is anticipated to produce moderately improved yields and increased revenues.

The basic structure proposed by Air Afrique reflects a simplification and increased emphasis on individual travel comparable to that contemplated by the U.S. carriers. As such, it represents a distinct improvement in the pattern of transatlantic fares and a desirable trend for the longer term. However, in our opinion, the economic validity of the 13–45-day excursion and 13–21-day IIT fares is brought into considerable question as a result of the proposed continuation of free stopover privileges. The circuitous routings involved in multistop travel create an unnecessary downward pressure on yield which should be compensated for by an appropriate charge for the service. Stated differently, the absence of such a charge ultimately results in a higher point-to-point fare than would otherwise be the case. By the same token, we believe that an appropriate weekend surcharge is an important element of the transatlantic fare structure which contributes to the economic soundness of these services by distributing demand more evenly throughout the week. We support these two charges, both of which are incorporated into the U.S. carriers' proposal, as affirmative steps toward a more rational pricing scheme for scheduled services. For this reason, the Board is unable to accept Air Afrique's proposal.

Accordingly, for the reasons stated the Board finds that the 13–45-day excursion fares, the 13–21-day individual inclusive tour fares and the advance purchase excursion fares proposed by Air Afrique may be unjust, unreasonable, unjustly discriminatory, unduly preferential, or unduly prejudicial and should be suspended pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a), 403, 404, 801, and 1002, thereof,

It is ordered, That:

1. An investigation is instituted to determine whether the fares and provisions set forth in the appendix hereof, and rules, regulations, or practices affecting such fares and provisions, and subsequent revisions and reissues thereof, are or will be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, and if found to be unlawful, to take appropriate action to prevent the use of such fares and provisions or rules, regulations, or practices;

2. Pending hearing and decision by the Board, the fares and provisions set forth in the appendix hereof [1] are suspended and their use deferred from April 1, 1973, to and including March 31, 1974, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. This order shall be submitted to the President [2] and shall become effective on April 1, 1973;

4. Except to the extent granted herein, the complaint filed in Docket 25168 is hereby dismissed; and

5. Copies of this order be filed in the aforesaid tariffs and be served upon Air Afrique and Pan American World Airways, Inc., who are hereby made parties to the investigation.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK, *Secretary.*

[FR Doc.73–5628 Filed 3–22–73;8:45 am]

[Docket No. 23333; Order 73–3–52]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority March 16, 1973.

Two agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreements, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated February 28, 1973 (Agreement CAB 23563, R–2) and March 2, 1973 (Agreement CAB 23569, R–1 and R–2) name two additional specific commodity rates, and the cancellation of an existing rate, as set forth in the attachment hereto.[1]

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the subject agreements are adverse to the public interest or in violation of the Act, provided that approval is subject to the condition hereinafter ordered.

Accordingly, it is ordered, That:

Agreement CAB 23569, R–1 and R–2, and Agreement CAB 23563, R–2, be and hereby are approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purpose of tariff publications, provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

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

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

This order will be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.73–5633 Filed 3–22–73;8:45 am]

[Docket No. 24941]

PANDAIR FREIGHT LTD. (U.K.) AND HEMISPHERE AIR FREIGHT INC.

Notice of Prehearing Conference

Pandair Freight Ltd. (U.K.) and Hemisphere Air Freight, Inc. (application for approval or exemption of certain transactions under section 408 of the Act).

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on April 18, 1973, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Administrative Law Judge Hyman Goldberg.

In order to facilitate the conduct of the conference parties are instructed to submit one copy to each party and four copies to the judge of: (1) Proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before April 5, 1973, and the other parties on or before April 12, 1973. The submissions of the other parties shall be limited to points

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[1] Appendix filed as part of the original document.

[2] This order was submitted to the President on March 9, 1973.

[1] Attachment filed as part of the original document.

on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., March 16, 1973.

[SEAL] RALPH L. WISER,
Chief Administrative Law Judge.

[FR Doc.73-5634 Filed 3-22-73;8:45 am]

[Docket No. 25264]

STANLEY G. WILLIAMS/SOUTHERN AIR TRANSPORT, INC.

Notice of Prehearing Conference Regarding Acquisition of Control

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on April 12, 1973, at 10 a.m. (local time), in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Administrative Law Judge Milton H. Shapiro.

In order to facilitate the conduct of the conference parties are instructed to submit one copy to each party and four copies to the Judge of: (1) Proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before April 3, 1973, and the other parties on or before April 10, 1973. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., March 16, 1973.

[SEAL] RALPH L. WISER,
Chief Administrative Law Judge.

[FR Doc.73-5635 Filed 3-22-73;8:45 am]

COMMISSION ON THE BANKRUPTCY LAWS OF THE UNITED STATES

AMENDMENTS TO THE BANKRUPTCY ACT

Notice of Meetings

MARCH 20, 1973.

The Commission on the Bankruptcy Laws of the United States will meet on April 12, 13, and 14, 1973, in Room 4110 of the New Senate Office Building between the hours of 10 o'clock in the morning and 5 o'clock in the afternoon to consider amendments to the reorganization sections of the Bankruptcy Act.

FRANK R. KENNEDY,
Executive Director.

[FR Doc.73-5639 Filed 3-22-73;8:45 am]

COST OF LIVING COUNCIL

UNIFORM RATES OF CERTAIN INSTITUTIONAL PROVIDERS OF HEALTH SERVICES

Certificates of Compliance for State Agencies

Section 300.18(i) of the Phase II regulations of the Price Commission, 6 CFR 300.18, provides for the issuance of certificates of compliance to State agencies whose rules for implementing the Economic Stabilization Program, with respect to rates of skilled nursing homes, extended care facilities or intermediate care facilities, have been approved by the Price Commission.

Under § 130.61 of the Phase III regulations of the Cost of Living Council, § 300.18 has continued effectiveness with respect to institutional providers of health services. During Phase III, therefore, certificates of compliance will be issued by the Council to State agencies which qualify under § 300.18(i).

To provide information and guidance to all interested parties, it is the Cost of Living Council's intention to publish in the FEDERAL REGISTER, on a periodic basis, a list of State agencies that have been certified.

As of March 20, 1973, certificates of compliance have been issued to the following agencies:

Human Relations Agency, State of California.
Hospital Cost Commission, State of Connecticut.
Department of Health and Welfare, State of Maine.
Department of Public Welfare, State of Oklahoma.
Department of Social Services, State of Utah.
Department of Social and Rehabilitative Services, State of Arkansas.

Issued in Washington, D.C., on March 20, 1973.

JAMES W. MCLANE,
Deputy Director,
Cost of Living Council.

[FR Doc.73-5640 Filed 3-22-73;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

NATIONAL INDUSTRY ADVISORY COMMITTEE, BROADCAST SERVICES SUBCOMMITTEE

Notice of Public Meeting

Pursuant to the provisions of Public Law 92-463, announcement is made of a public meeting of Working Group V, Broadcast Services Subcommittee, National Industry Advisory Committee, to be held Wednesday, April 4, 1973. The Working Group will meet at 1229 20th Street NW., Washington, DC, Room A-110 at 10 a.m.

Purpose: To prepare and submit recommendations to the Federal Communications Commission concerning voluntary organized industry participation in the Emergency Broadcast System (EBS).

Agenda: The agenda for the meeting is, as follows:

Item

1. Emergency Operations.
2. Interconnection Arrangements.
3. Review of Provisions of FCC Rules.
4. Appointment of a Drafting Group for Working Group V.

It is suggested that those desiring more specific information about the meeting telephone the Emergency Communications Division 202—632-7232.

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

[FR Doc.73-5621 Filed 3-22-73;8:45 am]

FEDERAL MARITIME COMMISSION

AMERICAN EXPORT LINE ET AL.

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 2, 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 had been done.

American Export Line, Atlantic Gulf Service AB, Combi Line, Dart Containerline Co., Ltd., Sea-Land Service, Inc., Seatrain Lines, Inc., United States Lines, Inc.

MODIFICATION OF AGREEMENT

Notice of Agreement filed by:

Howard A. Levy, Esq., Suite 631, 17 Battery Place, New York, NY 10004.

Agreement No. 9984-1, among the above-named lines, adds rate making to the various activities upon which they can consult and agree, subject to the right of independent action upon 48 hours advance notice.

Dated: March 19, 1973.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-5591 Filed 3-22-73;8:45 am]

CITY OF OAKLAND AND MARINE TERMINALS CORP.

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 12, 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. Kerwin Rooney, Port Attorney, Port of Oakland, 66 Jack London Square, Post Office Box 2064, Oakland, CA 94607.

Agreement No. T-2762, between the city of Oakland (City) and Marine Terminals Corp. (MTC), is an arrangement whereby MTC, as agent for the City, will perform marine terminal management services as well as provide terminal operating and cargo solicitation services at Areas "B" and "C" at the City's Middle Harbor Terminal. The agreement provides that MTC's services shall be made available to all users of Areas "B" and "C" on a nonexclusive basis, as well as to secondary users of the adjacent Area "A," which is preferentially assigned to United States Lines under Agreement No. T-2758. All tariff revenues earned upon the premises will be collected by MTC and remitted in full to the City, subject to a yearly minimum of $257,000 for both Areas "B" and "C." Fifty percent of terminal tariff revenues (exclusive of crane rental charges) accruing to the City from secondary users of Area "A" for whom MTC provides terminal services will apply to the above minimum. In any event, MTC will not receive any portion of tariff revenues accruing from the facility. Its sole compensation for the services provided under the agreement will be through the assessment of a service charge against users of the facility plus charges assessed for the use of equipment, facilities, and utilities furnished by MTC which are not included in the City's marine terminal tariff.

Dated: March 19, 1973.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-5589 Filed 3-22-73;8:45 am]

CONTINENTAL-U.S. GULF FREIGHT ASSOCIATION

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 12, 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 and the statement should indicate that this has been done.

MODIFICATION OF AGREEMENT

Notice of agreement filed by:

Y. von Wulffen, Current Chairman, Continental-U.S. Gulf Freight Association, c/o Hapag-Lloyd AG, Ballindamm 25, 2 Hamburg 1, West Germany.

Agreement No. 9988-2, among the member lines of the above-named rate agreement, adds inland points or places in Europe from which cargo moves through ports in the Bordeaux-Hamburg range to the scope of the basic agreement. The above extension covers LASH/SEABEE barge movement along inland waterways and through intermodal service via connecting land carrier.

Dated: March 16, 1973.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-5590 Filed 3-22-73;8:45 am]

GENERAL SERVICES ADMINISTRATION

[Temp. Reg. F-173]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the Federal Government in an electric service rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Federal Power Commission in a proceeding (Docket No. 7777) involving electric service rates provided by the Pacific Gas & Electric Co.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ARTHUR F. SAMPSON,
Acting Administrator of General Services.

MARCH 19, 1973.

[FR Doc.73-5612 Filed 3-22-73;8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

EASTERN COAL CORP. ET AL.

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./m.^{3}) have been received as follows:

(1) ICP Docket No. 20016, Eastern Coal Corp., Stone No. 8 Mine, USBM ID No. 15 04316 0, Stone, Ky., Section ID No. 009 (section No. 31).

(2) ICP Docket No. 20017, Eastern Coal Corp., Stone No. 4 Mine, USBM ID No. 15 02096 0, Stone, Ky., Section ID No. 003 (No. 17 section).

(3) ICP Docket No. 20018, Eastern Coal Corp., F-1 Mine, USBM ID No. 15 03793 0, Stone, Ky., Section ID No. 001 (Mains).

(4) ICP Docket No. 20214, Clinchfield Coal Co., Moss No. 3 Portal "C", USBM ID No. 44 01643 0, Dante, Va., Section ID No. 007 ("C" Mains), Section ID No. 006 (2 Left), Section ID No. 009 (1½ Right).

(5) ICP Docket No. 20217 Clinchfield Coal Co., Hurricane Creek, USBM ID No. 44 01773 0, Clinchfield, Va., Section ID No. 003 (1 North), Section ID N. 004 (West Main).

(6) ICP Docket No. 20219, Clinchfield Coal Co., Birchfield No. 1 Mine, USBM ID No. 44 01884 0, Dante, Va., Section ID No. 003 (Unit No. 1), Section ID No. 002 (Unit No. 2).
(7) ICP Docket No. 20222, Clinchfield Coal Co., Birchfield No. 2 Mine, USBM ID No. 44 02236 0, Wise, Va., Section ID No. 007 (Unit No. 1), Section ID No. 002 (Unit No. 2).
(8) ICP Docket No. 20227, Clinchfield Coal Co., Chaney Creek Mine, USBM ID No. 44 00279 0, Clinchfield, Va., Section ID No. 001 (1 left), Section ID No. 002 (West Mains), Section ID No. 003 (8 Right), Section ID No. 004 (9 Right).
(9) ICP Docket No. 20472, Potter Mining Co., Mine No. 3-C, USBM ID No. 15 02609 0, Fedscreek, Ky., Section ID No. 001.
(10) ICP Docket No. 20564, The Nacco Mining Co., Powhatan No. 6 Mine, USBM ID No. 33 01159 0, Powhatan Point, Ohio, Section ID No. 002-0 (Main Return), Section ID No. 003-0 (Main North), Section ID No. 004-0 (Main South), Section ID No. 005-0 (Main West), Section ID No. 007-0 (1 Right, 1st Main East), Section ID No. 009-0 (1 Left, 1st Main East), Section ID No. 010-0 (2d Main East), Section ID No. 011-0 (2d Main East), Section ID No. 012-0 (2d Main South).

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 within 15 days after publication of this notice. 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 20, 1973.

[FR Doc.73-5566 Filed 3-22-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Release 367]

INVESTMENT ADVISERS

Intension To Cancel Registrations

MARCH 19, 1973.

Notice is hereby given that the Division of Investment Management Regulation has requested the Securities and Exchange Commission to issue an order pursuant to section 203(i) of the Investment Advisers Act of 1940 (Act) canceling the registrations of those investment advisers whose names appear in the attached appendix.

Section 203(i) provides, as here pertinent, that if the Commisison finds that any person registered under section 203, or who has pending an application for registration filed under section 203, is no longer in existence or is not engaged in business as an investment adviser, the Commission shall by order cancel the registration of such person.

All of the registered investment advisers listed in part I of the Appendix, or representatives thereof, have indicated in recent correspondence to the Commission that these registrants are no longer in existence or are not engaged in business as investment advisers.

The registrants named in Part II of the appendix have not paid the annual assessment for registered investment advisers for 1971 or 1972 imposed by Rule 203-3(b) under the Act. Rule 203-3(b) provides, in pertinent part, that every registered investment adviser shall pay a $100 assessment annually to the Commission while its registration is effective. Such assessment, for the year 1971, was payable not later than April 1, 1972, and, for the year 1972, not later than January 31, 1973. Notice of the adoption of Rule 203-3(b) was published in the FEDERAL REGISTER on January 29, 1972 (37 FR 1471), and a letter was sent on May 22, 1972 by certified mail, return receipt requested, to each registrant who had failed to pay the assessment for the year 1971 as of that date. The letter informed each registrant that he was delinquent in the payment of the fee and that, if he failed to respond to the letter with payment of the assessment, the registrant would be presumed to be no longer engaged in business as an investment adviser. The letters sent to the investment advisers named in Part II were returned to the Commission unopened and all attempts to correspond with these persons at the addresses designated in their Form ADV applications for registration have been unsuccessful.

Rule 204-1(b) under the Act provides that if the information contained in any application for registration as an investment adviser, or in any amendment thereto, becomes inaccurate for any reason, the investment adviser shall promptly file an amendment on Form ADV correcting such information.

Since the registrants named in Part II of the appendix have not paid the annual assessment for 1971 or 1972 as required by Rule 203-3(b), and have failed to notify the Commission of any change in address as required by Rule 204-1(b), the staff of the Division of Investment Management Regulation believes that reasonable grounds exist to support a finding that these registrants are no longer in existence or are not engaged in business as investment advisers.

The investment advisers whose names appear in Part III of the appendix have also failed to pay the annual assessment for 1971 or 1972. The letter of May 22, 1972, sent by certified mail, return receipt requested, was received by these registrants, but neither their response thereto nor their payment of the assessment has been received by the Commission. As indicated above, the letter informed these registrants that if they failed to respond to the letter or to pay the assessment, they would be presumed to be no longer engaged in business as investment advisers and that such failure could result in the cancellation of their investment adviser registrations. In light of the fact that these registrants have not paid the annual assessment for 1971 or 1972 and that they received sufficient notice of the possible consequences resulting from nonpayment, the staff of the Division of Investment Management Regulation believes that reasonable grounds exist to support a finding that these registrants are no longer in existence or are not engaged in business as investment advisers.

Notice is further given that any interested person may, not later than April 18, 1973, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order cancelling any or all of these registrations upon the basis of the information stated herein unless an order for hearing on said cancellation shall be issued upon request. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

PART I

ATLANTA REGION

Lawrence Ellis Brown, 801-7986.
Callen Modern Investment Plans, 801-7040.
William L. Deam, 801-3020.
Walter Dix, 801-3257.
Douglas Duke, 801-5783.
Gentry Investment Corp., 801-6845.
Louis Thomas Masterson, 801-5718.
Samstein Inc., 801-7346.
Leo Higdon, 801-6046.

BOSTON REGION

Boston Economic Forum, 801-6750.
Robert E. Broad, Jr., 801-5742.
Johnson & Co., 801-7485.
Stefan T. Mulawka, 801-7173.
Newtonian Research Co., 801-6789.
Charles Theodore Sloan, 801-8062.
WLJ Low Cost Speculatives, 801-5269.

CHICAGO REGION

Alcamo Investment Advisory Service, 801-4862.
James Blean Associates, Inc., 801-7797.
General Commodities Corp., 801-7531.
Godfrey & Co., Inc., 801-7837.
William C. Martin Assoc. 801-4678.
Terrence J. McDonnell Economic & Financial Services, 801-7268.
Robertson Davies, 801-4836.
William Rothberg Investment Adviser & Securities Analyst, 801-5904.
Sans Souci Service, 801-6234.
Security Research Service, 801-6549.
Storrs Market Letter, 801-3032.
Thomas Evan Swanstrom, 801-5602.

DENVER REGION

Action Investment Management, 801-5906.
H. L. Cox, Consultant, 801-4627.
J. N. Neilson Co., 801-3694.

John Arvo Symonds, 801-3937.
Technical Stock Watch, 801-4517.

LOS ANGELES REGION

Apollo Financial Corp., 801-5562.
The Beverly Hills Trader, 801-4640.
Christopher Albert Clark, III, 801-8041.
Allen Vincent Dowling, 801-7811.
Forrest Jones Easley, Jr., 801-6629.
R. H. Greene & Co., 801-5887.
Robert Riley Hensler, Jr., 801-6581.
Jess Ira Marcum, 801-5214.
Market Profiles, Inc., 801-6414.
McGaughey & Associates, 801-3128.
Professional Trading, 801-5601.
Joseph William Schultz, 801-5089.
Security Trading Service, 801-4274.
Victor Troendale, 801-5677.
White Hall Investment Advisory Service, 801-5629.

NEW YORK REGION

Associated Research Consultants, 801-4489.
Auerback, Pollack & Richardson, Inc., 801-5163.
Blair & Co., 801-3354.
Capital Advisors, Inc., 801-2786.
John Wesley Crist, 801-7280.
Davis & Hall, 801-4809.
Alan Delgado, 801-4700.
Diamond & Co., 801-2481.
Frederic S. Farah, 801-4704.
Stanley Edward Ferman, 801-6061.
Fleissner & Co., 801-5771.
Jay Edwin Freeman, 801-6337.
James Edgar Gallagher, 801-6157.
Graphic Stocks, 801-3317.
Growth Stocks, 801-4555.
Stanley Hendricks, 801-5352.
Icetex Co., 801-4899.
Inflation Hedge Investments Corp., 801-5885.
Investment Strategy, 801-4666.
Investors Cycle Timing, 801-2363.
Investors Research Report, 801-7206.
Luciano John Iorizzo, 801-5655.
Leonard John Kaisner, 801-5784.
Stanley Klein, 801-4775.
Rudolf Paul Gustav Klitscher, 801-6707.
Gerald Nicholas Labelle, 801-5593.
Hyman Laskow, 801-1724.
Barry Andrew Levine, 801-5724.
David Lewin, 801-5195.
James Liccardo, 801-7515.
Loving Management Corp., 801-6504.
Dennis Scott Mair, 801-6974.
James William McCarney, 801-7997.
Mitchell Research & Advisory Service, 801-4576.
Murray Lind & Co. Inc., 801-6085.
Irene Perdoncin, 801-3946.
Pivnick, Jack, 801-4388.
Robertson & Associates, Inc., 801-4878.
Bernard Rodetsky, 801-7442.
Seaford Research Corp., 801-5357.
Ben David Shiriak, 801-5588.
Bruce Milton Spence, 801-5774.
Irvin B. Starr, 801-2046.
Stocks for Profit, 801-6115.
Richard James Stricof, 801-6849.
Carla Lynn Sugarman, 801-7233.
Saul Travin, 801-5427.
Allen Harold Vogel, 801-7022.
Wealac Inc., 801-6455.
S. Weinstein & Co., 801-6908.
Winslow, Cohu & Stetson of New York, Inc., 801-4993.
August J. Wiscarz, 801-6700.
Edward Joseph Wright, Sr., 801-6870.
Morris M. Zingman, 801-4522.
Alvie Glenn Spencer, Jr., 801-7635.
William R. Thacher, 801-2611.

FOREIGN

Morton Abramson, 801-4534.

SEATTLE

Atlantic Warrant Advisement Service, 801-6790.

WASHINGTON, D.C.

Frederick Amling & Associates, 801-3402.
Mark Eisenberg, 801-3102.
James Loye Harwitt, 801-7922.
The Andrew Heiskell Co., 801-6092.
Investment Consultants, 801-5614.
Donald Joseph May, 801-5641.
Albert Leonard Meyers, 801-3661.
New Issues Information Services Inc., 801-6363.
Palles Markowitz & Co., Inc., 801-3290.
Scott Townsend, 801-1522.

PART II

ATLANTA REGION

Irving Berger, 801-5142.
Cameron Stuart Investment Advisor, 801-4435.
Carolina Research Co., 801-5736.
Confederate Advisory Service, 801-5302.
Nicholas Cubitt Association, 801-7712.
E-Z Read Resistance Area, 801-6125.
Financial Data Systems, 801-5692.
Investing Concepts, 801-7496.
G. L. Kempf, 801-4444.
John Berne Lane, 801-3948.
Modern Investments, 801-7148.
Phillips Edward J. Edwards Newsletter, 801-4753.
Scott Medi Service Money Management, 801-4180.
Howard Sloman, 801-5657.
W. J. Stuart, 801-4951.
Technical Research & Analysis, 801-4631.
Trend Research Bureau, 801-6411.
Individual Stock Charts, 801-4934.
James Melton King, 801-5365.

BOSTON REGION

Boston Investment Management Associates, Inc., 801-5065.
Clipper City Management Co., 801-7528.
Davis Management Corp., 801-5770.
Investment Creativity, Inc., 801-5557.
Market Reporter, 801-6555.
Thomas Greer McClellan, 801-4360.
J. Paul Poli, 801-2557.
Small Enterprises, 801-6153.
Technical Trends, 801-3125.
University Investment Services, Inc., 801-4913.
Univest Research Associates, 801-5952.

CHICAGO REGION

American Guide Industries, 801-6406.
Bain & Associates, Inc., 801-6196.
Glenn A. Beaumont, 801-3710.
Bryant Stock Advisory Service, 801-4785.
Larry Nathan Burns, 801-4150.
Patricia Kelly Callard, 801-5696.
Curries Reports, 801-4328.
William John Goldsborough, 801-4262.
I T Technical Analysis, 801-5381.
Investment News Service, Inc., 801-3016.
Investment Research, 801-4908.
E. H. Landreth Investment Adviser, 801-1140.
Larson Reports, 801-2389.
William C. Lewis, 801-3767.
Ralph Charles Meilcah, 801-5870.
Northern Enterprises Ltd., 801-4827.
Performance Research, Inc., 801-6809.
Truman Lynn Reinking, 801-7177.
M. W. Sales & Co., 801-3984.
Small Investors Issue, 801-6470.
Stair Investors Research Service, 801-2479.
STGA, 801-5345.
Stock Study Service, 801-3945.
Technalysis Stock Advisory Service, 801-7044.
United Stock Indicator, 801-4257.
Equity Analysts, 801-5169.

DENVER REGION

Kenneth Austin Cox, 801-4784.
Hartland Management, Inc., 801-5889.
Traders Service Co., 801-3141.

FORT WORTH REGION

Caymancapital Management, 801-7858.
Allen Wayne Goodwin, 801-5640.
Monroe W. Smith, 801-5792.
Michael William Winner, 801-7101.

LOS ANGELES REGION

George Alama, Jr., 801-3987.
Allan Bernard Abel, 801-2976.
Arthur C. Alvarez, 801-0451.
Arrow Investment Analysis, 801-6266.
Eliot Steven Barrett, 801-4252.
C. A. Beebe, 801-2508.
Stuart Irwin Berton, 801-2639.
R. C. Boaz & Co., 801-4336.
Born & Co., 801-3371.
Stephen L. Brown, 801-2715.
California International Co., 801-4048.
Capitol Advisors, Inc., 801-7064.
George Burton Carter, 801-6773.
Computer Stock Evaluation, 801-4712.
Computerized Security Analysis, 801-4271.
The Consultant, 801-6400.
Frank Dudley Ladd Covelyiv, 801-6056.
John Rogers Dunlop, 801-5929.
Dynamic Securities, Inc., 801-5085.
Electronics Investment Management Corp., 801-673.
Encino Management Corp., 801-4629.
Essig Advisory Service, 801-5086.
Faith Stock Advisory Service, 801-3640.
Family Investment Service, 801-3860.
Financial Laboratories, Inc., 801-6297.
Fund Search Enterprises, 801-7029.
Fundamentalist Securities of Basic Promise, 801-3293.
Future Growth Securities Guide, 801-5358.
R. M. Green Consultant Investment Adviser & Manager, 801-4355.
Growth, 801-3724.
The Harbinger Letters, 801-4111.
Evelyn M. Hayden, 801-715.
Henricks Investment Letter, 801-4930.
Investment Advisers, 801-2583.
Investment Research, 801-5215.
Investors Advisory, 801-5330.
Investors Tech Pointers, 801-2708.
IRM Corporation, 801-4093.
Clarence Klein, 801-2810.
Koenig Hawkins & Titus, Inc., 801-313.
J. O. Lefurgey, Inc., 801-3452.
Legrand & Co., 801-3739.
Curtis Wayne Lint, 801-4527.
Johnny Wayne Masters, 801-6931.
Matrix Research Corp., 801-6762.
The Melville Co., 801-6366.
MHR Investor, 801-7526.
Roger Buchanan Mills, 801-7497.
Horace Leroy Neate, 801-5370.
Dee Nelson, 801-6933.
The Norco American Market Letter, 801-6381.
Ocean Investment Service, 801-5746.
Portfolio Analysis & Research Co., 801-4325.
Quinn & Bennett Associates, 801-4725.
The Ricchart, 801-4320.
Horace K. Rubinfier, 801-2757.
Security Analysis Limited, Inc., 801-5485.
Security Investment Advisory Service, 801-2870.
John Wheeler Somerville, 801-7375.
Cullen A. Stinnett, 801-4889.
Stock Market Institute, 801-4645.
Robert Ross Talley, 801-4856.
Technical Jury Advisory Service, 801-2843.
Traders Advisory Service, 801-3154.
Marshall Earl Turley, 801-4768.
Twenty First Century Advisory Service, 801-4938.
Wall Street Hot Line, 801-4524.
King Industries, 801-3304.
General Investment Service, 801-4157.

NEW YORK REGION

Aggressive Growth Management Service, 801-7350.
Alexander Dean, Inc., 801-5868.

American Research Council, Inc., 801-1258.
The Analyzer, 801-7271.
Aquarius Investment Advisory, 801-5592.
Bruce Barton Bailey, 801-5110.
Norman Irving Bazell, C.L.U., 801-5884.
Beehive Market Letter, 801-4007.
The BioMedical Investment Advisory, 801-6911.
Broad Street Associates, 801-5759.
Business and Stock Market Letter, 801-3249.
Francis X. Callahan, 801-4584.
Capital Marketing Co., 801-6131.
Capital Investment Service, 801-4931.
Reginald R. Chitty, 801-5135.
Connaught Research Corp., 801-5814.
Robert Dollar Covington, 801-5615.
Donald R. Cruver, 801-4642.
Cunnison Brothers, 801-6398.
The Eastern Trader, 801-6249.
Emerging Securities Advisory, 801-5339.
Fernwood Publishing Co., 801-3752.
Financial Planning Services, 801-4511.
Elliot Allan Ginsberg, 801-5863.
Elton L. Golden, 801-7487.
Haight Wilson & Wallower, Inc., 801-4161.
Hamilton Investor Service, 801-6905.
Informed Investors, Inc., 801-5752.
The Institute for Advanced Charting, Inc., 801-5459.
Samuel B. Kuckley, 801-6334.
Levitt & Bergman, Inc., 801-5327.
W. J. MacDonalds Stock Market Advisory Service, 801-295.
John A. Mayhook, 801-4477.
Mid Continent Investment Service, 801-2149.
Muscetra Amerigo Rocco, 801-5138.
Mutual Fund Buyers Guide, Inc., 801-5328.
The O D Stock Market Selections for the Active Trader, 801-7269.
The Option Letter, 801-8212.
Overseas Investment Advisory Service, 801-4024.
The P M Market Letter, 801-4456.
Physicians Market News Letter, 801-6464.
Planned Futures, Inc., 801-5719.
Portfolio Sciences, Inc., 801-6180.
Professional Economic Review, Inc., 801-6780.
The Professional Trader, 801-5761.
Martin Steward Rice, 801-5393.
Roslyn Advisory Service Ltd., 801-4793.
Irwin M. Scarana Investment Adviser, 801-4250.
The Scheinman Divergence Analysis Report Corp., 801-4405.
Ernest Schulman, 801-5766.
Scientific Portfolio Management, 801-6302.
SHS Associates, 801-4874.
Simmons Investment Services Co., 801-7169.
Karl N. Smith, 801-1125.
John P. Sullivan, 801-3172.
Technical Timing Stock Service, 801-5207.
Traders Report, 801-4502.
Urban & Environmental Investment Service, 801-7326.
Wall Street Bulletin, 801-4194.
Wolff Report, Inc., 801-4137.
Woman's Perception, 801-7985.
Market Alerts, 801-5967.
Securities Appraisement, 801-3746.

WASHINGTON, D.C.

Automated Investment Sciences, 801-5118.
Capitol Investment Advisory Service, 801-4396.
Chapman Investment Co., 801-4497.
Chubik Investment Bulletin, 801-2897.
Clarke Management Corp., 801-6126.
Decision Guidance Company, 801-4078.
Dynamic Stock Service, 801-3258.
Evaa Co., 801-5539.
First Diversified Investment Services Corp., 801-5695.
Marvin Francis Green, 801-4540.
Halorr, Inc., 801-3867.
Harold A. Holm & Co., 801-4450.
Investment Planner, 801-4113.
Investor Service Co., 801-4828.
J. G. Johnston Co., 801-2884.
Kirk Andrews & Gordon, Inc., 801-6507.
Charles Russell Klarich, 801-4566.
Monitor Services, 801-1489.
National Securities Research, Inc., 801-5075.
Richard Gerson Nemerov, 801-3670.
G. L. Olson, Inc., 801-4082.
Performance Fund Selector Report, 801-6570.
Plymouth Management, Inc., 801-7470.
Professional Perspective, 801-6226.
Melvin Rubin, 801-3267.
Robert Thomas Sweet, 801-3522.
Time Investment Plans, 801-2403.
Trend Investors Management, Inc., 801-4941.
Albert B. Tyson, 801-1528.
The Wall Street Adviser, 801-4866.
Weekly Stock Trader, 801-3318.
Wharton Associates, 801-2106.
Wise Investment Survey, 801-503.
Young Investor, 801-2812.
Economic Survey, 801-1011.

SEATTLE REGION

Mike James Malone, 801-5333.
John Parker Melvin, 801-4998.

FOREIGN

Canadian American Securities Service Ltd., 801-1826.
The Forecaster, 801-4647.
Angelo A. Henderson, 801-6106.
Mexican Financial Advisory Service, S.A., 801-5939.
Trumor Securities Ltd., 801-1509.
Roger L. Pillotin, 801-2913.
Mitchell of Canada, Ltd., 801-2027.

PART III

ATLANTA REGION

D. S. Alcott & Co., 801-4589.
Avisotron Investment Service, 801-7239.
Frank C. Bennett, 801-4786.
Christopher Reports, 801-4255.
Data Trends, Inc., 801-6815
Deavers & Associates, 801-4431
Karl M. Freidman & Co., 801-3631.
Puntech Systems, 801-6011.
Mack William Gwinn, 801-5545.
Jons Speculative, 801-3953.
William R. Kent & Co., 801-3238.
Ke..ton Corp., 801-6231.
The Lowrey Market Letter, 801-5672.
Money Matters, Inc., 801-6349.
Josiah Pierce, 801-3397.
Portfolio Management, Inc., 801-5876.
Practical Market Opinions, Inc., 801-3253.
Research Publishing Corp., 801-1819.
Myron Rubey & Associates, Inc., 801-6692.
Carl A. Samuelson, Jr., 801-7708.
Morton S. Sellner, 801-4729.
Murray Shanfeld, 801-7302.
Stock Market Advisors of Florida, 801-6078.
Harry Talv, 801-6505.
David E. Taub, 801-2563.
Charles Albert Taylor, 801-5646.
Telstat, Inc., 801-6195.
Urbana Corp., 801-7168.
David Andrew Ward, 801-4885.
James Edward Weedy, 801-7828.
Herbert Lewis Weston, 801-6711.
George Thomas White, 801-6904.
Florence Witus, 801-6635.
William Claire Wolf III, 801-4987.
The John M. Wood Stock Warrant Survey, 801-4760.
Jack Wooten, 801-4021.

BOSTON REGION

Account Management Corp., 801-3548.
Advanced Technology Consultants Corporation, 801-6317.
Aetna Investment Management, Inc., 801-8187.
Amberkar Suresh Dattaram, 801-7611.
American Institute Counselors, Inc., 801-3245.
Analysts Co., 801-4674.
E. T. Andrews & Co., 801-374.
Annual Rate, 801-6037.
APTCO, 801-6671.
George Peter Assad, Jr., 801-6632.
AVB Advisory Service, 801-6573.
William H. Biesel, 801-2902.
Carsten F. Boe, 801-4092.
Boston Financial Reports, Inc., 801-3400.
Burley Harkins & Funk Securities Corp., 801-6339.
Chase Investment Services, Inc., 801-3728.
Donald George Crawford, 801-7852.
Norman David Dahl, 801-6915.
Delta Securities Management Corp., 801-5347.
Jack Douglas Edick, 801-5580.
Esposito Investment Advisory, 801-6862.
Falk Associates, Inc., 801-7024.
Forrestt Alexander Co., 801-1656.
Ted Conrad Forziati, 801-5548.
Gerald S. Gilligan & Associates, 801-7183.
William C. Godbey II, 801-4341.
Edward Xonaphus Greene, 801-4901.
William Preston Helms, 801-614.
The House of Metcalf, 801-5832.
Investment Sciences, Inc., 801-5786.
Investor Consulting Service, 801-2758.
Investors Management & Research Corp., 801-5294.
Keystone Investment Management Co., Inc., 801-5924.
Mel H. Ligums Investment Adviser, 801-5105.
John Joseph Maloney, 801-5172.
The Market Monitor, 801-6425.
Merit Management, Inc., 801-5536.
Milo Associates, 801-3778.
Pendulum Investment Management Corp., 801-5033.
Professional Services, Inc., 801-6030.
John Robert Risdall, 801-7509.
Theodore John Robertson, Jr., 801-6631.
Stock Informer, 801-4920.
Stock Market Index, Inc., 801-3122.
Trust Management Associates, 801-7959.
Urban Equities Management Corp., 801-7960.
Vector Management Co., Inc., 801-5925.
Wagner Management of Boston, Inc., 801-7283.
Joel Wolfson, 801-2578.
Economic and Investment Research, 801-7387.
John Owens Investment Counsel, 801-908.

CHICAGO REGION

Advanced Technology Stock Investigator, 801-5538.
American Corporate Research, 801-5226.
American Gain Services, 801-8081.
Anchor Trading Co., 801-2572.
W. C. Anker Financial Planning & Research, 801-7882.
B.T.S. Equities, Inc., 801-5558.
Badger Independent Financial, 801-4202.
Jerry Lee Bainbridge, 801-5027.
Bennett Edwin Moore, 801-6365.
Jacob Bernstein, 801-6575.
Raymond Steward Bieber & Associates, 801-2764.
The Brokers Letter, 801-4338.
Century Capital, 801-6760.
Counsel for Investors, 801-5453.
John C. Cross, 801-1573.
James Leon Daigle, III, 801-3018.
Dow Theory Third Phase, 801-1972.
Marvin J. Egleston, 801-6517.
Robert Francis Ehrers, 801-6674.
Larry Bernard Fiedler, 801-5928.
C. L. Fuller, 801-4315.
Futures Unlimited Investment Advisory Service, 801-6076.
Labein Howard Gilford, 801-5168.
Gray & Co., 801-4883.
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Investment Research Services, 801-7607.
JHL, Inc., 801-5990.
William Kazel, 801-5344.
Roger A. Kennedy, 801-3582.
Joseph F. Kobus, Jr., 801-4917.
Herbert Karl Kubach, 801-7565.

Godfrey H. Kurtz & Associates, 801-5106.
George C. Lane, 801-2823.
Orville B. Lefko Financial Consultant, 801-3558.
Little Rosco Trends, 801-4595.
Edwin Mallinson, 801-5843.
Market Maker News, 801-6526.
Market Timing & Direction Forecasting Service, 801-6286.
Martin Trigona Real Estate & Investments, 801-5201.
J. L. Mead & Co., Inc., 801-7253.
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Merl Miller Investment Service, 801-4154.
Robert James Miller, 801-4928.
Carol B. Moore, 801-7473.
Forrest Murphy, 801-4952.
Mutrusco Management Corp., 801-4071.
The National Investment Management Co., 801-5030.
National Investment Service, Inc., 801-6687.
Frederick Joseph Noelke, 801-5338.
Steven Phillips, 801-6374.
Charles Virgil Prevratil, 801-5437.
Prophet Index, 801-7137.
Reuben A. Reeder, 801-2094.
Raymond Roffi, 801-6554.
Rothschild Securities Corp., 801-7395.
Sama Securities Investment, 801-4016.
Leon Schochet & Associates, Ltd., 801-7730.
Stephen Allan Scott, 801-6836.
Selected Growth Investment Services, 801-4892.
Donald Steinbacher, 801-5663.
Karl Michael Syring, 801-6787.
Technical Timing, 801-5932.
Tek Way, 801-5271.
Albert William Thomas, 801-3759.
University Stock Market Service, 801-6476.

DENVER REGION

Blast Market Service, 801-6721.
Bull & the Bear, 801-6170.
Finanswer America, Inc., 801-6936.
Investment Analysis Control Associated, 801-7120.
Investment Research Corp., 801-6431.
David Kimbell Jones, 801-5744.
Jesse Levin, 801-4331.
R. J. Modern Registered Investment Adviser, 801-6590.
Prairie Agencies, Inc., 801-7112.
Warrens Small Stock Selector, 801-4237.
Paul F. White, 801-5076.

FORT WORTH REGION

Aids of Texas, Inc., 801-7585.
William Davis Cortland, 801-5476.
Institute of Absolute Strength, 801-6901.
International Economic & Market Research, Corp., 801-3468.
Kyner Investment Advisory Co., 801-4531.
Prairie States Investment Corp., Inc., 801-5396.

LOS ANGELES REGION

Aggressive Stock Management Investment Adviser, 801-6596.
Aloha Newport, Inc., 801-5977.
Arizona Securities Research Association, 801-6399.
Herman Aurich, 801-6307.
Baskerville Robby, Inc., 801-4367.
William Neal Bryant, 801-4109.
Buttonwood Securities, Inc., 801-6663.
Capital Management Company, 801-5162.
Century Associates, 801-6215.
Citron Engineering Investment Counsel, 801-4244.
Clark Index, 801-2925.
Command Group, Inc., 801-6191.
Computer Research Bureau, 801-4378.
Davis Skaggs & Company, 801-249.
Walter Joseph Deptula, Jr., 801-4074.
Daniel Patrick Donelly, 801-5133.
Dow Theory Letters, Inc., 801-3058.
Dynamic Securities, Inc., 801-5085.
Ed Ellinger, 801-1688.
ERA Financial Services, 801-3842.
Culbert W. Faries, 801-2397.
Financial Forecasts, 801-7422.
Financial Opportunities, Inc., 801-6427.
Financial Planning Management Co., 801-4164.
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Goss Rehart & Co., Inc., 801-5526.
Jeffrey Mark Heilman, 801-7677.
Hull Securities, 801-5865.
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Innovative Enterprises, Inc., 801-5584.
Intravest Management Corp., 801-6059.
Investigation Services for Investors, 801-3507.
Investment Advisory Associates, 801-5973.
Investment Research of California, 801-3831.
Neal Irvine, 801-4365.
Edwin Paul Jaffarian, 801-6134.
D. K. Kelly & Co., Inc., 801-2779.
Key Common Stocks Super Trading Situations, 801-6745.
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William Lande, 801-5024.
The Leverage Adviser, 801-4301.
Leverage Theory Advisory, 801-4455.
Lincoln Management Corp., 801-6475.
Norman Thomas Lynch, 801-7678.
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Dean Wilkerson Marks, 801-7159.
Martin Investment Service, 801-4585.
McBurney Management Co. 801-6953.
Ralph Joseph McGill, Jr., 801-6197.
Medi Fund Financial Corp., 801-7802.
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Edward Karl Miller, 801-5262.
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Mitchum Jones & Templeton, Inc., 801-2943.
Edwin J. Montgomery, Sr., 801-2531.
Francis S. Montgomery II, 801-5260.
Murray Kreisman, 801-5732.
New Venture Reports, 801-4544.
Richard Ney & Associates, Inc., 801-2732.
Robert Northey, 801-4058.
Ohrn Investment Service, 801-3451.
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Joseph W. Shimonek, 801-516.
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Standard Value Analysis, 801-4574.
Richard Francis Steiner, 801-5369.
Stock Market Systems, Inc., 801-5366.
Stock Market Trends Chartwise, 801-7270.
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V. Thomas Sullivan & Associates, 801-8004.
Synergetic Sciences, Inc., 801-6764.
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Walkers Manual, Inc., 801-991.
Victor Isadore Weingarten, 801-6175.
Glenn A. Wilt, Jr., 801-2573.
John Edward Wright, 801-6542.
SFC Financial Advisory & Management Co., 801-6418.
Carr Young Associates, 801-2392.

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Alexander Morley, 801-7425.
American Capital Development Corp., 801-5416.
Frederick A. Baer & Co., 801-2603.
Balotin Allen Fund, 801-2743.
Baron Philip, Inc., 801-6262.
Robert Gerald Beaumont, 801-5686.
William F. Benson, 801-7243.
William Berenger Investment Adviser, 801-4994.
Berkley Dean & Co., Inc., 801-4342.
Robert Bermack, 801-4155.
David A. Bernard, 801-6497.
Jesse Blaustein, 801-4346.
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The Chess Co., 801-7616.
Paul H. Cody, 801-6620.
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Computer Financial Planning, 801-6275.
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Research in Securities, Inc., 801-6243.
Researching Growth Equities, 801-5495.
Roberts Technical Trading Reports, Inc., 801-6571.
Gertrude Hannah Rosenthal, 801-5570.
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Lawrence Jay Schall, 801-4975.
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Securities Investors Advisory Service, 801-5806.
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Sophisticated Money Newsletter, 801-4773.
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Springbrook Associates, Inc., 801-6119.
Benjamin Stallman, 801-4966.
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Michael Trokel, 801-6729.
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Ualife Mutual Funds Management Corp., 801-8137.
Wall Stock Consultants, 801-6136.
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David Shibe Wallfesh, 801-7417.
Samuel Weiss & Co., Inc., 801-6605.
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WVC Asset Management Corp., 801-6376.
Albert D. Young, 801-4672.
Robert Herman Zeunert, 801-6080.
Zuckerman Smith & Co., 801-497.

SEATTLE REGION

Analytical Investment Decision Systems, Inc., 801-7397.
May & Co. Inc., 801-5927.
RMC Management, Inc., 801-6424.
Securities Laboratory, 801-3230.
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Academic Investor, Inc., 801-5010.
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Capital Gains Investment Service, 801-4843.
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Hillmead Investment Corp., 801-4222.
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Anef Baltic Borsenberating Vellag Und, 801-3696.
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Victor M. Rubio, 801-4042.
Harry Donald Schultz, 801-3234.
Craige McComb Snader, Jr., 801-3559.
Stock Market News & Comment Ltd., 801-1208.

[FR Doc.73-5487 Filed 3-22-73;8:45 am]

[File No. 500-1]

STAR-GLO INDUSTRIES INC.

Order Suspending Trading

MARCH 19, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $0.10 par value, and all other securities of Star-Glo Industries Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, That trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from March 20, 1973, through March 29, 1973.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.73-5592 Filed 3-2273;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 204]

ASSIGNMENT OF HEARINGS

MARCH 20, 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-F-11664, John L. Kerr and G. O. Kerr, Jr., doing business as Shippers Express, John L. Kerr and G. O. Kerr, Jr.—investigation of control—Mississippi Freight Lines, Inc., MC-F-11703, John L. Kerr and G. O. Kerr, Jr., doing business as Shippers Express, John L. Kerr and G. O. Kerr, Jr.—investigation of control—Reese Truck Line, Inc., MC-F-11750, Mississippi Freight Lines, Inc., a Tennessee corporation—purchase—Mississippi Freight Lines, Inc., a Mississippi corporation, MC 138416, Mississippi Freight Lines, Inc., MC-F-11774, Merchants Truck Lines, Inc.—control—Mississippi Freight Lines, Inc., and MC 121427 Sub 8, Mississippi Freight Lines, Inc., now assigned April 23, 1973, at Jackson, Miss., postponed to April 25, 1973 (2 weeks), in Room 400, U.S. Courthouse and Post Office, Capital and West Streets, Jackson, Miss.

MC-C-7979, Danigarno Transportation, Inc., investigation and revocation of certificates, now assigned May 7, 1973, MC 113678 Subs 469, 470 and 471, Curtis, Inc., now assigned May 9, 1973, MC 71459 Sub 33, O. N. C. Freight Systems, now assigned May 14, 1973, will be held in the U.S. Tax Courtroom, Fifth Floor, 19th and Stout Street, Denver, Colo.

No. 35720, American Petrofina Company of Texas, et al. v. Williams Bros. Pipe Line Co., et al., now assigned March 20, 1973, is postponed to April 30, 1973, at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 115841 Sub 438, Colonial Refrigerated Transportation, Inc., now assigned April 2, 1973, at New York, N.Y., will be held at the Warwick Hotel, 54th and Avenue of the Americas.

MC 136224, Southern Transport, Inc., continued to April 10, 1973, at the Rice Hotel, Silver Room, 929 Texas Avenue, Houston, TX.

MC 136499 Sub 1, Samuel D. Summers, contract carrier application, now assigned April 3, 1973, at Columbus, Ohio, is canceled and application dismissed.

I & S 8829 Sub 1, Grain, Northwestern Transcontinental Territory, now being assigned hearing May 8, 1973, at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 97357 Sub 45, Allyn Transportation Co., extension—fuel oil, now being assigned hearing May 22, 1973, at Phoenix, Ariz. (2 days), in a hearing room to be later designated.

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

[FR Doc.73-5616 Filed 3-22-73;8:45 am]

[Ex Parte 241; Rule 19, 10th Rev. Exemption]

ATLANTIC AND WESTERN RAILWAY CO. ET AL.

Exemption From Mandatory Car Service Rules

It appearing, that the railroads named herein own numerous plain boxcars; that under present conditions, there is virtually no demand for these cars on the lines of the carowners; that return of these cars to the carowners would result in their being stored idle on these lines; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the carowners; and that compliance with Car Service Rules 1 and 2 prevents such use of plain boxcars owned by the railroads listed herein, resulting in unnecessary loss of utilization of such cars.

It is ordered: That pursuant to the authority vested in me by Car Service Rule 19, plain boxcars described in the Official Railway Equipment Register, ICC R.E.R. No. 386, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation XM, and bearing reporting marks assigned to the railroads named below, shall be exempt from the provisions of Car Service Rules 1(a), 2(a), and 2(b).[1]

Atlantic and Western Railway Co., reporting marks: ATW.

Chicago & Illinois Midland Railway Co., reporting marks: CIM.

The La Salle and Bureau County Railroad Co., reporting marks: LSBC.

Richmond, Fredericksburg and Potomac Railroad Co., reporting marks: RFP.

Vermont Railway, Inc., reporting marks: Rut or VTR.

Wellsville, Addison & Galeton Railroad Corp., reporting marks: WAG.

Effective March 15, 1973, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., March 15, 1973.

INTERSTATE COMMERCE COMMISSION,

[SEAL] R. D. PFAHLER, *Agent.*

[FR Doc.73-5617 Filed 3-22-73;8:47 am]

[1] Toledo, Peoria & Western Railroad Co. eliminated.

FOURTH SECTION APPLICATION FOR RELIEF

MARCH 20, 1973.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed on or before April 9, 1973.

FSA No. 42648—*Liquefied petroleum gas from Cut Bank, Mont.* Filed by Trans-Continental Freight Bureau, agent (No. 480), for interested rail carriers. Rates on gas, liquefied petroleum, in tank-car loads, as described in the application, from Cut Bank, Mont., to points in western trunkline and southwestern territories.

Grounds for relief—market competition, modified short-line distance formula, and grouping.

Tariff—Supplement 223 to Trans-Continental Freight Bureau, agent, tariff ICC 1785. Rates are published to become effective on April 19, 1973.

By the Commission.

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

[FR Doc.73-5615 Filed 3-22-73;8:45 am]

[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 19th day of March 1973.

Upon consideration of the petition filed by the National Industrial Traffic League on March 15, 1973, requesting revocation 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 League's members have had ample opportunity to review their 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.73-5618 Filed 3-22-73;8:45 am]

CUMULATIVE LISTS OF PARTS AFFECTED—MARCH

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during March.

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PART II

DEPARTMENT OF TRANSPORTATION

Coast Guard

■

GREAT LAKES LOAD LINES

Notice of Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Parts 42, 45]

[CGD 73-49P]

GREAT LAKES LOAD LINES

Notice of Proposed Rule Making

The Coast Guard is considering amending the Great Lakes Load Line regulations to adopt new provisions for the calculations of freeboards and additional conditions of assignment of freeboards and loadlines.

Written comments. Interested persons are invited to participate in this rule making by submitting written data, views or arguments to the Eexcutive Secretary, Marine Safety Council (GCMC/82), 400 Seventh Street SW., Washington, DC 20590 (phone 202—426-1477). Written comments should include the docket number of this notice, the name and address of the person submitting the comments, and the specific section of the proposal to which each comment is addressed.

Closing date for comments. All communications received on or before April 15, 1973, will be fully considered before final action is taken on this proposal. This proposal may be changed in the light of comments received. Copies of comments received will be available for examination in Room 8234. Copies of comments will be furnished interested persons upon request to U.S. Coast Guard (GCMC/82) and payment of the fees prescribed in 49 CFR 7.81.

Drafts of Great Lakes vessels were allowed to be increased during World War II and also during the Korean emergency. After each emergency, the drafts reverted to the standard drafts allocated by the original 1935 Load Line Regulations. The experience gained by these drafts during the two short periods provoked interest in revising the 1935 Load Line Regulations. However, there were a number of questions left unsolved in the minds of the Administrations of Canada and the United States.

Accordingly, committees were formed under the auspices of the Society of Naval Architects to maintain research on Great Lakes waves and weather conditions and to monitor stresses on one of the large Great Lakes bulk carriers. The results of both the wave research and the ship strength research were reported in a combined symposium of the Society of Naval Architects held in Ottawa in July 1971.

While this research experience was still underway during the mid-1960's, Coast Guard and the Board of Steamship Inspection in Canada formed the Canada/United States Joint Technical Committee, composed of ship owners, ship builders, classification societies' representatives and Government representatives from both the United States and Canada, which undertook to make recommendations for changes in the regulations.

The first regulatory accomplishment of this Joint Technical Committee came in 1969 with the adoption of a new freeboard table extending the tabular freeboard limits to 1,000 feet, for the construction of longer vessels, which was made possible by the new 1,000-foot lock at Sault Ste. Marie, Mich.

Later the winter freeboard correction was changed for vessels for superior construction. In the meantime, the Committee, working toward new regulations, continued its initial approach of attempting to use the 1966 International Load Line Conventions as a reference and foundation for modifying the old Great Lakes Load Line rules.

It was recognized early in the deliberations of the Joint Technical Committee that the matter of strength was important at all drafts and that the idea of greater stressing of a ship is not necessarily coupled with deeper loading. Excessive stress may occur in a loading condition other than maximum draft and therefore all loading conditions must be carefully considered.

The working papers of the 1966 Convention provided an excellent foundation. In particular one proposal by the Netherlands to examine vessels at different speeds in seaways of several different heights to determine the necessary "deck height" for a uniform percentage of water on deck was found to be an excellent starting point for the work of the Great Lakes Technical Committee. Accordingly, the research on Great Lakes waves in the mid-1960's was used to examine the Great Lakes type vessels with high block coefficients. The proposed freeboard requirements are based partially on this examination. It was found that the requirements of the old rule for freeboards of vessels up to about 550 feet in length were quite adequate and should not be reduced without increasing the deck-fitting weather tightness. However, the calculations indicate that longer vessels can achieve similar levels of deck safety with smaller freeboards.

The block coefficient correction was a major concern to the drafters of these proposed regulations since the previous regulations merely copied the block coefficient correction of the old International Convention. Most Great Lakes vessels carried a rather large penalty because they were full bodied vessels. It was the consensus at the 1966 International Convention that the full body form actually does not need the same sheer height as a finer ship which pitches more.

The results of the seakeeping study also aided the evaluation of the Joint Technical Committee in regard to the sheer correction. This was the other major penalty which most existing Great Lakes vessels carry because they are constructed as straight deck vessels and, therefore, have a large penalty because of lack of sheer. As indicated above, both the wave research and the calculations have shown that the present sheer is necessary for shorter vessels, but it is not necessary for sheer values to continually expand upwards between 600 feet and 1,000 feet in length. Thus the proposed regulation significantly modifies this major penalty for longer vessels.

The proposed regulations increase the degree of effectiveness of the conditions of assignment and protection of the crew, which are mainly embodied in the requirements for weathertightness of superstructures, hatch coamings, and the upper hull fittings. This notice also proposes that all vessels expecting to sail at the new freeboards must have complete loading information for the master of the vessel, which is a step toward greater safety.

The proposed bow height regulations are based on the International Convention but significantly modified in that the bow height requirement is maximum at 550 feet, and lower than maximum on vessels longer than 550 feet, in accordance with the results of the research and seakeeping projections.

The actual calculation of the freeboards under the proposed regulations is expected to be greatly simplified since the new table of freeboards now includes the correction for block coefficients. Secondly, the length-to-depth correction is also included in the evaluation in the basic freeboard table. The only corrections that must be made to the basic calculation of tabular freeboard under this proposal are the superstructure correction (when it is desired) and the modified sheer correction, and the bow height correction. All other geometric calculations have been dropped or included in the calculation.

The existing seasonal freeboards regulations have very large differences among the summer, intermediate, and winter seasons on the Great Lakes. The investigations of the past few years have determined that while it is still desirable to maintain increased freeboard in the rough weather occurring in the fall of the year, the correction can be significantly modified. Accordingly, those vessels which qualify under these proposed regulations would have somewhat increased draft during the fall and winter seasons.

These regulations have been anticipated for well over 10 years. They have been developed after years of expensive and painstaking research, not only on the ships but also on the water and wave conditions, and after considerable laboratory effort in evaluation of the research. It is believed by the Joint Technical Committee of the United States and Canada that these proposed regulations represent a significant forward step in ship evaluation and ship design.

In this proposal vessels are not formally categorized into "new" and "existing" vessels as in International Load Lines Convention of 1966 because there would be two categories of "existing." Instead the new regulations categorize vessels by date of regulations in form. Thus any vessel which can meet the new regulations can receive a Load Line certificate under the new regulations. Vessels meeting older versions of the regulations will be load lined according to the calculations of the older regulations.

The proposed seasonal dates would apply to all vessels on the Great Lakes including vessels which have been issued

International Load Lines Convention, 1966, certificates.

In addition to the development of this proposal by a joint United States of America/Canada Technical Committee, the final proposal has been subject to administrative and legal review by the Board of Steamship Inspection and the Coast Guard. Both agencies have prepared regulations and have compared them for similar intent.

While the Canadian and U.S. regulations differ in official format, both are alike in all fundamentals. Accordingly, both agencies are preparing to publish these regulations and place them in effect simultaneously so that the U.S. and Canadian vessels that can meet the proposed safety requirements may use these regulations during the 1973 shipping season.

The following amendments to Part 42 would be made to implement the proposed new Part 45:

1. Section 42.03–1 would be amended to clarify the applicability of this section to vessels navigating the Great Lakes.

2. Section 42.03–5(3) and 42.07–1(b) would be amended to change the reference to § 45.9 of proposed Part 45, which would contain the seasonal equivalents for vessels not operating solely on the Great Lakes.

3. Section 42.03–5(c) would be amended to exclude vessels less than 79 feet. The committee recommended establishment of load-line requirements for vessels 79 feet or more in length in the interests of maintaining uniformity within the International Load Line Convention.

4. Section 42.03–30(b)(2) (e) and (f) would be amended to implement the exemption provision proposed in new § 45.15.

5. Section 42.05–40(c) would be amended to designate the dividing line between fresh and salt water at the Victoria Bridge, Montreal.

6. Section 42.07–45(d) and 42.09–15 (e)(1) would be amended to provide a shorter period for an extension endorsement on the Great Lakes load line certificate from 5 to 2 months because of the higher frequency and shorter length of Great Lakes voyages.

7. Section 42.07–45(e) and (f) would be amended to reference proposed § 45.–101, which prescribes the form of the Great Lakes certificates.

In addition to the amendments to Part 42, the Coast Guard proposes to amend Subchapter E of Title 46 of the Code of Federal Regulations by revising Part 45 to read as follows:

PART 45—GREAT LAKES LOAD LINES

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45.3 Definitions.
45.5 Seasonal application of load lines.
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45.11 Issue of load line certificate.
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Appendix A Load line certificate form.

AUTHORITY: The provisions of this Part 45 issued under sec. 2, 49 Stat. 888, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 88a, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b)

Subpart A—General

§ 45.1 Purpose.

This part prescribes requirements for assignment of freeboards, issuance of loadline certificates and marking of loadlines to meet the requirements of the Coastwise Load Line Act, 1935 (46 U.S.C. §§ 88–88g) insofar as it applies to the Great Lakes of North America.

§ 45.3 Definitions.

As used in this part:

(a) "Length (L)" means 96 percent of the total length on a waterline at 85 percent of the least moulded depth measured from the top of the keel, or the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that is greater. In ships designed with a rake of keel the waterline on which this length is measured must be parallel to the designed waterline.

(b) "Perpendiculars" means the forward and after perpendiculars at the forward and after ends of the length (L). The forward perpendicular coincides with the foreside of the stem on the waterline on which the length is measured.

(c) "Amidships" means the middle of the length (L).

(d) "Breadth" unless expressly provided otherwise, means the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material.

(e) "Moulded Depth" means the vertical distance measured from the top of the keel to the top of the freeboard deck beam at side except that—

(1) In vessels of other than metal construction, the distance is measured from the lower edge of the keel rabbet;

(2) Where the form at the lower part of the midship section is of a hollow character, or where thick garboards are fitted, the distance is measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel;

(3) In ships having rounded gunwales, this distance is measured to the point of intersection of the moulded lines of the deck and side, the lines extending as though the gunwale were of angular design; and

(4) Where the freeboard deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, the distance is measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part.

(f) "Depth for Freeboard (D)" means—

(1) Molded depth measured to the upper surface of the deck or stringer plate with no allowance for sheathing; and

(2) In a vessel having a rounded gunwale with a radius greater than 4 percent of the breadth (B) or having topsides of unusual form, the depth for freeboard (D) of a vessel having a midship section with vertical topsides and with the same round of beam and area of topside section equal to that provided by the actual midship section.

(g) "Freeboard" means the distance measured vertically downwards amidships from the upper edge of the deck line to the upper edge of the related load line.

(h) "Freeboard Deck" means, normally, the uppermost complete deck exposed to weather and sea that has permanent means of closing all openings in the weather part thereof and below which all openings in the sides of the ship are fitted with permanent means of watertight closings except that—

(1) In a ship having a discontinuous freeboard deck, the lowest line of the exposed deck and the continuation of that line parallel to the upper part of the deck is the freeboard deck.

(2) At the option of the owner and subject to the approval of the Commandant a lower deck may be designated as the freeboard deck, if it is a complete and permanent deck continuous in a fore and aft direction at least between the machinery space and peak bulkheads and continuous athwartships;

(3) When this lower deck is stepped the lowest line of the deck and the continuation of that line parallel to the upper part of the deck is taken as the freeboard deck.

(i) "Superstructure" means a deck structure on the freeboard deck, extending from side to side of the ship or with the side plating not being inboard of the shell plating more than 4 percent of the breadth (B). A raised quarterdeck is a superstructure.

(j) "Enclosed superstructure" means a superstructure with enclosing bulkheads.

(k) "Height" of a superstructure means the least vertical height measured at side from the top of the superstructure deck beams of the top of the freeboard deck beams.

(l) "Length of a superstructure (S)" means the mean length of the part of the superstructure that lies within the length (L).

(m) "Flush Deck Ship" means a ship that has no superstructure on the freeboard deck.

(n) "Weathertight" means that in any sea conditions water will not penetrate into the ship except under a static head of water.

(o) "Watertight" means designed to withstand a static head of water.

(p) "Exposed positions" means—

(1) Exposed to weather and sea; or

(2) Within a structure so exposed other than an enclosed superstructure.

(q) "Intact bulkhead" with respect to superstructure means a bulkhead with no openings.

(r) "Steel" means steel and materials with which structures can be made equivalent to steel with respect to yield strength, total deflection, flexural life, and resistance to environmental or stress corrosion.

§ 45.5 Seasonal application of loadlines.

For the purposes of the law and regulations prohibiting submergence of load lines (46 U.S.C. 88c; 46 CFR 42.07–10), the fresh water and salt water loadlines marked under this part apply during the following seasons:

(a) Summer loadlines apply April 16 through April 30; and September 16 through September 30.

(b) Midsummer loadlines apply May 1 through September 15.

(c) Intermediate loadlines apply October 1 through October 31; and April 1 through April 15.

(d) Winter loadlines apply November 1 through March 15.

§ 45.9 Seasonal application of loadlines for vessels not marked under this part.

(a) For the purposes of the law and regulations prohibiting submergence of loadlines (46 U.S.C. 88c; 46 CFR 42.07–10) the marks assigned to vessels holding international loadline certificates apply during the following seasons:

(1) Vessels assigned freeboards as "new" vessels under the International Loadline Convention, 1966—

(i) Winter — November 1 through March 31;

(ii) Summer—April 1 through April 30; and October 1 through October 31;

(iii) Tropical—May 1 through September 30;

(2) Vessels assigned freeboards as "existing" vessels under the International Loadline Convention, 1966—

(i) Winter — November 1 through March 31;

(ii) Summer—April 1 through April 30; and October 1 through October 31;

(iii) Tropical—September 16 through September 30;

(iv) Tropical Fresh—May 1 through September 15.

(b) No allowances for lesser freeboards apply under any circumstances.

§ 45.11 Issue of load line certificate.

(a) Any vessel that meets the requirements in Subparts C and D of this part and the survey requirements in §§ 42.09–15 through 42.09–50 of Part 42 of this chapter is entitled to assignment of freeboards and issue of a load line certificate under this part by the Commandant or his authorized representative.

(b) A vessel the keel of which was laid or was at a similar stage of construction before (effective date) that meets the requirements of this part that were in effect before (effective date) and the survey requirements in §§ 42.09–15 through 42.09–50 of Part 42 of this chapter is entitled to the assignment of freeboards calculated under the provisions of this part in effect before (effective date) and to a load line certificate issued under this part by the Commandant or his authorized representative.

§ 45.13 Form of certificate.

The form of a load line certificate issued under this part is specified in Appendix A.

§ 45.15 Exemptions.

(a) The Commandant may exempt a ship from any of the requirements in this part if the Chairman of the Board of Steamship Inspections, Department of Transport, Canada, and the Commandant agree that the sheltered nature or the conditions of that voyage make it unreasonable or impracticable to apply requirements of this part.

(b) The Commandant may exempt a vessel that embodies features of a novel kind from any of the requirements of this part if those requirements might seriously impede research into the development of such features and their incorporation in ships. Any such vessel must comply with the safety requirements that, in the opinion of the Commandant, are adequate for the service for which the vessel is intended and will ensure the overall safety of the vessel. If the Commandant grants an exemption pursuant to this paragraph he communicates the details of the exemption and the reasons therefor.

(c) A vessel that is not normally engaged on voyages to which this part applies but that, in exceptional circumstances, is required to undertake a single such voyage between two specific ports may be exempted by the Commandant from any of the requirements of this part, if the ship complies with safety requirements that, in the opinion of the Commandant, are adequate for the voyage that is to be undertaken by the vessel.

Subpart B—Loadline Marks

§ 45.31 Deck line.

(a) Each vessel must be marked with a deck line on the outer surface of the shell on each side of the vessel with the upper edge of the line passing through the point where the upper surface of the freeboard deck intersects the outer surface of the shell or if the summer freeboard is correspondingly adjusted under § 45.57, the deck line may be placed above or below the freeboard deck. Figure 1 illustrates the deck line marking.

(b) Each deck line must be 12 inches long and 1 inch wide.

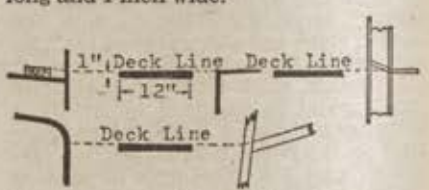


FIGURE 1

§ 45.33 Diamond.

(a) Each vessel must be marked with the diamond mark described in Figure 2 amidships below the deck line on each side with the center of the loadline mark at a distance below the deck line equal to the summer freeboard assigned under this part.

(b) The width of each line in the load line mark must be 1 inch.

§ 45.35 Seasonal loadlines.

Each vessel must have the summer (S), mid-summer (MS), intermediate (I), and winter (W) loadlines for fresh water freeboards calculated under § 45.71 through 75 of this part marked in accordance was § 45.39.

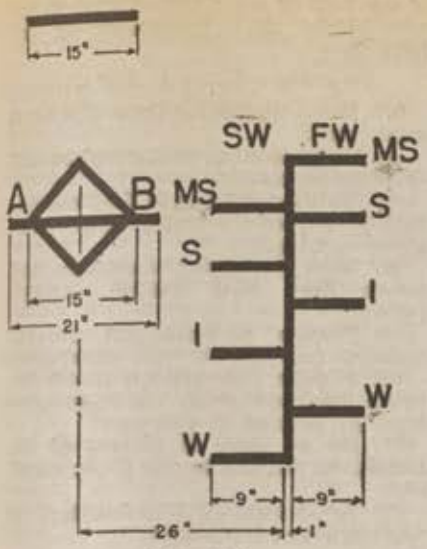


FIGURE 2

§ 45.37 Salt water loadlines.

Each vessel that operates in the salt water of the St. Lawrence River must:

(a) Be marked with the summer (S), mid-summer (MS), intermediate (I) and winter (W) load line marks under § 45.77 of this part for salt water; and

(b) Be marked with the letters "FW" above the fresh water marks and the letters "SW" above the salt water marks as described in Figure 2.

§ 45.39 Marking.

(a) The diamond, lines, and letters must be painted in white or yellow on a dark ground or in black on a light ground and permanently marked on the sides of the vessel.

(b) The upper edge of the line that passes through the center of the diamond must indicate summer freeboard assigned under § 45.53.

(c) Unless otherwise authorized the seasonal load lines must be horizontal lines extending forward of, and at right angles to, a vertical line marked at a distance 26 inches forward of the vertical centerline of the diamond as described in Figure 2.

(d) The salt water loadlines must be horizontal lines extending abaft the vertical line required by paragraph (b) of this section as described in Figure 2.

(e) The upper edge of each seasonal and salt water loadline mark must indicate the minimum freeboard for that mark.

(f) When two freeboards assigned under this part differ by 2 inches or less, the line for the lesser freeboard must be omitted and the line for the greater freeboard must be identified with the seasonal letters for both freeboards.

(g) Seasonal freeboards that are limited by a summer freeboard assigned under § 45.53(c) must not be marked but the identifying letter must be marked adjacent to the summer mark.

(h) The identity of the Authority that assigns the freeboard must be indicated alongside the loadline diamond above the horizontal line that passes through the center of the diamond with two initials approximately 4½ inches high and 3 inches wide.

Subpart C—Freeboards

§ 45.51 Types of ships.

(a) For the purposes of this subpart, a Type A vessel has:

(1) No cargo ports or similar sideshell openings below the freeboard deck;

(2) Only small main deck openings fitted with watertight gasketed hatch covers of steel;

(3) No dimension of a main deck cargo opening greater than 6 feet and the total area not exceeding 18 square feet; and

(4) No more than two main deck cargo openings to a single cargo space.

(b) For the purposes of this subpart a Type B vessel is a vessel that does not meet the requirements in paragraph (a) of this section.

§ 45.53 Summer freeboard.

(a) Except as required in paragraph (c) of this section, the minimum freeboard in summer for a Type A vessel is F in the following formula modified by the corrections in this subpart:

$$F = 10.2 \times P_1 \times D \text{ inches}$$

where P_1 is defined by § 45.55 and D is the depth for freeboard.

(b) Except as required in paragraph (c) of this section, the minimum freeboard in summer for a Type B vessel is F in the formula modified by the corrections in this subpart:

$$F = 12 \times P_1 \times D \text{ inches}$$

where P_1 is defined by § 45.55 and D is the depth for freeboard.

(c) If a minimum freeboard is required for a vessel under this title because of scantling or subdivision requirements greater than the summer freeboard, the summer freeboard and the seasonal freeboards assigned under this subpart must be no less than that minimum freeboard. Seasonal freeboards assigned under § 45.71 through § 45.75 must be calculated on the basis of the summer freeboard calculated under paragraph (a) or (b) of this section.

(d) If a minimum freeboard is requested by the applicant for the load line certificate, that minimum freeboard may be assignd as the summer freeboard and:

(1) The intermediate and winter seasonal freeboards assigned must be calculated under paragraph (a) and (b) of this section; and

(2) The mid-summer seasonal freeboard must be calculated on the basis of the summer freeboard assigned under this paragraph.

§ 45.55 Freeboard coefficient.

(a) For ships 350 feet or more in length (L), the freeboard coefficient is P, in the formula—

$$P = P_1$$

where P is a factor, which is a function of length from Table 1.

(b) For ships less than 350 feet in length (L), the freeboard coefficient is P_1 in the formula—

$$P_1 = P + A(L/D - L/Ds)$$

where P is a factor which is a function of the length from Table 1.

(c) A is a coefficient, which is a function of length (L), from Table 2; L/D is the ratio of the length (L) to the depth for freeboard (D); L/Ds is the ratio of the length (L) to a standard depth (Ds) from Table 3.

TABLE (1)

TABLES OF P VALUES

Length of Ship (feet)	Value of P	Length of Ship (feet)	Value of P
80	0.1100	550	0.2751
90	0.1136	560	0.2762
100	0.1172	570	0.2772
110	0.1208	580	0.2779
120	0.1244	590	0.2785
130	0.1281	600	0.2788
140	0.1318	610	0.2790
150	0.1355	620	0.2790
160	0.1393	630	0.2789
170	0.1430	640	0.2785
180	0.1468	650	0.2779
190	0.1506	660	0.2772
200	0.1545	670	0.2768
210	0.1583	680	0.2760
220	0.1622	690	0.2751
230	0.1661	700	0.2740
240	0.1700	710	0.2728
250	0.1740	720	0.2715
260	0.1780	730	0.2700
270	0.1820	740	0.2684
280	0.1860	750	0.2667
290	0.1900	760	0.2648
300	0.1941	770	0.2628
310	0.1982	780	0.2607
320	0.2023	790	0.2584
330	0.2065	800	0.2560
340	0.2106	810	0.2532
350	0.2148	820	0.2504
360	0.2190	830	0.2476
370	0.2233	840	0.2448
380	0.2275	850	0.2420
390	0.2318	860	0.2392
400	0.2361	870	0.2364
410	0.2400	880	0.2336
420	0.2437	890	0.2308
430	0.2472	900	0.2280
440	0.2506	910	0.2252
450	0.2537	920	0.2224
460	0.2567	930	0.2196
470	0.2595	940	0.2168
480	0.2621	950	0.2140
490	0.2645	960	0.2112
500	0.2667	970	0.2084
510	0.2688	980	0.2056
520	0.2706	990	0.2028
530	0.2723	1000	0.2000
540	0.2738		

TABLE (2)

VALUES OF "A" FOR USE IN THE EXPRESSION

$$P_1 = P + "A" (L/D - L/Ds)$$

Length of Ship (feet)	Value of "A"	Length of Ship (feet)	Value of "A"
80	0.00864	220	0.00234
90	0.00806	230	0.00204
100	0.00750	240	0.00176
110	0.00696	250	0.00150
120	0.00644	260	0.00126
130	0.00594	270	0.00104
140	0.00546	280	0.00084
150	0.00500	290	0.00066
160	0.00456	300	0.00050
170	0.00414	310	0.00036
180	0.00374	320	0.00024
190	0.00336	330	0.00014
200	0.00300	340	0.00006
210	0.00266	350	0.00000

TABLE (3)

VALUES OF L/DS

Length of Ship (feet)	Value of L/Ds	Length of Ship (feet)	Value of L/Ds
80	6.50000	220	10.21875
90	6.76563	230	10.48438
100	7.03125	240	10.75000
110	7.29688	250	11.01563
120	7.56250	260	11.28125
130	7.82813	270	11.54688
140	8.09375	280	11.81250
150	8.35938	290	12.07813
160	8.62500	300	12.34375
170	8.89063	310	12.60938
180	9.19625	320	12.87500
190	9.42188	330	13.14063
200	9.68750	340	13.40625
210	9.95313	350	13.67188

§ 45.57 Correction: Position of deck line.

(a) Where the depth to the upper edge of the deck line is greater or less than D, the difference between the depths must be added to or deducted from the freeboard.

(b) When the Commandant approves a location for the deck line that is above or below the freeboard deck, the minimum summer freeboard must be corrected by—

(1) Adding the difference between the depth and D if the depth is greater than D; and

(2) Subtracting the difference between the depth and D, if the depth is less than D.

§ 45.58 Correction: Short superstructure.

The minimum freeboard in summer for a Type B vessel that is 79 feet or more but less than 500 feet in length and has enclosed superstructures with an effective length of 25 percent or less of the length of the vessel must be increased by:

$$0.03\ (500-L)\ (0.25-E/L)\ \text{inches}$$

where (L)=length of vessel in feet;
(E)=effective length of superstructure in feet as defined in § 45.59.

§ 45.59 Definitions for superstructure corrections.

For the purpose of §§ 45.58 through 45.61—

(a) The standard height of a superstructure (H_s) other than a raised quarter deck and the standard height of a trunk (H_s) is determined by the formula:

$$Hs=(6.0+L/300)\ \text{feet}$$

(b) The length of superstructure (S) is the length of those parts of the superstructure that lie within the length (L).

(c) The effective length (E) of a trunk is its length in the ratio of its mean breadth to B.

d) The effective length (E) of an enclosed superstrutcure of standard height or greater is its actual length.

(e) Where the height of an enclosed superstructure or trunk is less than the standard height (H_s), the effective length (E) is its length reduced in the ratio of its height to Hs.

(f) The effective length (E) of a raised quarter deck of two-thirds Hs or greater that has no openings in the front bulkhead is its length up to a maximum of 0.6 L.

(g) The effective length (E) of a raised quarter deck of less than two-thirds Hs or that does not have an intact front bulkhead is its length reduced by the ratio of its height to Hs.

(h) Superstructures which are not enclosed have no effective length.

(i) When a lower deck is designated as the freeboard deck, that part of the hull which extends above the freeboard deck is treated as a superstructure so far as concerns the application of the conditions of assignment and the calculation of freeboard.

(j) A bridge or poop is not enclosed unless access is provided whereby the crew may reach accommodations, machinery, or other working spaces inside the superstructure by alternative means that are available at all times when bulkhead openings are closed.

§ 45.61 Correction for superstructures and trunks.

(a) Where the effective length (E) of superstructures and trunks that meet the requirements of Subpart D is 1.0 L, the minimum summer freeboard may be corrected by subtracting one-half H_s.

(b) Where the effective length of superstructures and trunks is less than 1.0 L the minimum summer freeboard may be corrected by subtracting a percentage of one-half of the standard superstructure height (H_s) determined by the formula—

$$\text{Percentage}=E/2L\times(1+E/L)\times 100$$

(c) To be eligible for the correction a trunk must:

(1) Be at least as strong and as stiff as a superstructure;

(2) Have no opening in the freeboard deck in way of the trunk, except small access openings;

(3) Have hatchway coamings and covers that meet § 45.143 through § 45.147;

(4) Provide a permanent working platform fore and aft with guard rails;

(5) Provide fore and aft access between detached trunks and superstructures by permanent gangways;

(6) Be at least 60 percent of the breadth of the ship in way of the trunk; and

(7) Be at least 0.6 L in length, if no superstructure is provided.

§ 45.63 Correction for sheer.

(a) The minimum summer freeboard must be increased by the deficiency, or may be decreased by the excess as limited by § 45.65, of sheer calculated from Table 4, multiplied by—

$$0.75-S/2L$$

where S is the total length of enclosed superstructures. Trunks are not included.

SHEER CALCULATION—TABLE 4

Station	Actual ordinate	S. M.	Product	
After Half:				
AP	1	1		
L/6-AP		3		
L/3-AP		3		
Midship		1		
Sum of Aft Products				
After Standard Sheer .2665L+26.65 [1]				+ Excess/−Deficiency
Difference: Sum-STD				Excess/Deficiency
AFT Sheer: Diff-8				

Station	Actual ordinate	S. M.	Product	
Fwd Half:				
FP		1		
L/6-FP		3		
L/3-FP		3		
Midships		1		
Sum of Fwd Products				
Fwd Standard Sheer .5330L+53.30 [1]				+ Excess/−Deficiency
Difference: Sum-STD				Excess/Deficiency
FWD Sheer: Diff-8				

[1] L in Standard Sheer=L or 500 whichever is less.

Sheer Summation

Aft Sheer +/−		
Fwd Sheer +/−		
Net Sheer +/−		Excess/Deficiency
Mean: Net−2		

§ 45.65 Excess sheer limitations.

The decrease in freeboard allowed in § 45.63 is limited as follows:

(a) In vessels having no enclosed superstructure from 0.1 L abaft amidships to 0.1 L forward of amidships, no decrease is allowed.

(b) In vessels having enclosed superstructures amidships less than 0.1 L before and abaft amidships, the decrease must be reduced by linear interpolation.

(c) If excess sheer exists in the forward half, and the after half is at least 75 percent of standard sheer, the full decrease is allowed. If the after sheer is between 50 percent and 75 percent of standard sheer an intermediate decrease, determined by linear interpolation, is allowed for the excess sheer forward. If the after sheer is 50 percent or less than standard, no decrease is allowed for the excess sheer forward.

(d) Where the actual height of a poop or forecastle at the end ordinate exceeds the standard and a decrease in freeboard for excess sheer is desired, the following formula must be used:

$$s=yL'/3L$$

where s=sheer credit, to be deducted from the deficiency or added to the excess of sheer.
Y=difference between actual and standard height of superstructure at the end ordinate.
L'=means enclosed length of poop or forecastle up to a maximum length of 0.5 L.

This formula provides a curve in the form of a parabola tangent to the actual sheer curve at the freeboard deck and intersecting the end ordinate at a point below the superstructure. The superstructure deck must not be less than standard height above this curve at any point. This curve must be used in determining the sheer profile for forward and after halves of the vessel.

(e) The maximum decrease for excess sheer must be no more than 1½ inches per 100 feet of length.

(f) Where the deck of an enclosed superstructure has at least the same sheer as the exposed freeboard deck, the sheer of the enclosed portion of the freeboard deck cannot be taken into account.

§ 45.67 Sheer measurement.

(a) The sheer is measured from the freeboard deck at side to a line of reference drawn parallel to the keel through the sheer line at amidships;

(b) In ships designed with a rake of keel or designed to trim by the stern, the sheer must be measured in reference to a line drawn through the sheer line at amidships parallel to the design load waterline.

(c) In flush-deck ships and in ships with detached superstructures, the sheer must be measured at the freeboard deck.

(d) In ships with a step or break in the topsides, the sheer must be measured from the equivalent depth amidships.

(e) In ships with a superstructure of standard height that extends over the whole length of the freeboard deck, the sheer must be measured on the superstructure deck. Where the height of superstructure exceeds the standard, the least difference (Z) between the actual and standard heights must be added to each end ordinate. Similarly, the intermediate ordinates at distances of one-sixth L and one-third L from each perpendicular must be increased by 0.444 Z and 0.111 Z, respectively.

§ 45.69 Correction for bow height.

(a) The minimum summer freeboard must be increased by the same amount in inches as any deficiency which may be shown by the following formulas:

(1) For vessels having a length of not less than 79 feet and not greater than 550 feet,

0.593 L (1.0—L/1,640) inches —actual bow height

(2) For vessels having a length greater than 550 feet,

(341.6—0.227 L) inches—actual bow height

(b) Where the bow height is obtained by sheer, the sheer must extend for at least 15 percent of the length of the vessel measured from the forward perpendicular.

(c) Where the bow height is obtained by a superstructure, the superstructure must be enclosed and extend from the stem to a point at least 0.06 L abaft the forward perpendicular.

(d) Vessels which, to suit exceptional operational requirements, cannot meet the requirements of paragraph (c) may be given special consideration by the Commandant.

(e) The bow height is defined as the vertical distance at the forward perpendicular between the waterline corresponding to the assigned summer freeboard at the designed trim and the top of the exposed deck at side.

§ 45.71 Mid-summer freeboard.

The minimum mid-summer freeboard (fms) is obtained by the formula:

$$fms = f(s) = 0.3Ts,$$

where f(s)=summer freeboard,
Ts=distance between top of keel and the summer loadline.

§ 45.73 Winter freeboard.

The minimum winter freeboard (fw) is obtained by the formula:

$$fw = f(s) + Ts\ (200)/L$$

where L=length L but not more than 400 feet.

§ 45.75 Intermediate freeboard.

The minimum intermediate freeboard (fI) is obtained by the formula:

$$fI = f(s) + Ts\ (100)/L$$

where L=length of vessel in feet but not more than 400 feet.

§ 45.77 Salt water freeboard.

The salt water addition to freeboard applicable to each fresh water mark is obtained by the formula:

$$\text{Addition} = \Delta/41T$$

where A=displacement in fresh water, in tons of 2,240 lbs., at the summer load waterline.
T=tons per inch immersion, of 2,240 lbs., in fresh water at the summer load waterline.

Subpart D—Conditions of Assignment

§ 45.101 Purpose.

This subpart prescribes conditions that a vessel must meet to be eligible for assignment of a load line under this part.

§ 45.103 Structural stress and stability.

(a) The nature and stowage of the cargo, ballast, and other variable weights must be such as to make the vessel stable and avoid excessive structural stress.

(b) The vessel must meet all applicable stability and subdivision requirements of this chapter.

§ 45.105 Information supplied to the master.

Unless otherwise authorized by the Commandant, the vessel must have on board, in a form approved by the Commandant, sufficient information:

(a) To enable the master to load and ballast the vessel in a manner that avoids excessive stresses in the vessel's structure; and

(b) To guide the master as to the stability of the ship under varying conditions of service.

§ 45.107 Strength of hull.

The general structural strength of the hull must be sufficient for the draught corresponding to the freeboard assigned and must be approved by the Commandant. Ships built and maintained in conformity with the requirements of a classification society may be recognized by the Commandant as possessing adequate strength.

§ 45.109 Strength of superstructures and deckhouses.

Each superstructure or deckhouse used for accommodations of the crew must be approved by the Commandant with regard to general strength and weather tightness. The Commandant may use the requirements of the Assigning Authority as a guide.

§ 45.111 Strength of bulkheads at ends of superstructures.

Bulkheads at ends of enclosed superstructures must have sufficient strength to withstand impact of boarding seas.

§ 45.113 Access openings in bulkheads at ends of enclosed superstructures.

(a) Access openings in bulkheads at ends of enclosed superstructures must have doors of steel or material as strong as steel that are permanently attached to the bulkhead and framed, stiffened, and fitted so that the bulkhead and door are as strong as the bulkhead and weathertight when closed.

(b) The means for securing the doors weathertight must be permanently attached to the doors or bulkheads and arranged so that the doors can be secured weathertight from both sides of the bulkhead.

(c) Access openings in bulkheads at ends of enclosed superstructures must have sills that are at least 12 inches above the deck.

§ 45.115 Bulwarks and guardrails.

(a) The exposed parts of freeboard and superstructure decks must have guardrails or bulwarks that are at least 36 inches high above the decks.

(b) Guardrails must have at least three courses with no more than a 9-inch opening below the lowest course and no more than 15 inches between other courses. If the sheer strake projection is at least 8 inches above the deck, a guardrail may have two courses with no more than 15 inches between courses.

(c) In way of trunks open rails shall be fitted for at least half the length of the trunk on the weather parts of the freeboard deck.

§ 45.117 Freeing port area: General.

(a) Where bulwarks on the weather portions of freeboard or superstructure decks form wells, the bulwarks must have the area prescribed in this section and sections 119 and 121 for rapidly freeing and draining the decks of water.

(b) Except as required in sections 119 and 121 the minimum freeing port area in square feet on each side of the ship for each well on the freeboard deck and on the raised quarter deck must be at least as great as A in the following formulas:

(1) Where the length of bulwark (l) in the well is 66 feet or less,

$$A=7.6+0.115l.$$

(2) Where (l) exceeds 66 feet

$$A=0.23$$

but need in no case be taken as greater than 0.7 L.

(c) In ships having erections on deck that are open at either or both ends, provision for freeing the space within such erections must be approved by the Commandant.

(d) The lower edges of the freeing ports must be as near the deck as practicable. Two-thirds of the freeing port area required must be provided in the half of the well nearest the lowest point of the sheer curve.

(e) All freeing port openings in the bulwarks must be protected by rails or bars spaced approximately 9 inches. If shutters are fitted to freeing ports, ample clearance must be provided to prevent jamming. Hinges must have pins or bearings of noncorrodible material. If shutters are fitted with securing appliances, these appliances must be of approved construction.

(f) The minimum freeing port area for each well on superstructure decks must be one-half of the area required by paragraph (b) of this section.

§ 45.119 Freeing port area: Changes from standard sheer.

The freeing port area required by § 45.117(b) must be multiplied by the factor in the following Table 5 if the sheer differs from the standard sheer obtained by the formulas in Table 4.

TABLE 5

Freeing port area: sheer correction.

Ratio of sums of actual sheer ord./std. sheer ord.

Ratio of sums of actual sheer ord./std. sheer ord.	*Multiplier for area required by § 45.117(b)*
Greater than:	
1.0	1.0
1.0	1.00
0.9	1.05
0.8	1.10
0.7	1.15
0.6	1.20
0.5	1.25
0.4	1.30
0.3	1.35
0.2	1.40
0.1	1.45
No sheer	1.50

§ 45.121 Freeing port area: Changes for trunks and side coamings.

If a vessel has a trunk and does not meet the requirements of § 45.61 or has continuous or substantially continuous hatchway side coamings between detached superstructures, the minimum area of the freeing port openings must be obtained from the following table:

Breadth of hatchway or trunk in relation to the breadth of ship	*Area of freeing ports in relation to the total area of the bulwarks (percent)*
40 percent or less	20
75 percent or more	10

The area of freeing ports at intermediate breadths must be obtained by linear interpolation.

§ 45.123 Freeing port area: Changes for bulwark height.

(a) For the purposes of freeing port area only, bulwark height is considered standard at 24 inches for ships 240 feet in length and less; and 48 inches for ships 480 feet in length or greater. The standard bulwark height for ships of intermediate length is obtained by direct interpolation.

(b) If the bulwark is more than standard height, the area required by § 45.117 must be increased by 0.04 square feet per foot of length of well for each foot difference in height.

(c) For ships greater than 480 feet in length that have an average bulwark height less than 3 feet, the area required by § 45.117 may be decreased by 0.04 square foot per foot of length for each foot difference in height.

§ 45.125 Crew passageways.

The vessel must have means for protection of the crew from boarding seas such as lifelines, gangways, and underdeck passages to facilitate passing between their quarters and machinery spaces and other spaces essential to the operation of the ship.

§ 45.127 Position of structures, openings, and fittings.

For the purposes of this port:

(a) "Position 1" means in an exposed position on—

(1) The freeboard deck or a raised quarter deck;

(2) A superstructure deck or a trunk deck and forward of a point one-fourth L from the forward perpendicular; or

(3) A trunk deck whose height is other than a raised quarterdeck, exists; or less than Hs, where the trunk deck is other than a raised quarterdeck.

(b) "Position 2" means—

(1) On a superstructure deck aft of a point one-fourth L abaft the forward perpendicular; or

(2) On a superstructure and trunk combination, that is Hs in height, aft of a point one-fourth L abaft the forward perpendicular.

§ 45.129 Hull fittings: General.

Hull fittings must be securely mounted in the hull so as to avoid increases in hull stresses and must be protected from local damage caused by movement of equipment or cargo.

§ 45.131 Ventilators.

(a) Ventilators passing through superstructures other than enclosed superstructures must have coamings of steel or equivalent material at the freeboard deck.

(b) Ventilators in position 1 must have coamings at least 30 inches above the deck and ventilators in position 2 must have coamings at least 24 inches above the deck. In other exposed positions, the Commandant may also require coamings.

(c) Ventilators in position 1 or 2 of spaces below freeboard decks or decks of enclosed superstructures or trunks must have coamings of steel permanently connected to the deck and any ventilator coaming that is more than 36 inches high must be specially supported.

(d) Except as provided in paragraph (e) of this section ventilator openings must have weathertight closing appliances that are permanently attached or, where approved by the Commandant, conveniently stowed near the ventilators to which they are to be fitted.

(e) Ventilators in position 1, the coamings of which extend to more than 12.5 feet above the deck, and in position 2, the coamings of which extend to more than 6 feet above the deck, need not have closing appliances unless specifically required by the Commandant.

§ 45.133 Air pipes.

(a) Where an air pipe to any tank extends above the freeboard or superstructure deck:

(1) The exposed part of the air pipe must be made of steel, properly installed, and of sufficient thickness to avoid breaking from corrosion or fatigue;

(2) The air pipe must have a permanently attached means of closing its opening; and

(3) The height from the deck to any point where water may enter the air pipe must be at least 30 inches above the freeboard deck, 24 inches above raised quarter decks, and 12 inches above other superstructure decks.

(b) If the height required in paragraph (a) interferes with working the ship, the Commandant may approve a lower height after considering the closing arrangements.

§ 45.135 Hull openings at or below freeboard deck.

Closures for hull openings at or below the freeboard deck must be as strong as the structure to which they are attached and must be watertight.

§ 45.137 Cargo ports.

(a) Unless otherwise authorized by the Commandant, the lower edge of any opening for cargo, personnel, machinery access or similar opening in the side of a ship must be above a line that is drawn parallel to the freeboard deck at side and has as its lowest point the upper edge of the uppermost load line.

(b) The number of cargo ports in the sides of a ship must be:

(1) No more than the minimum necessary for working the ship; and

(2) Approved by the Commandant.

§ 45.139 Side scuttles.

The sill of each side scuttle must be above a line that is drawn parallel to the freeboard deck at side having its lowest point 2.5 percent of the breadth or 20 inches above the summer load waterline, whichever is higher.

§ 45.141 Manholes and flush scuttles.

Manholes and flush scuttles in position 1 or 2 or within any superstructure other than an enclosed superstructure must have permanently attached covers, unless the cover is secured by closely spaced bolts around its entire perimeter.

§ 45.143 Hull openings above freeboard deck.

Closures for openings above the freeboard deck must be as strong as the

structure to which they are attached and must be weathertight.

§ 45.145 Hatchway covers.

(a) Hatchways in position 1 and 2 must have weathertight hatch covers with gaskets and clamping devices.

(b) The maximum ultimate strength of the hatchway cover material must be at least 4.25 times the maximum stress of the material calculated with the following assumed loads:

(1) For ships 350 feet or more in length, at least 250 pounds per square foot in position 1 and 200 pounds per square foot in position 2.

(2) For ships less than 350 feet in length, at least AL in the following formula:

(i) Position 1:

$$AL=150+C$$

where $C=50\ (L-79)/271$

(ii) Position 2:

$$AL=200+C$$

(c) Hatchway covers must be so designed as to limit the deflection to not more than 0.0028 times the span under the loads described in paragraph (b) and the thickness of mild steel plating forming the tops of covers must be at least 1 percent of the spacing of stiffeners or 0.24 inches, whichever is greater.

§ 45.147 Hatchway coamings.

(a) Except where the Commandant determines that the safety of the vessel will not be impaired in any sea condition, each hatchway must have a coaming that is at least—

(1) 18 inches in position 1; and

(2) 12 inches in position 2.

(b) Each hatchway coaming required by this section must be made of steel.

§ 45.149 Machinery space openings.

(a) Machinery space opening in position 1 or 2 must be framed and enclosed by steel casings, and where the casings are not protected by other structures that meet the requirements of § 45.109, their strength must be approved by the Commandant.

(b) Access openings in casings required by paragraph (a) must have doors complying with the requirements of § 45.113. Other openings in such casings shall be fitted with equivalent covers, permanently attached.

(c) Except as provided in paragraph (d), coamings of any funnel or machinery space ventilator that must be kept open for the essential operations of the ship must—

(1) In position 1, extend at least 12.5 feet above the deck; and

(2) In position 2, extend at least 6 feet above the deck.

(d) The Commandant may approve a lesser height for protected coamings.

(e) Coamings of any fiddley or skylight over a machinery space opening in the freeboard or superstructure deck must have covers of steel permanently attached and capable of being secured weathertight.

§ 45.151 Other openings.

Each opening other than hatchways, machinery space openings, manholes, or flush scuttles:

(a) In freeboard decks, must be protected by an enclosed superstructure or by a deckhouse or companionway that is equal in strength and weathertightness to an enclosed superstructure; or

(b) In exposed superstructure decks or in the top of a deckhouse on freeboard decks that give access to a space below the freeboard deck or a space within an enclosed superstructure, must be protected by a deckhouse or companionway.

§ 45.153 Through-hull piping: General.

(a) All through-hull pipes required by this subpart must be made of steel or material equivalent in strength and fatigue resistance approved by the Commandant.

(b) All valves used as shell fittings and all shell fittings on which such valves are mounted must be made of steel, or bronze or other ductile material approved by the Commandant.

§ 45.155 Inlets and discharge piping: Valves.

(a) Except as provided in paragraph (d) and (e), each pipe that discharges overboard through the hull of the ship must have—

(1) An automatic nonreturn valve with a positive means for closing; or

(2) Two automatic nonreturn valves with the inboard valve accessible for examination in service.

(b) The means for operating a valve described by paragraph (a)(1) must be readily accessible and have indicators that show when the valve is not closed.

(c) If the pipe discharges from a space that is not manned or does not have continuous bilge water monitoring, a valve described in paragraph (a)(1) must be operable above the freeboard deck.

(d) Each pipe that discharges from a space within an enclosed superstructure or deckhouse may have at least one accessible automatic nonreturn valve if the space is regularly visited by the crew.

(e) Through-hull piping systems in machinery spaces may have valves with positive means for closing at the shell if the controls are readily accessible and have indicators showing when the valves are not closed (nonreturn valves are not required).

§ 45.157 Scuppers and gravity drains.

Scuppers and gravity deck drains from spaces above the freeboard deck that penetrate the shell below a line 24 inches (or 0.05 B) above the summer load line must have an automatic nonreturn valve, unless the piping is properly installed steel pipe of sufficient thickness to avoid breaking from corrosion or fatigue.

§ 45.159 Special conditions of assignment for type A vessels.

The lower freeboards allowed for type A vessels allow water on deck for greater percentages of time. Therefore the following additional requirements must be met to qualify for type A freeboards:

(a) Machinery casings must be protected by an enclosed superstructure or deckhouse unless intact bulkheads are used on all sides on the freeboard deck.

(b) Exposed machinery casings may be fitted with weathertight doors providing they lead to a space or passageway as strong as an enclosed superstructure from which a second interior weathertight door is provided for access to the engine room.

(c) Hatchways on the exposed freeboard or forecastle decks must be provided with watertight covers of steel.

(d) Unless a separate fore and aft access is provided below the freeboard deck, a permanent fore and aft gangway must be fitted at the superstructure deck level between poop and all other deckhouses used in the essential operation of the vessel.

(e) Type A vessels must be fitted with open rails for at least half the length of the exposed parts of the weather deck. Where superstructures are connected by trunks, open rails must be fitted for the whole length of the exposed parts of the freeboard deck.

Appendix A—Load line certificate form.

GREAT LAKES LOAD LINE CERTIFICATE

No. ____

Issued under the authority of the Commandant, U.S. Coast Guard, United States of America, under the provisions of the Act of August 27, 1935, as amended to establish load lines on the Great Lakes of North America and the Load Line regulations in force on _____, 19__. By _____, duly authorized by the Commandant to assign said load line certificate.

Ship_____ Length (LBP)_____
Certificate No_____ Gross tonnage_____
Official No_____ Port of registry_____

Type of Ship: TYPE "A"
TYPE "B"
TYPE "B" with increased freeboard

FREEBOARD FROM DECK LINE

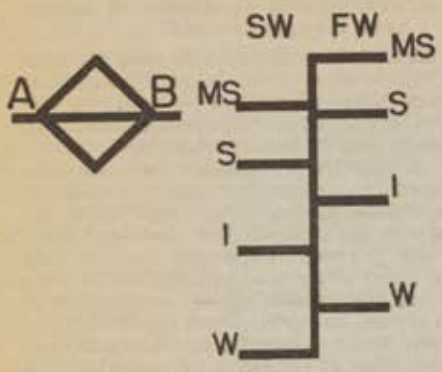
Midsummer	MS
Summer	S
Intermediate	I
Winter	W

LOAD LINE

_____ above S
Upper edge of line through center of diamond.
_____ below S
_____ below S

Increase for salt water for all freeboards ____ inches.

The upper edge of the deck line from which these freeboards are measured is ____ inches above the top of the _____ deck at side.



The upper edge of the deck line from which these freeboards are measured is ____ inches above the top of the _____ deck at side.

This is to certify that this ship has been surveyed and the freeboards and load lines shown above have been found to be correctly marked upon the vessel in manner and location as provided by the load line regulations of the Commandant, U.S. Coast Guard, applicable to the Great Lakes.

This certificate[1] remains in force until _____ Issued at _____ on the ____ day of _____ 19___. (Here follows the signature, seal, if any, and the name of the authority issuing the certificate.)

NOTES

(1) In accordance with the Great Lakes Load Line regulations the diamond and lines must be permanently marked by center punch marks or cutting. The "MS" load line shall be assigned only to those particular vessels that qualify under the regulations.

(2) The "SW" marks need only be assigned to Great Lakes vessels loading in salt water of the St. Lawrence River west of a straight line from Cap de Rosiers to West Point Anticosti Island, and west of a line along longitude 63 degrees west from Anticosti Island to the north shore of the St. Lawrence River. In such cases these limits shall be indicated on the certificate.

(3) The load line assignment given by this certificate necessarily assumes that the nature and stowage of cargo, ballast, etc., are such as to secure sufficient stability for the vessel. Accordingly, it is the owner's responsibility to furnish the Master of the vessel with stability information and instructions when this is necessary to maintenance of sufficient stability.

(On the reverse side of the load line certificate, or on a separate sheet attached and forming part of the certificate, provision is to be made for annual inspection and renewal endorsements.)

[1] Upon the expiration of the certificate, renewal must be obtained as provided by the Great Lakes Load Line Regulations and the certificate so endorsed.

(Sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 85a, 88a, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

Dated: March 15, 1973.

W. F. REA, III,
Rear Admiral, U.S. Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc.73-5362 Filed 3-22-73;8:45 am]

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PART III

DEPARTMENT OF LABOR

Employment Standards Administration

■

Minimum Wages for Federal and Federally Assisted Construction

Area Wage Determination Decisions, Modifications, and Supersedeas Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Area Wage Determination Decisions, Modifications, and Supersedeas Decisions

Area Wage Determination Decisions. Area Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138), and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as described in that section, because the necessity to issue construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

Area Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to Area Wage Determination Decisions. Modifications and Supersedeas Decisions to Area Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138), and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing Area Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule making procedures prescribed in 5 U.S.C. 553 has been set forth in the original Area Wage Determination Decision.

Set forth below in this document are the following. New Area Wage Determination Decisions numbers AP–420, AP–277 and AP–494 for the States of New Hampshire, Oregon, and Virginia, respectively.

Modifications to Area Wage Determination Decisions for the following States (the numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State):

Alabama:	
AP–140	Dec. 1, 1972.
AP–153	Feb. 3, 1973.
Arkansas:	
AP–365	Dec. 8, 1972.
AP–703	Feb. 16, 1973.
Illinois:	
AP–617	Jan. 26, 1973.
AP–619; AP–622	Feb. 16, 1973.
AP–637	Feb. 23, 1973.
Indiana:	
AP–624; AP–627; AP–631; Ap–635; AP–636.	Feb. 9, 1973.
Kansas:	
AP–500	Aug. 11, 1972.
Kentucky:	
AP–134; AP–135	Oct. 13, 1972.
Louisiana:	
AP–704	Feb. 16, 1973.
New Mexico:	
AP–700	Feb. 9, 1973.
Texas:	
AP–372; AP–373; AP–374; AP–375; AP–376; AP–377; AP–378; AP–379; AP–380; AP–381; AP–382; AP–383; AP–384; AP–385; AP–386; AP–387.	Jan. 19, 1973.
AP–393	Jan. 26, 1973.
Virginia:	
AM–1872	Aug. 20, 1971.
Washington:	
AP–263	Mar. 9, 1971.

Supersedeas Decisions to Area Wage Determination Decisions for the following States (the numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State; Supersedeas Decision numbers are in parentheses following the number of the decision being superseded):

Florida:	
AP–172 (AP–125); AP–173 (AP–126).	Nov. 17, 1972.
Idaho:	
AP–273 (AP–227); AP–274 (AP–228); AP–276 (AP–226).	Aug. 25, 1972.
AP–275 (AP–257)	Jan. 12, 1973.
Kansas:	
AP–519 (AM–11,403); AP–520 (AM–11,404); AP–521 (AM–11,405).	Mar. 17, 1973.
Kentucky:	
AP–170 (AM–8625)	June 23, 1972.
AP–171 (AP–132)	Oct. 13, 1972.
Montana:	
AP–272 (AP–229)	Sept. 1, 1972.
Nebraska:	
AP–518 (AP–211)	Aug. 4, 1972.
Oregon:	
AP–271 (AP–249)	Nov. 10, 1972.
Pennsylvania:	
AP–481 (AM–1863); AP–482 (AM–1864).	Aug. 20, 1971.
AP–495 (AP–421)	Sept. 29, 1972.
Rhode Island:	
AP–483 (AP–426)	Sept. 29, 1972.
Tennessee:	
AP–169 (AM–8622)	June 9, 1972.

Signed at Washington, D.C., this 16th day of March 1973.

WARREN D. LANDIS,
Assistant Administrator, Wage and Hour Division.

NEW DECISION

STATE: New Hampshire
DECISION NO.: AP-420
COUNTY: Hillsboro
DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction (excluding single family houses and garden type apartments up to and including 4 stories).

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$7.705	.40	.30		.01	
Boilermakers	8.705	.50	10%		.01	
Bricklayers, cement masons, marble setters, plasterers, stone masons, terrazzo workers and tile setters:						
Remainder of County	6.95	.40	.35		.01	
Hillsboro Antrim, Hancock, N. Branch, Hillsboro Upper and Lower Villages	7.25	.25				
Carpenters:						
Pelham:						
Carpenters & soft floor layers	8.75	.30	.30		.02	
Millwrights	8.50	.30	.30		.01	
Remainder of County:						
Carpenters & soft floor layers	6.56	.25	.20		.01	
Piledrivermen, wharf, dock builders and millwrights	7.36	.25	.20		.01	
Electricians:						
Pelham:						
Electricians	7.95	.25	1%		.02	
Remainder of County:						
Electricians	8.35	.25	1%			
Elevator constructors	9.125	.345	.23	2%+a+b	.015	
Elevator constructors' helpers	6.39	.345	.23	2%+a+b	.015	
Elevator constructors' helpers (prob.)	4.56					
Glaziers	6.02	.25	.16			
Ironworkers:						
Structural, ornamental & reinforcing	7.70	.45	.80		.02	
Laborers, Bldg.:						
Common laborers, wreckers, tenders, and hod carriers, asphalt rakers	5.40	.20	.25			
Plasterers tenders	5.55	.20	.25			
Drillers, pavement breakers, jackhammer operators, and chipping gun operator	5.80	.20	.25			
All other pneumatic tool operator on boiler & stack work	6.30	.20	.25			
Boiler & stack work	5.90	.20	.25			
Lead burners	8.25	.30		c	.01	
Line Construction						
Linemen	6.55		1%	d		
Equipment operator	6.10		1%	d		
Groundman	4.33		1%	d		
Driver groundman	5.10		1%	d		
Marble setters' helpers	5.05	.15	.10			
Painters:						
Brush	4.70	.175				
Steel, open structural and spray	5.95	.175				
Steel, enclosed over 25'	5.80	.175				
Steeplejack	6.80	.175				

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6-New Hampshire-1 A 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Plumbers and Steamfitters:						
Hudson and Pelham	$8.10	.40	.40		.02	
Remainder of County	8.08	.35	.25		.02	
Roofers:						
Composition	5.65					
Helpers	4.90					
Sheet metal workers	8.02	.31	.32			
Sprinkler fitters	7.45	.30	.50		.05	
Terrazzo workers' helpers	7.40	.20	.10			
Tile setters' helpers	5.05	.15	.10			

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day;

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as vacation pay credit.

b. Holidays: A through F.

c. Holidays: A through F, Washington's Birthday and Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Holidays C, D, E, F, provided the employee has been employed 10 working days prior to the holiday and provided the employee works the scheduled work day immediately preceding and following the holiday.

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N.H.-1-TD-1 A

TRUCK DRIVERS, BUILDING	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Two Axle Equipment	$3.90	.25	.20	a		
Three Axle Equipment including low beds	4.11	.25	.20	a		
Special earth hauling equipment other than conventional type on the road trucks and semitrailers trailer dumps	4.32	.25	.20	a		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:
a. Holidays: A through F, plus Washington's Birthday, Veterans' Day and Columbus Day; (provided employee works two days in the calendar week in which the holiday falls; reports for work the last day assigned prior to the holiday and the first day assigned following the holiday).

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
Shovels, cranes, draglines, derricks, elevators with Chicago boom, backhoes, gradalls, elevating graders, pile driving rigs, concrete road, pavers, all three drum hoisting and trenching machines	$8.00	.25	.40	a	.05	
Rotary drill (with mounted compressor) compressor house (3 to 6 compressors) rock and earth boring machines (excluding McCarthy and similar drills), graders, 4 yards and over front end loader, two drum hoists, high fork lifts with capacity of 15 feet and over	7.75	.25	.40	a	.05	
Bulldozers, push cats, scrapers, (self-propelled or tractor drawn), asphalt paver, front end loader (3/4 yard up to 4 yards), well drillers, mechanics, pumpcrete machines, concrete pumps, and similar type pumps, engineer or fireman on high pressure boiler (on job), self-loading batch plant, well point operators, (including installing), engineer-in-charge of powered grease truck, all automatic elevators (permanent or temporary) operated manually or by remote controls	7.55	.25	.40	a	.05	
Single drum hoist, self-powered roller, self-propelled compactors, power pavement breakers, concrete pavement finishing machines, two bag mixers with skip, front end loaders (under 3/4 yard), McCarthy and similar drills, batch plant (not self-loading), bulk cement plants, self-propelled material spreaders, A-frame trucks, and fork lifts (up to fifteen feet)	7.125	.25	.40	a	.05	
Compressor 315 cubic feet and over, one or two), pumps (4 inches and over-total discharge) when total discharge is over 12 inches, classification 3 will be paid, tractor (without blade or bucket) drawing roller, compactors or other machines used for pulverizing, grading or seeding	7.10	.25	.40	a	.05	

BUILDING CONSTRUCTION (Continued)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Compressors (up to 315 cubic feet) small mixers, pumps (up to 4 inches), power heaters, welding machines (when 3 or more heaters or welding machines are used on one job, classification 4 rate will be paid), conveyor, oiler, including helpers on grease trucks and grease trucks with hand greasing equipment	$6.55	.25	.40	a	.05	
Cranes with boom lengths of 200 feet or more	9.00	.25	.40	a	.05	
Crane with boom length of 150 feet or more	8.50	.25	.40	a	.05	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F and Veterans Day, Washington's Birthday and Columbus Day.

NEW DECISION

STATE: Oregon COUNTY: Multnomah
DECISION NUMBER: AP-277 DATE: Date of Publication
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
BRICKLAYERS	$7.90	.35	.35		.02	
CARPENTERS	6.78	.55	.40	.35	.03	
ELECTRICIANS	7.75	.25	1%+.30		.02	
LABORERS:						
Laborers	5.55	.45	.50	.25	.02	
Mortar mixers	5.70	.45	.50	.25	.02	
TILE SETTERS	6.95	.25	.24			
PAINTERS:						
Brush	7.05	.30	.20		.015	
DRYWALL TAPERS	6.10	.32	.15	.50	.015	
PLUMBERS	7.36	.59	.66		.07	
ROOFERS	6.95	.45	.46			
SHEET METAL WORKERS	6.95	.33	.24	.28	.02	
SOFT FLOOR LAYERS	6.75	.35	.45	a	.05	
POWER EQUIPMENT OPERATORS:						
Asphalt roller	6.91	.45	.60	.25		
Blade, finish	7.29	.45	.60	.25		
Loader, less than 4 cu. yds.	7.61	.45	.60	.25		

FOOTNOTE:
a. 4% of all gross wages to be placed to the credit of employees with less than one (1) year of service. 6% to employees with more than one (1) year of service.

NEW DECISION

STATE: Virginia

COUNTIES: The Independent Cities of Chesapeake Hampton, Newport News, Norfolk, Portsmouth and Virginia Beach

DECISION NO.: AP-494

DATE: Date of Publication

DESCRIPTION OF WORK: Highway Construction

9-VA-3-A 1 of 1

HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Asphalt raker	$2.75					
Carpenter structure	5.30					
Carpenter structure helper	3.49					
Concrete finisher	4.07					
Concrete finisher helper	3.125					
Electricians	6.90					
Form setter road	3.70					
Ironworkers:						
Reinforcing	4.96					
Reinforcing helper	4.00					
Laborer, unskilled	2.53					
Landscape worker	2.49					
Painter	5.20					
Painter bridge	5.70					
Pile driver leadsman	4.69					
Pipelayer	3.04					
Power tool operator	3.60					
Truck Drivers:						
Heavy duty	2.375					
Multi-rear axle	2.25					
Single-rear axle	2.20					
Welders - Rate for Crafts.						
POWER EQUIPMENT OPERATORS:						
Asphalt distributor	3.01					
Asphalt paver	3.40					
Backhoe	3.70					
Bulldozer	3.37					
Concrete finishing machine	3.05					
Concrete paving machine	3.25					
Cranes, derricks and draglines	4.60					
Firemen	3.27					
Loaders	3.21					
Mechanic	3.83					
Motor graders	4.00					
Oiler greaser	3.40					
Pile driver	4.50					
Roller	2.85					
Scraper-pan	3.11					
Shovels	3.67					
Stabilizer operator	3.31					
Tractor crawler	3.00					
Tractor utility	2.30					
Trenching machine	2.98					

MODIFICATIONS PAGE 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
DECISION #AP-140 - Mod. #2 (37 FR 25628 - December 1, 1972) Jefferson County, Alabama						
Change:						
Elevator Constructors' helpers	$4.94	.345	.23	2%+a+b	.015	
DECISION #AP-153 - Mod. #2 (38 FR 4083 - February 9, 1973) Mobile County, Alabama						
Change:						
Carpenter rate added on Mod. #1 to read	6.80	.28	.25			
DECISION #AP-365 - Mod. #3 (37 FR 26203 - December 8, 1972) Pulaski County, Arkansas						
Change:						
Plumbers & Pipefitters:						
Within 10 mile radius of Pulaski County Courthouse	$7.3457	.20	.20		.02	
Over 10 miles from the Pulaski County Courthouse	7.6457	.20	.20		.02	
DECISION #AP-703 - Mod. #1 (38 FR 4632 - February 16, 1973) Union County, Arkansas						
Add:						
Line Construction:						
Electrical Contracts $20,000 or less:						
Lineman	$7.00		1%		1%	
Operator	6.75		1%		1%	
Truck Drivers (Pickups & Jeeps)	5.90		1%		1%	
Groundman	5.90		1%		1%	
Electrical Contracts over $20,000:						
Lineman	7.70		1%		1%	
Operator	7.45		1%		1%	
Truck Drivers (Pickups & Jeeps)	6.45		1%		1%	
Groundman	6.45		1%		1%	

MODIFICATIONS PAGE 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-617- Mod. #2 (38 FR 2590 - January 26, 1973) Madison County, Illinois						
Change:						
Boilermakers	$8.35	.40	.95		.01	
Boilermakers' helpers	8.10	.40	.95		.01	
Electricians: Alton & Vicinity	8.44	.25	1%		.2%	
Laborers - Heavy Construction: Clinton Co: Trenton & Vicinity, Jersey Co: Macoupin Co: Carlinsville, Girard & Palmyra & Vic.						
Common Laborers	7.50		.20		.035	
All Brick & Plaster Mason Tenders	8.00		.20		.035	
Workmen Cutting & Burning with a Torch	7.75		.20		.035	
Men working on the Bottom of Sewer Trenches, etc.	7.75		.20		.035	
Dynamite Men	9.10		.20		.035	
DECISION #AP-619 - Mod. #2 (38 FR 3255 February 2, 1973) St. Clair County, Illinois						
Change:						
Boilermakers	$8.35	.40	.95		.01	
Boilermakers' helpers	8.10	.40	.95		.01	
Laborers - Heavy Construction: Clinton Co: Trenton & Vicinity, Jersey Co: Macoupin Co: Carlinsville, Girard & Palmyra & Vic.						
Common Laborers	7.50		.20		.035	
All Brick & Plaster Mason Tenders	8.00		.20		.035	
Workmen Cutting & Burning with a Torch	7.75		.20		.035	
Men working on the Bottom of Sewer Trenches, etc.	7.75		.20		.035	
Dynamite Men	9.10		.20		.035	

MODIFICATIONS PAGE 3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-622 - Mod. #1						
(38 FR 3242 - February 2, 1973)						
Peoria & Tazewell Counties, Illinois						
Change:						
Carpenters:						
Carpenters, Soft Floor Layers & Piledrivermen:						
Chillicothe & Vicinity (Peoria County)	$7.83	.45	.25		.015	
Millwrights:						
Chillicothe & Vicinity (Peoria County)	8.08	.45	.25		.015	
Omit:						
Carpenters:						
Carpenters, Soft Floor Layers, Millwrights & Piledrivermen Morton, Mackinaw & Vicinity (Tazewell County)	4.90					
DECISION #AP-637 - Mod. #1						
(38 FR 5113 - February 23, 1973)						
Peoria & Tazewell Counties, Illinois						
Change:						
Carpenters: (Building & Heavy)						
Carpenters, Soft Floor Layers & Piledrivermen:						
Chillicothe & Vicinity (Peoria County)	7.83	.45	.25		.015	
Millwrights:						
Chillicothe & Vicinity (Peoria County)	8.08	.45	.25		.015	
Omit:						
Carpenters: (Building & Heavy)						
Carpenters, Soft Floor Layers, Millwrights & Piledrivermen Morton, Mackinaw & Vicinity (Tazewell County)	4.90					

MODIFICATIONS PAGE 4

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-624 - Mod. #2						
(38 FR 4093 - February 9, 1973)						
Bartholomew County, Indiana						
Change:						
Carpenters (Camp Atterbury):						
Soft Floor Layers	$6.80	.25			.05	
Carpenters, Heavy	7.78	.30	.30		.02	
Glaziers	8.74					
DECISION #AP-627 - Mod. #2						
(38 FR 4111 - February 9, 1973)						
Delaware County, Indiana						
Change:						
Carpenters & Soft Floor Layers	$7.10	.30	.20		.03	
Millwrights	7.40	.30	.20		.03	
Piledrivermen	7.30	.30	.20		.03	
Glaziers	8.74					
Tile Setters	7.35	.35	.10			
DECISION #AP-631 - Mod. #2						
(38 FR 4131 February 9, 1973)						
Marion County, Indiana						
Change:						
Glaziers	$8.74					
Laborers - Building Construction						
Group A	5.60	.18	.25		.07	
Group B	5.80	.18	.25		.07	
Group C	5.90	.18	.25		.07	
Group D	6.20	.18	.25		.07	
Group E	6.60	.18	.25		.07	
Plasterers	8.40	.30			.01	
Roofers' Helpers	6.51	.25	.25			
Soft Floor Layers	6.80	.25			.05	

MODIFICATIONS PAGE 5

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-635 - Mod. #2 (38 FR 4151 - February 9, 1973) Vanderburgh County, Indiana						
Change:						
Carpenters: (Building)						
Carpenters & Soft Floor Layers	$7.05	.30	.25		.03	
Millwrights & Piledrivermen	7.30	.30	.25		.03	
Glaziers	7.565	.26	.20		.01	
Marble Setters' Helpers	4.55					
DECISION #AP-636 - Mod. #2 (38 FR 4156 - February 9, 1973) Vigo County, Indiana						
Change:						
Carpenters:						
Millwrights	$6.93	.35	.30		.02	
Glaziers	8.74					
DECISION #AP-500 - Mod. #3 (37 FR 16308 - August 11, 1972) Sedgwick County, Kansas						
Change:						
Building Construction						
Roofers:						
Roofers; Kettlemen	$6.15	.28	.20		.02	
Roofers, pitch	6.90	.28	.20		.02	
DECISION #AP-704 - Mod. #2 (38 FR 4634 - February 16, 1973) Orleans, Jefferson, Plaquemines and St. Bernard Parishes, Louisiana						
Change:						
Glaziers	$6.625	.17	.20		.01	

MODIFICATIONS PAGE 6

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-134 - Mod. #5 (37 FR 21769 - October 13, 1972) McCracken County, Kentucky						
Change:						
Laborers:						
Unskilled	$4.50	.25	.25			
Hod carriers, mason and finishers' tenders, mortar mixers, jackhammers, vibrators, wagon drill, core drill, test drill and all power driven tools used by laborers (operators) all men in tunnel and crib ditch work, rip-rap, rock setters and handlers, asphalt rakers, tampers and smoothers, pipe layers, powdermen, tar kettlemen, grout pumpmen, deckhand, dumpmen, log turner, swamping and all straight cable hooking, pipe doping and wrapping	4.70	.25	.25			
DECISION #AP-135 - Mod. #4 (37 FR 21771 - October 13, 1972) Fayette County, Kentucky						
Change:						
Painters:						
Brush	6.97					
Hazardous	7.72					
Spray	7.47					
Laborers:						
Tool room checkers, carpenters' tenders, landscapers, roofers' helpers, sheeting and shoring construction laborers	4.90	.25	.25			
Air track drills, jackhammers, wagon drills, pavement breakers, chain saws, Barco tampers, all types of vibrators for concrete and grade work, concrete saws, sewer pipe layers, all storm sewers, sanitary sewers, signal men, asphalt men, rakers, batchmen, plant scale men, form setters (street or highway), hand spiker	5.10	.25	.25			
Gunnite nozzlemen	5.30	.25	.25			
" nozzle machine	5.40	.25	.25			
Powderman and blasters	5.40	.25	.25			
" helpers	5.30	.25	.25			
Tunnels and cofferdams	5.60	.25	.25			

MODIFICATIONS PAGE 7

DECISION #AP-135 (cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth
Laborers (cont'd)						
Caisson holes (6' and over including tools)	6.10	.25	.25			
Sand hogs (free air)	6.40	.25	.25			
" " (pressure air)	6.10	.25	.25			
Miners tunnels or cofferdams	5.50	.25	.25			
Mason tenders; Plaster tenders hod operators	5.25	.25	.25			
Fork lift	5.30	.25	.25			
Pumpmen	5.30	.25	.25			

DECISION #AP-700 - Mod. #3
(38 FR 4262 - February 9, 1973)
Statewide, New Mexico

Add:

SOUND INSTALLERS:						
Bernalillo County	$6.75	.25	15		1/7%	
Valencia, Sandoval, Santa Fe, Torrance, and Socorro Counties	7.49	.25	15		1/7%	
Guadalupe, DeBaca, Quay, Mora, San Miguel, Harding, Union, Taos, Colfax, Rio Arriba, Cetron, Sierra, Grant, Los Alamos Counties, and San Juan County excluding the Navajo Indian Reservation in the State of New Mexico	8.98	.25	15		1/7%	

MODIFICATIONS PAGE 8

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-372 - Mod. #1 (38 FR 2106 - January 19, 1973) Archer, Armstrong, Baylor, Briscoe, Carson, Castro, Childress, Clay, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hardeman, Hartley, Hemphill, Hutchinson, Lipscomb, Montague, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wichita and Wilbarger Counties, Texas						
Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						
DECISION #AP-373 - Mod. #1 (38 FR 2107 - January 19, 1973) Bailey, Borden, Cochran, Cottle, Crosby, Dawson, Dickens, Fisher, Floyd, Foard, Gaines, Garza, Hale, Haskell, Hockley, Jones, Kent, King, Knox, Lamb, Lubbock, Lynn, Motley, Scurry, Shackelford, Stephens, Stonewall, Terry, Throckmorton, Yoakum and Young Counties, Texas						
Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						

MODIFICATIONS PAGE 9

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-374 - Mod. #1 (38 FR 2108 - January 19, 1973) Andrews, Brown, Callahan, Coke, Coleman, Comanche, Concho, Crane, Crockett, Eastland, Ector, Erath, Glasscock, Howard, Irion, Kimble, Loving, Martin, McCulloch, Menard, Midland, Mills, Mitchell, Nolan, Reagan, Runnels, San Saba, Schleicher, Sterling, Sutton, Taylor, Tom Green, Upton, Ward and Winkler Counties, Texas Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						
DECISION #AP-375 - Mod. #1 (38 FR 2109 - January 19, 1973) Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Pecos, Presidio, Reeves and Terrell Counties, Texas Change Description of Work to Read: Streets, Highways, Runways and Indicental Construction						
DECISION #AP-376 - Mod. #1 (38 FR 2110 - January 19, 1973) Atascosa, Bandera, Bexar, Comal, Dimmit, Edwards, Frio, Guadalupe, Kendall, Kerr, Kinney, LaSalle, Maverick, McMullen, Medina, Real, Uvalde, Val Verde, Wilson and Zavala Counties, Texas Change Description of Work to Read: Streets, Highways, Runways, Water and Sewer Utilities and Incidental Construction						

MODIFICATIONS PAGE 10

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-377 - Mod. #1 (38 FR 2111 - January 19, 1973) Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Kenedy, Starr, Webb, Willacy and Zapata Counties, Texas Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						
DECISION #AP-378 - Mod. #1 (38 FR 2112 - January 19, 1973) Aransas, Bee, Calhoun, DeWitt, Goliad, Jackson, Jim Wells, Karnes, Kleberg, Lavaca, Live Oak, Nueces, Refugio, San Patricio and Victoria Counties, Texas Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						
DECISION #AP-379 - Mod. #1 (38 FR 2113 - January 19, 1973) Austin, Bastrop, Blanco, Burnet, Caldwell, Colorado, Fayette, Gillespie, Gonzales, Hays, Lee, Llano, Mason, Travis and Williamson Counties, Texas Change Description of Work to Read: Streets, Highways, Runways, Water and Sewer Utilities and Incidental Construction						

MODIFICATIONS PAGE 11

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-380 - Mod. #1 (38 FR 2114 - January 19, 1973) Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Lampasas, Limestone, McLennan and Navarro Counties, Texas Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						
DECISION #AP-381 - Mod. #1 (38 FR 2115 - January 19, 1973) Cooke, Denton, Hood, Jack, Johnson, Palo Pinto, Parker, Somervell, Tarrant and Wise Counties, Texas Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction (excluding Dallas-Fort Worth Regional Airport)						
DECISION #AP-382 - Mod. #1 (38 FR 2116 - January 19, 1973) Collin, Dallas, Ellis, Grayson and Rockwall Counties, Texas Change Description of Work to Read: Streets, Highways, Runways, Water and Water Utilities and Incidental Construction (excluding Dallas-Fort Worth Regional Airport)						

MODIFICATIONS PAGE 12

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-383 - Mod. #1 (38 FR 2117 - January 19, 1973) Bowie, Camp, Cass, Delta, Fannin, Franklin, Gregg, Harrison, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Rains, Red River, Rusk, Smith, Titus, Upshur, Van Zandt and Wood Counties, Texas Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						
DECISION #AP-384 - Mod. #1 (38 FR 2118 - January 19, 1973) Anderson, Angelina, Cherokee, Henderson, Houston, Jasper, Nacogdoches, Newton, Panola, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity and Tyler Counties, Texas Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						
DECISION #AP-385 - Mod. #1 (38 FR 2119 - January 19, 1973) Brazos, Burleson, Grimes, Leon, Madison, Milam, Robertson, Walker and Washington Counties, Texas Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						

MODIFICATIONS PAGE 13

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-386 - Mod. #1 (38 FR 2120 - January 19, 1973) Brazoria, Fort Bend, Galveston, Harris, Matagorda, Montgomery, Waller and Wharton Counties, Texas						
Change Description of Work to Read: Streets, Highways, Runways, Water and Sewer Utilities and Incidental Construction						
DECISION #AP-387 - Mod. #1 (38 FR 2121 - January 19, 1973) Chambers, Hardin, Jefferson, Liberty and Orange Counties, Texas						
Change Description of Work to Read: Streets, Highways, Runways and Incidental Construction						
DECISION #AP-393 - Mod. #2 (38 FR 2637 - January 26, 1973) Bexar County, Texas						
Add: Building Construction: Soft floor layers	$5.62		.10		.03	
DECISION #AM-1,872 - Mod. #3 (36 FR 16340 - August 20, 1971) Accomack, Greensville, Isle of Wight, James City, Nansemond, Northampton, Southampton, Surry, Sussex, York and Princess Anne Counties, Virginia						
Omit: From the geographic area of wage determination the Independent Cities of: Chesapeake, Hampton, Newport News, Norfolk, Portsmouth and Virginia Beach						

MODIFICATIONS PAGE 14

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-263 - Mod. #1 (38 FR 6630 - March 9, 1973) Statewide Washington						
Change:						
ROOFERS						
Callam, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pierce, San Juan, Skagit, Snohomish, Thurston and Whatcom Counties						
Roofers; Kettlemen; Waterproofers	$7.10	.20	.20			
MARBLE, TILE AND TERRAZZO WORKERS						
HELPERS						
All Counties east of the Cascade Mountain Range in Washington	6.20					
Remaining Counties west of the Cascade Mountain Range	6.15	.40				
SHEET METAL WORKERS						
King County	8.47	.27	.30		.04	
Island and Snohomish Counties	7.90	.32	.40	.42	.03	
Benton, Franklin, Kittitas, Klickitat and Yakima Counties	7.65	.32	.50	.50		
Adams, Asotin, Chelan, Douglas, Grant, Ferry, Lincoln, Pend Oreille, Okanogan, Spokane, Stevens & Whitman Counties	7.65	.32	.50	.50		
Walla Walla, Columbia & Garfield Counties	7.65	.32	.50	.50		
Cowlitz, Grays Harbor, Lewis, Pacific (northern part), Pierce, Thurston & Wahkiakum Counties	7.79	.32	.45	.47	.02	
San Juan, Skagit and Whatcom Counties	7.92	.32	.40	.40	.02	
Clark, Pacific (southern part) & Skamania Counties	6.94	.33	.24	.28	.02	
Clallam, Jefferson, Kitsap & Mason Counties	7.97	.32	.40	.35	.04	
LABORERS						
Clark, Cowlitz, Klickitat, Southern part of Pacific, Skamania and Wahkiakum Counties						
GROUP I	5.40	.30	.60	.25	.02	
GROUP II	5.55	.30	.60	.25	.02	
GROUP III	5.70	.30	.60	.25	.02	
GROUP IV	5.85	.30	.60	.25	.02	

STATE: Florida
DECISION NUMBER: AP-172
Supersedes Decision No. AP-125 dated November 17, 1972 - 37 FR 24525.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

COUNTY: Hillsborough
DATE: Date of Publication

29-FLA-1-j (2-2)

Building Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$6.24	.35	.20	.75	02	
Boilermakers	7.13	.40	.70		.01	
Bricklayers:						
Bricklayers	7.05	25	.30		.05	
Stone Masons	7.05	.25	.30		.05	
Marble masons	7.20	.25	.30		.05	
Terrazzo workers	7.20	.25	.30		.05	
Tile setters	7.20	.25	.30		.05	
Cement masons	6.55	.25	.30		.05	
Cement block layers	7.05	.25	.30		.05	
Carpenters	6.38	.30	.20	.10	.02	
Millwrights	6.69	45	.45		.02	
Piledrivermen	6.63	.30	.20	.10	.02	
Electricians	8.10	.15	1%		.05	
Cable splicers	8.45	.15	1%		.05	
Elevator constructors	6.255	.195	.20	2% + a&b	.005	
Elevator constructors' helpers	70%JR	.17	185	2% + a&b	.005	
Elevator constructors mechanics helpers (probationary)	50%JR					
Glaziers	4.65	20				
Ironworkers:						
Structural	7.55	.45	.30	075	.05	
Ornamental	7.55	.45	.30	.075	.05	
Reinforcing	7.55	.45	.30	.075	.05	
Sheeters	7.55	.45	.30	.075	.05	
Lathers	6.76	.21	.10		.035	
Laborers:						
Power tool operator	4.975	.225				
Mortar mixers	4.975	.225				
Pipelayers (concrete & clay)	4.975	.225				
Masons, plasterers' tenders	4.975	.225				
Common laborers	4.825	.225				
Lead burners	6.35	.25		o	.01	
Line Construction:						
Linemen & heavy equipment operator	7.36	.25	1%			
Cable splicers	7.75	25	1%			
Cable splicers' helpers	7.36	.25	1%			
Winch truck driver operator	5.75	25	1%			
Groundmen	4.30	.25	1%			
Painters:						
Brush & roller	6.05	.25	.20			
Swing stage & window jacks, spray & sandblasting	6.30	25	.20			
Dry wall tapers	6.90	.25	.20			
Structural steel, bridge & Ind.:						
Brush, roller , swing, stage bos n chair	6.65	.25	.20			
Spray & sandblasting	6.90	25	.20			
Painters (cont'd):						
Paperhangers	6.55	.25	.20			
Plasterers	7.06	.25	.30		.05	
Plumbers	7.70	.35	.40	.40	.05	
Roofers	6.10	.25	.15			
Roofers' helpers	3.25	.25	.15			
Roofers, Kettlemen	4.15	.25	.15			
Sheet metal workers	5.85	.20	.10			
Soft floor layers	6.38	.30	.20	.10	.02	
Sprinkler fitters	8.41	.30	.50		.07	
Steamfitters	7.70	.35	.40	.40	.05	
Terrazzo workers' helpers, tile setters helpers, and marble masons' helpers	4.05	.20				
Terrazzo grinders	4.15	.20				
Terrazzo base grinders	4.35	.20				
Truck drivers:						
Station wagons, pick-ups, single axle dumps, flat beds, stake bodies	3.67					
10-wheelers, pole trucks, low boys, semi-trailers, tractor-trailers, fork trucks up to but not including 4 tons	3.82					
For trucks 4 tons and over, road rollers, wabbly wheels, spreaders, winch trucks	4.32					
Sound Technicians	4.10					
Welders - receive rate prescribed for craft performing operation to which welding is incidental						

FOOTNOTES:

a. Six paid holidays: A through F.

b. Employer contributes 1% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

c. Eight paid holidays: A through F, Washington's Birthday, and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

PAID HOLIDAYS: (Where Applicable):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

AP-172 P. 3

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Building Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS						
Cat cranes, truck cranes, pile driver crane, derrick, dragline, material hoist with Chicago boom, material hoist with two drums, hydraulic lift form, diesel electric and steam generators, motor grader, pumpcrete or similar machine, cherry picker, gradall, hypto and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor	$8.49	.275	.25		.05	
Trenching machine over 24", winch truck, material hoist (elevator type)	7.505	.275	.25		.05	
Tugger hoist	7.74	.275	.25		.05	
Crawler bulldozer, crawler tractor and turnapull, heavy hufftype front end loader, heavy IW-10 to IW-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator	7.285	.275	.25		.05	
Wellpoint system and pumps, material hoist, front end loader other than heavy huff type, rubber tired tractor with attachments other than backhoe	5.475	.275	.25		.05	
Air compressor 125 cu. ft. or over	5.735	.275	.25		.05	
Concrete mixer, rubber tired tractor without attachments, trenching machines under 24" high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps	5.245	.275	.25		.05	
150' boom, including jib scale of top operator classification plus .25 per hour. Tower crane operators .25 per above top operator classification not including long boom pay.						

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Florida 29-PEO-1-f 1 of

Building Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS On building sites and includes roads, parking lots, storm sewer systems, railroads, drain fields, settling basins, pipelines (concrete and/or clay), land cleaning, bulk heads and sea walls, and site preparation exclusive of excavation for buildings.						
HEAVY DUTY EQUIPMENT OPERATORS Cranes, shovels, draglines, piledrivers (all types), concrete paving machines, ditching machines, mechanics, finish, motor grades, front end loaders, hoist (two drums or more), cherry pickers	5.63	.275	.25		.05	
MEDIUM DUTY EQUIPMENT OPERATORS Motor patrols, bulldozers, rubber tired scrapers (all types), winch trucks, stabilizers, asphalt spreaders, rollers, asphalt rock crushers, concrete mixers (changer pan), light duty hydraulic tractor backhoe, and wellpoint pumps	5.355	.275	.25		.05	
LIGHT DUTY EQUIPMENT OPERATORS Finishing machine, bull floats, spray machines, subgraders, rollers on subgrade, pull cats (all types), form grader, bituminous distributor, hoist (less than two drums) and fireman	5.08	.275	.25		.05	

AP-172 P. 5 — 112-Fla. F (1-2)

Heavy & Highway Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	O
Bricklayers	$1.60					
Carpenters	2.35					
Carpenters' helpers	1.60					
Concrete finishers	2.00					
Concrete finishers' helpers	1.60					
Form setter, paving & curb	1.60					
Form setters' Helpers	1.60					
Ironworkers, structural	3.16					
Ironworkers, reinforcing	2.00					
Laborers:						
Air tool operator	1.60					
Asphalt raker	1.60					
Concrete laborer	1.60					
Unskilled	1.60					
Landscapers	1.60					
Painters	2.50					
Piledrivers	2.45					
Piledriver leadsmen	2.05					
Piledriver laborer	1.60					
Pipelayers	1.60					
Plumbers	3.60					
Reinforcing ironworkers' helper	1.60					
Soil treaters	1.60					
Truck drivers:						
Single rear axle	1.60					
Multi rear axle	1.60					
Louboy	1.60					
Weighter scale	1.60					
Power Equipment Operators:						
Air compressors	1.60					
Asphalt distributor, spreaders	1.60					
Bulldozers	2.00					
Cranes, derricks, draglines	2.00					
Concrete finishing machine	1.96					
Concrete paving machines	1.96					
Earth mover, rubber-tired	1.75					
Firemen	1.60					
Mechanics	1.82					
Mechanics' helper	1.60					
Mixers, concrete	1.60					
Motor grader	2.00					
Oilers-greasers	1.60					
Pumps	1.60					
Rollers	1.60					
Rollers, S.P., rubber-tired	1.60					
Rollers, finish	1.60					
Scrapers	1.60					

AP-172 P. 6 — 112-Fla. F (2-2)

Heavy & Highway Construction (cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	O
Power Equipment Operators (Cont'd)						
Tractors, over 80 HP	$1.60					
Tractors, light rubber-tired	1.60					
Front end loader	1.60					
Trenching machine	2.00					
Asphalt paving machine	1.60					
Welder	1.75					

SUPERSEDEAS DECISION

STATE: Florida
DECISION NUMBER: AP-173
COUNTY: Pinellas
DATE: Date of Publication
Supersedes Decision No. AP-126 dated November 17, 1972 - 37 FR 24528.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

52-FLA-1-a (2-2)

Building Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$6.24	.35	.20	.75	.02	
Boilermakers	7.13	.40	.70		.01	
Bricklayers	7.05	.25	.30		.05	
Carpenters:						
Carpenters	6.38	.30	.20	.10	.02	
Piledrivermen	6.63	.30	.20	.10	.02	
Soft floor layers	6.38	.30	.20	.10	.02	
Millwrights	6.69	.45	.45		.02	
Cement masons	6.55	.25	.30		.05	
Electricians:						
Electricians	8.00	.25	1%		3/4 of 1%	
Cable splicers	8.50	.25	1%		3/4 of 1%	
Elevator constructors	6.255	.195	.20	2%+a+b	.005	
Elevator constructors' helpers	70%JR	.195	.20	2%+a+b	.005	
Elevator constructors' helpers (prob.)	50%JR					
Ironworkers, structural & ornamental	7.55	.45	.30	.075	.05	
Ironworkers, reinforcing	7.55	.45	.30	.075	.05	
Laborers:						
Air tool operator (jackhammer, vib.)	4.975	.225				
Mason tenders	4.975	.225				
Mortar mixers	4.975	.225				
Pipelayers (concrete & clay)	4.975	.225				
Plasterers' tenders	4.975	.225				
Common laborers	4.825	.225				
Lathers	6.76	.21	.10		.035	
Line Construction & Equipment Oyr.:						
Class "A"	7.36	.25	1%	a	1/10 of 1%	
Class "B"	5.75	.25	1%	a	1/10 of 1%	
Cable splicers	7.75	.25	1%	a	1/10 of 1%	
Groundmen "A"	4.25	.25	1%	a	1/10 of 1%	
Groundmen "B"	2.60	.25	1%	a	1/10 of 1%	
Marble setters	7.20	.25	.30		.05	
Marble setters' helpers	4.05	.20				
Painters:						
Brush	6.05	.25	.20			
Structural steel	6.30	.25	.20			
Spray	6.30	.25	.20			
Sandblasting and tapers	6.30	.25	.20			
Paperhangers	6.55	.25	.20			
Glaziers	4.65	.20				
Plasterers	7.06	.25	.30		.05	
Plumbers and steamfitters	6.50	.25	.60		.025	
Roofers	6.10	.25	.15			
Roofers' helpers	3.25	.25	.15			
Roofers, kettlemen	4.15	.25	.15			
Sheet metal workers	5.85	.20	.10			
Sprinkler fitters	8.41	.30	.50		.07	
Stonemasons	7.05	.25	.30		.05	
Terrazzo workers	7.20	.25	.30		.05	
Terrazzo workers' helpers	4.05	.20				
Terrazzo grinders	4.15	.20				
Tile setters	7.20	.20	.30		.05	
Tile setters' helpers	4.05	.20				
Truck drivers	1.60					
Lead burners	6.35	.25		c	.01	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						
Terrazzo base grinders	4.35	.20				
Air conditioning or refirgeration mechanics	6.50	.25	.60		.025	

FOOTNOTES:

a. Six paid holidays, A through F.

b. Employer contributes 1% of regualr hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employer who has worked in business less than 5 years.

c. Eight paid holidays, A through F plus Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. One-half day paid holiday: National General Election's Day.

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

Building Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS						
Cat cranes, truck cranes, pile driver crane, derrick, dragline, material hoist with Chicago boom, material hoist with two drums, hydraulic lift forn, diesel electric and steam generators, motor grader, pumpcrete or similar machine, cherry picker, gradall, hypto and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor	$8.49	.275	.25		.05	
Trenching machine over 24", winch truck, material hoist (elevator type)	7.505	.275	.25		.05	
Tugger hoist	7.74	.275	.25		.05	
Crawler bulldozer, crawler tractor and turnapull, heavy hufftype front end loader, heavy DW-10 to DW-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator	7.285	.275	.25		.05	
Wellpoint system and pumps, material hoist, front end loader other than heavy huff type, rubber tired tractor with attachments other than backhoe	5.475	.275	.25		.05	
Air compressor 125 cu. ft. or over	5.735	.275	.25		.05	
Concrete mixer, rubber tired tractor without attachments, trenching machines under 24" high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps	5.245	.275	.25		.05	
150' boom, including jib scale of top operator classification plus .25 per hour. Tower crane operators .25 per above top operator classification not including long boom pay.						

Building Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS On building sites and includes roads, parking lots, storm sewer systems, railroads, drain fields, settling basins, pipelines (concrete and/or clay), land cleaning, bulk heads and sea walls, and site preparation exclusive of excavation for buildings.						
HEAVY DUTY EQUIPMENT OPERATORS Cranes, shovels, draglines, pile-drivers (all types), concrete paving machines, ditching machines, mechanics, finish, motor grades, front end loaders, hoist (two drums or more), cherry pickers	5.63	.275	.25		.05	
MEDIUM DUTY EQUIPMENT OPERATORS Motor patrols, bulldozers, rubber tired scrapers (all types), winch trucks, stabilizers, asphalt spreaders, rollers, asphalt rock crushers, concrete mixers (changer pan), light duty hydraulic tractor backhoe, and wellpoint pumps	5.355	.275	.25		.05	
LIGHT DUTY EQUIPMENT OPERATORS Finishing machine, bull floats, spray machines, subgraders, rollers on subgrade, pull cats (all types), form grader, bituminous distributor, hoist (less than two drums) and fireman	5.08	.275	.25		.05	

AP-173 P. 5 — 112-Fla- F (1-2)

Heavy & Highway Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	O
Bricklayers	$1.60					
Carpenters	2.35					
Carpenters' helpers	1.60					
Concrete finishers	2.00					
Concrete finishers' helpers	1.60					
Form setter, paving & curb	1.60					
Form setters' Helpers	1.60					
Ironworkers, structural	3.16					
Ironworkers, reinforcing	2.00					
Laborers:						
Air tool operator	1.60					
Asphalt raker	1.60					
Concrete laborer	1.60					
Unskilled	1.60					
Landscapers	1.60					
Painters	2.50					
Piledrivers	2.45					
Piledriver leadsmen	2.05					
Piledriver laborer	1.60					
Pipelayers	1.60					
Plumbers	3.60					
Reinforcing ironworkers' helper	1.60					
Soil treaters	1.60					
Truck drivers:						
Single rear axle	1.60					
Multi rear axle	1.60					
Lowboy	1.60					
Weighter scale	1.60					
Power Equipment Operators:						
Air compressors	1.60					
Asphalt distributor, spreaders	1.60					
Bulldozers	2.00					
Cranes, derricks, draglines	2.00					
Concrete finishing machine	1.96					
Concrete paving machines	1.96					
Earth mover, rubber-tired	1.75					
Firemen	1.60					
Mechanics	1.82					
Mechanics' helper	1.60					
Mixers, concrete	1.60					
Motor grader	2.00					
Oilers-greasers	1.60					
Pumps	1.60					
Rollers	1.60					
Rollers, S.P., rubber-tired	1.60					
Rollers, finish	1.60					
Scrapers	1.60					

AP-173 P. 6 — 112-Fla- F (2-2)

Heavy & Highway Construction (cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Di
Power Equipment Operators (Cont'd)						
Tractors, over 80 HP	$1.60					
Tractors, light rubber-tired	1.60					
Front end loader	1.60					
Trenching machine	2.00					
Asphalt paving machine	1.60					
Welder	1.75					

SUPERSEDEAS DECISION

STATE: Idaho

COUNTIES: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone

DECISION NUMBER: AP-273

DATE: Date of Publication

Supersedes Decision No. AP-227 Dated August 25, 1972, in 37 FR 17332

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

AP-273 P. 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS (That portion of Idaho Co. south of the 46th parallel)	$7.46	.50	.72			
ASBESTOS WORKERS (Remainder of Counties and that portion of Idaho Co. north of the 46th parallel)	8.15	.25	.37			
BOILERMAKERS	7.45	.60	1.00	.50	.02	
BRICKLAYERS; Stonemasons (Idaho, Clearwater, Latah, Lewis and Nez Perce Counties)	7.65	.30				
BRICKLAYERS; Stonemasons (Remainder of counties)	6.46	.15				
CARPENTERS (That portion of Idaho Co. south of the 46th parallel)						
Carpenters; Floor Layer; Shingler; Drywall Applicator and installer of metal studs, metal framing, accoustical material, metal partition, porcelain and enamel and metal panels, marlite and rigid or flexible plastic laminates, weatherstripping and insulation	6.32	.22	.20	.30	.10	
Saw Filer; Stationary Machine; Piledriverman; Bridgeman and Wharf Builder	6.50	.22	.20	.30	.10	
Millwrights; Machine Erector; Piledriverman's Boom Man	6.62	.22	.20	.30	.10	
CARPENTERS (Remainder of Counties and that portion of Idaho County north of the 46th parallel)						
Carpenters	7.04	.50	.45		.025	
Piledriver; Sawfilers; Stationary Power Woodworking Tool Op.; Floor Layer; Floor Finisher; Floor Sander	6.69	.50	.45		.025	
Shingler (wood and composition)	7.04	.50	.45		.025	
Carpenters working burned, charred, creosoted or similarly treated material; Millwrights; Boommen and Machine Erector	7.29	.50	.45		.025	
Piledriver working on creosoted material	7.44	.50	.45		.025	
CEMENT MASONS (That portion of Idaho County south of the 46th parallel)						
Cement Masons	$6.20	.22	.20	.10	.10	
Power Trowel; Power Grinder; Gunnite and composition Floorlayer	6.38	.22	.20	.10	.10	
CEMENT MASONS (Remainder of Counties and that portion of Idaho County north of the 46th parallel)						
Cement Masons	6.90	.40	.40		.02	
Gunnite; Power Machine; Power Tools; Power Troweling Machine; Troweling Magnesite or other material with oxichloride base	7.05	.40	.40		.02	
ELECTRICIANS						
Electricians; Technicians	7.93	.35	1%		.02	
Cable Splicers	8.33	.35	1%		.02	
ELEVATOR CONSTRUCTORS (That portion of Idaho County south of the 46th parallel)						
Elevator Constructors	7.23	.345	.23	2% + a		
Elevator Constructors' Helpers	70%JR	.345	.23	2% + a		
Elevator Constructors' Helpers (Prob.)	50%JR	.345	.23	2% + a		
ELEVATOR CONSTRUCTORS (Remainder of counties and that portion of Idaho County north of the 46th parallel)						
Elevator Constructors	7.66	.345	.23	2% + a		
Elevator Constructors' Helpers	70%JR	.345	.23	2% + a		
Elevator Constructors' Helpers (Prob.)	50%JR					
GLAZIERS (That portion of Idaho Co. south of the 46th parallel)	5.50	.25	.20	.23		
GLAZIERS (Remainder of Counties and that portion of Idaho County north of the 46th parallel)	5.76	.21	.25	.26		
IRONWORKERS						
Reinforcing	7.56	.48	.65		.05	
Fence Erectors-Ornamental-Structural	7.56	.48	.65		.05	
LATHERS (All Counties except Idaho County south of the 46th parallel)	7.50	.40				
MARBLE SETTERS (Idaho, Clearwater, Latah, Lewis, Nez Perce Counties)	7.65	.30				
MARBLE SETTERS (Remainder of counties)						
Inside	6.06	.15				
Outside	6.46	.15				
MARBLE SETTERS' HELPERS	5.85					

AP-273 P. 3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS (That portion of Idaho County south of the 46th parallel)						
Brush; Paperhangers; Preparatory work	$6.11	.25	.10			
Spray Gun; Sandblasting; Pot Tender; Toxic Chemicals but not restricted to such material as bitumastic; Rollers, pressure	6.58	.25	.10			
Brush, steel; Bridges; Towers; tanks on legs; Steeples incl. pipes and conduit attached	6.21	.25	.10			
Sign Painters	6.23	.25	.10			
PAINTERS (Remainder of Counties and that portion of Idaho County north of the 46th parallel)						
Brush	6.67	.25	.45		.01	
Spray; Steel; Steam Cleaning; Rollers 9" or 10" handle; Finish Drywall Tapers	6.92	.25	.45		.01	
Swing Stage & over 30' high	7.02	.25	.45		.01	
Bitumastic; Sand Blast.; Bridges; Towers; Stacks; Steeples; Tanks on legs	7.07	.25	.45		.01	
T.V. Radio & Electric Transmission Towers	7.42	.25	.45		.01	
PLASTERERS (Clearwater, Idaho, Latah, Lewis and Nez Perce Counties)	6.49	.20				
PLASTERERS (Remaining Counties)	7.50	.40				
PLASTERERS' TENDERS	5.25	.25	.25		.02	
PLUMBERS; Steamfitters (That portion of Idaho County south of the 46th parallel)	7.19	.37	.40		.05	
PLUMBERS; Steamfitters (Remainder of Counties and that portion of Idaho County north of the 46th parallel)	7.52	.26	.55	.47	.06	
ROOFERS (That portion of Idaho County south of the 46th parallel)	5.85	.13	.15			
ROOFERS (Benewah, Bonner, Boundary, Kootenai, and Shoshone Counties):						
Roofers	6.20	.30	.15	.50		
Roofers working with pitch products	7.20	.30	.15	.50		
ROOFERS (Remaining Counties and that portion of Idaho County north of the 46th parallel):						
Kettkemen; Roofers; Waterproofers	6.65					

AP-273 P. 4

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
SHEET METAL WORKERS (Idaho County)	$7.06	.27	.20		.02	
SHEET METAL WORKERS (Remainder of counties)	7.65	.32	.50	.50		
SPRINKLER FITTERS	8.70	.30	.50		.05	
TERRAZZO WORKERS; Tile Setters (Clearwater, Idaho, Latah, Lewis, and Nez Perce Counties)	6.41	.20				
TERRAZZO WORKERS; Tile Setters (Remainder of Counties)	6.33	.15				
TERRAZZO WORKERS' HELPERS	5.85					
TILE SETTERS' HELPERS	5.85					
WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer credits 4% basic hourly rate of employee with over 5 years' service, 2% basic hourly rate from 6 months to 5 years' service to Vacation Plan. Six Paid Holidays: A through F.

That portion of Idaho County south of the 46th parallel

I-IDA-SIDA-LAB-1-2-3-4

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I						
GENERAL LABORERS, Sloper, Clearing and Grading, Form Stripper, Concrete Crew, Concrete Curing Crew, Carpenter Tender, Asphalt Laborer, Hopper Tender, Heater Tender, Stake Jumper, Choker Setter, Spreader and Weighman, Power Wheelbarrow, Scouring Concrete, Rip Rap Man (hand placed), Fence Erector and Installer - manual or mechanical (includes the installation and erection of fences, guard rails, median rails, reference posts, guide posts and right-of-way markers), Crusher Helper, Cribbing and Shoring (in open ditches), Machinery and Parts Cleaner, Leverman - Manual or Mechanical, Demolition - Salvage, Landscaper, Tool Room Man	$4.82	.35	.35	.10	.10	
GROUP II						
CHUCK TENDER, Driller Helper, Air Tampers, Gunite Nozzleman Tender, Pipe Wrapper, Tar Pot Tender, Concrete Sawyer, Signalman, Handling Cement, Dumpman, Steam Nozzleman, Air and Water Nozzleman (Green Cutter, concrete) Grade Checker, Vibrator (less than 4"), Pumpcrete and Grout Pump Crew, Hydraulic Monitor	4.92	.35	.35	.10	.10	
GROUP III						
PIPELAYER including sewer, drainage, sprinkler systems and water lines, Free Air Caisson, Jackhammer, Paving Breaker, Powderman Helper, Asphalt Raker, Gasoline Powered Tamper, Electric Ballast Tamper, Sand Blasting, Form Setter - Airport Paving, Gunman (Gunite), Manhole Setter, Hand Guided Machines, such as Rotor Tillers, Trenchers, Post Hole Diggers, Walking Garden Tractors, etc., Form Setter (Highway-Curb and Gutter), Vibrator (4" and over), Timber Faller and Bucker, Metal Pan Installer	5.02	.35	.35	.10	.10	

I-IDA-SIDA-LAB-1-2-3-4

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP IV						
HOD CARRIER, Mason Tender Plaster Tender, Mason Tender (Concrete), Terrazzo-Tile Tender	$5.12	.35	.35	.10	.10	
GROUP V						
HIGHSCALER, Wagon Drill, Gunite Nozzleman, Daimond Drill	5.17	.35	.35	.10	.10	
GROUP VI						
DRILLERS on Drills with manufacturers rating 3" or over, Powderman	5.42	.35	.35	.10	.10	
GROUP VII						
REBOUNDMAN, Chucktender, Nipper, Dumpman, Vibrator(less than 4"), Brakeman, Muckers, Bullgang	4.97	.35	.35	.10	.10	
GROUP VIII						
FORM SETTER and Mover; Vibrator (4" and over)	5.12	.35	.35	.10	.10	
GROUP IX						
MINERS, Machinemen, Timbermen, Steelmen, Drill Doctors, Spaders and Tuggers, Spiling and/or Caisson Workers	5.42	.35	.35	.10	.10	

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2-IDA-NIDA-LAB 1-2-3- (1-2)

(Remainder of Counties and that portion of Idaho County north of the 46th parallel)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LABORERS:						
Group I Carpenters tender; Concrete crewman; Concrete signalman; Crusher feeder; Demolition; Driller helper, Dumpman; Fence erector; General laborer; Grout machine header tender; Nipper; Riprap man; Scaleman; Stake jumper; Structural mover; Tailhoseman (water nozzle); Track laborer (RR); Truck loader; Timber bucker and faller; Window cleaner; Brush Hog Feeder	$5.50	.35	.55		.02	
Group II Cement finisher tender; Cement handler; Demolition torch; Dope pot fireman, nonmechanical; Form cleaning machine; feeder, stacker; Form setter, paving; Grade checker using level, optional; Nozzleman, water & air or steam; Pipe layer, corrugated metal culvert; Pipewrapper; Pot tender; Powderman helper; Power tool op.; gas, electric, pneumatic Railroad equipment, power driven; Rodder & spreader; Sandblast tailhoseman; Scaffold erector, wood or steel; Vibrator up to 4"; Wallpoint man; Wheelbarrow, power driven	5.65	.35	.55		.02	
Group III Asphalt raker; Asphalt roller, walking; Chain saw op., w/attachments; Concrete saw, walking; Creosote material; High scaler; Jackhammer op.; Multisection pipelayer; Nozzleman; Pavement breaker; Tamper; Trencher; shawnee; Vibrator, 4" & over; Wagon drills; Water pipe liner	5.75	.35	.55		.02	
Group IV Chain Saw (faller); Pipelayer (Caulker, collarman, jointer, mortarman, rigger, jacker, shorer & lagger and laser beam but not incl. laying corrugated metal culvert pipe)	5.80	.35	.55		.02	

AP-273 P. 8
2-IDA-NIDA-LAB 1-2-3 (2-2)

LABORERS (Cont'd):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Group V Concrete stack, Hod carriers; Mortar mixer; Vibrator, 4 inches and over	$5.85	.35	.55		.02	
Group VI Caisson worker, free air; High Scaler	5.90	.35	.55		.02	
Group VII Brush machine; Drills, Gunnite; Monitor op., Air Track or similar mounting; Nozzleman	5.95	.35	.55		.02	
Group VIII Air track drills with dual masts and drills; Powderman	6.15	.35	.55		.02	
TUNNEL & SHAFT, FREE AIR						
Group IX Class A: Bull gang, pump crete crewman incl. distributing pipe, assembling & dismantle and nipper	5.55	.35	.55		.02	
Class B: Brakeman, dumpman	5.60	.35	.55		.02	
Class C: Miner & nozzleman for concrete and laser beam op. on tunnels	6.00	.35	.55		.02	
Class D: Raise & shaft miner and laser beam op. on raises and shafts	6.05	.35	.55		.02	
Group X Sand Hogs (Under compressed air conditions):						
1 lb thru 14 lbs - 6 hrs. work	56.40	.35	.55		.02	
Over 14 lbs thru 18 lbs - 6 hrs. work	59.10	.35	.55		.02	
Over 18 lbs thru 22 lbs - 4 hrs. work	59.10	.35	.55		.02	
Over 18 lbs thru 22 lbs - 6 hrs. work	79.35	.35	.55		.02	
Over 22 lbs thru 26 lbs - 4 hrs. work	63.30	.35	.55		.02	
Over 26 lbs thru 32 lbs - 4 hrs. work	65.70	.35	.55		.02	
Over 32 lbs thru 38 lbs - 3 hrs. work	68.40	.35	.55		.02	
Over 38 lbs thru 44 lbs - 2 hrs. work	69.70	.35	.55		.02	
Outside lock & guage tender (per shift)	46.80	.35	.55		.02	

(That portion of Idaho County south of the 46th parallel)

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1-IDA-SIDA-PEO-1-2-3- p____ (1-3)

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
Group 1 Brakeman, Crusher, Plant Feeder (Mechanical), Deckhand, Drill Helpers, Grade Checkers, Heater Tender, Land Plane, Oilers, Pumpmen	5.78	.40	.35		.10	
Group 2 Air Compressor, Assistant Refrigeration Plant Operator, Bell Boy, Bit Grinder Operator, Blower Operator (Cement), Bolt Threader Machine Operator-Broom, Cement Hog, Concrete Mixer, Concrete Saw - Multiple Cut, Discing - Harrowing or mulching (Regardless of Motive Power), Distributor Leverman, Drill Steel Threader Machine Operator, Fireman - All, Heavy Duty Mechanic Helper or Welder Helper, Hoist - Single Drum, Hydraulic Monitor Operator - Skid Mounted, Oiler on Cranes and Shovels, Pugmixer - Box or Screed Operator, Spray Curing Machine, Tractor - Rubber Tired Form Type Using Attachments	5.94	.40	.35		.10	
Group 3 A-Frame Truck (Hydra lift, Swedish Cranes, Ross Carrier, Hyster on Construction jobs), Battery Tunnell Locomotive, Belt Finishing Machine, Cable Tenders (Underground), Chip Spreader Machine (Self-propelled), Front End and Overhead Loaders and Similar Machines under 2 Yds. - Rubber-tired, Hoist - 2 or more Drums or Tower Hoist, Hydrolift - Fork Lift and Similar (When Hoisting), Oilers (Underground), Power Loader (Bucket Elevator, Conveyors), Road Roller (Regardless of Motive Power), Service Oiler.	6.12	.40	.35		.10	
Group 4 Boring Machines (Earth or Rock) Quarrymaster - Joy - Tractor Mounted, Drills; Churn - Core - Calyx or Diamond, Front End and Overhead Loaders and Similar Machines - 2 Yds. and including 4 Yds. - Rubber-tired, Grout Pump, Hydra-hammer, Locomotive Engineer, Longitudinal Float Machine, Mixermobile, Spreader Machine, Tractor - Rubber-tired - using						

AP-273 P. 10

1-IDA-SIDA-PEO-1-2-3- p____ (2-3)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
Group 4 (Cont'd) Backhoe, Transverse Finishing Machine, Trenching Machines, Waggoner Compactor and Similar, Asphalt Spreaders.	6.45	.40	.35		.10	
Group 5 Concrete Plant Operator, Concrete Road Paver Dual), Elevating Grader Operator, Euclid Elevating Loader, Generator Plant Operator-Mechanic (Diesel Electric), Post Hole Auger or Punch Operator, Power Shovels and Draglines-under 1 Yd., Pumpcrete, Refrigeration Plant Operator, Road Roller (Finishing High Type Pavement), Skidder - Rubber tired, Sub Grader.	6.63	.40	.35		.10	
Group 6 Asphalt Pavers - Self-prop., Asphalt Plant Operator, Blade Operator (Motor Patrol), Concrete Slip Form Paver, Cranes - up to and including 50 ton, Crusher Plant Operator, Derrick Operator, Front End and Overhead Loaders and Similar Machines - over 4 yds. to and including 6 Yds., Koehring Scooper, Heavy Duty Mechanic or Welder, Mucking Machine (Underground), Multi-batch Concrete Plant Operator, Piledriver Engineer, Power Shovels and Draglines - 1 Yd. to and including 3-1/2 Yds., Tower Crane Operator, Tractor - Crawler Type - including all attachments, Refrigeration Plant Operator (Over 1,000 Tons), Trimmer Machine Operator, Tournapulls - Euclid and Similar - to and including 40 Yds.	6.81	.40	.35		.10	
Group 7 Cableway Operator, Cranes - Over 50 Ton, Dredges, Fine Grader - CMI or Equivalent, Front End and Overhead Loaders and Similar Machines - Over 6 Yds., Power Shovels and Draglines over 3-1/2 Yds., Quad Type Tractors with all Attachments, Tournapulls - Euclid and Similar - Over 40 Yds. to and including 50 Yds., Multiple Scraper Units.	7.14	.40	.35		.10	

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1-IDA-SIDA-PEO-1-2-3-P (3-3)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Group 8 Tournapulls - Euclid and Similar - Over 50 Yds. to and including 75 Yds.	7.38	.40	.35		.10	
Group 9 Tournapulls - Euclid and Similar - Over 75 Yds. to and including 100 Yds.	7.63	.40	.35		.10	
Group 10 Tournapulls - Euclid and Similar - Over 100 Yds.	7.87	.40	.35		.10	

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2-IDA-NIDA-PEO-1-2-3--1 (1-4)

(Remainder of counties and that portion of Idaho County north of the 46th parallel)

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I Bit Grinders; Bolt Threading Machine; Brakeman; Compressors, under 1000 cu. ft. per minute gas, diesel or electric power; Crusher Feeder (mechanical); Deck Hand; Drillers' Helper; Fireman & Heater Tender; Grade Checker; Helper (Mechanic or Welder, H.D.); Oiler; Pumpman; Rollers, all types on subgrade (farm type, Case, John Deere and similar - or compacting or vibrator) except when pulled by dozer with operable blade; Welding Machines.	$6.45	.50	.55		.025	
GROUP II A-Frame Truck (single-drum); Assistant Refrigeration Plant (under 1000 tons); Assistant Plant Operator, Fireman or Pugmixer (asphalt); Bagley or Stationary Scraper; Batch Plant & Wet Mix Operator, single unit (concrete); Belt Finishing Machine; Bending Machine (pipeline); Blower Operator (cement); Cement Hog; Compressor (1000 cu. ft. or over, 2 or more - gas, diesel or electric power); Concrete Saw (multiple cut); Distributor Leverman; Dope Pots (power agitated); Equipment Serviceman, Greaser and Oiler; Fork Lift or Lumber Stacker, Hydra Lift & similar; Gin Trucks (pipeline); Hoist, single drum; Loaders (bucket elevators and conveyors); Longitudinal Float; Mixer (portable - concrete); Pavement Breaker, Hydra-Hammer & similar); Posthold Auger or Punch; Power Broom; Railroad Ballast Regulation Operator, (self-propelled); Railroad Power Tamper Operator, (self-propelled);						

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2-IDA-NIDA-PEO-1-2-3--1 (2-4)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP II (cont'd)						
Railroad Power Tamper Jack Operator, (self-propelled); Spray Curing Machine (concrete); Spreader Box (self-propelled); Straddle Buggy (Ross & similar on construction job site); Tractor (farm type R/T with attachments except backhoe); Tugger Operator.	$6.75	.50	.55		.025	
GROUP III						
A-Frame Truck (2 or more drums); Assistant Refrigeration Plant & Chiller Operator (over 1000 tons); Backfillers (Cleveland & similar); Belt-Crete Conveyors with Power Pack or similar; Belt Loader (Kocal or similar); Blade Operator (Motor Patrol and attachments); Boat Operators; Boom Cats (side); Boring Machine (earth); Boring Machine (rock under 8" bit) (Quarry Master, Joy or similar); Bump Cutter (Wayne, Saginaw or similar); Canal Lining Machine (concrete); Cleaning & Doping Machine (pipeline); Concrete Pumps (squeeze-crete, flow-crete, pump-crete, Whitman & similar); Drills (churn, core, calyx or diamond); Elevating Belt-type Loader (Euclid, Barber Green or similar); Elevating Grader-type Loader (Dumor, Adams, or similar); Generator Plant Engineers (diesel electric); Gunite Combination Mixer & Compressor; Hoist, (2 or more drums or Tower Hoist); Loaders, (overhead & frontend, under 4 yds., R/T); Locomotive Engineer; Mixermobile; Oiler & Cable Tender, Mucking Machine, Paver (asphalt and concrete); Pump (Grout or Jet); Refrigeration Plant Engineer (1000 tons); Rollerman (finishing pavement); Rubber-tired Scrapers (one motor with one scraper, under 40 yds.); Screed Operator; Soil Stabilizer (P & H or similar);						

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2-IDA-NIDA-PEO-1-2-3--1 (3-4)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP III (cont'd)						
Spreader Machine; Tractor (crawler, incl. Dozer, Scraper, Drills, Booms, Rollers, etc.); Traverse Finishing Machine; Trenching Machines (under 7 ft. depth capacity); Turnhead Operator	$7.00	.50	.55		.025	
GROUP IV						
H. D. Mechanic; H. D. Welder; Refrigeration Plant Engineer (1000 tons & over) Semi-automatic Welding Machine.	7.10	.50	.55		.025	
GROUP V						
Asphalt Plant Operator; Crusher & Screening Plant Operator; Rubber-tired Scrapers Multi-Engine Power with one Scraper (Euclid, TS-24 & similar); Rubber-tired Scraper, One Motor with One Scraper (40 yds. & over); Single Engine with two Scrapers (Letourneau, Tandem B & similar); Surface Heater & Planer Machine.	7.15	.50	.55		.025	
GROUP VI						
Automatic Subgrader (ditches & trimmers) (B.A. Hansen & similar); Backhoes (under 3 yds.); Batch & Wet Mix Operator-Multiple Units (2 and incl. 4); Clamshell Operator (under 3 yds.); Concrete Slip Form Paver; Cranes (under 65 tons); Derricks & Stiffleggs (under 65 tons); Draglines (under 3 yds.); Drilling Equipment (8" bit and over) (Robbins & similar); Hydra-Cranes (Austin, Western Hydra-Hoe and similar with attachments); Loader Operator (Front End & Overhead 4 yds. to 8 yds.); Mucking Machines; Piledriving Engineers; Paver (dual drum);						

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2-IDA-NIDA-PSD-1-2-3-a-1 (4-4)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP VI (cont'd)						
Quad-track or similar Equipment; Railroad Track Liner Operator (self-propelled); Rubber-tired Scrapers, Multiple Engines with two Scrapers; Shovels (under 3 yds.); Signalmen (Whirleys, Highline Hammerheads or similar); Trenching Machines (7 ft. depth and over).	$7.30	.50	.55		.025	
GROUP VII						
Backhoes (3 yds. and over); Batch Plant (over 4 units); Cableway Controller-Dispatcher; Cableway Operators; Clamshell Operator (3 yds. and over); Cranes (65 tons and over); Derricks & Stifflegs (65 tons and over); Draglines (3 yds. and over); Loader - (360 degrees revolving Koehring Scooper or similar); Loaders (overhead and front end over 8 yds.); Rubber-tired Scrapers (multiple engine with three or more scrapers); Shovels (3 yds. and over); Tower Crane; Whirleys and Hammerheads (all).	7.55	.50	.55		.025	

Underground Work - Add 10% to the Classification.

Classification - (Not to include open pits, cuts, ditches, trenches and such work as paving, etc.)

All Crane Booms: 130' to 200' - $.15/hr. Additional to Classification
Over 200' - - $.30/hr. Additional to Classification

Yo-Yo Dozer: 10% Additional

AP-273 P. 16

1-IDA-SIDA-TD-1-2-3-K (1-2)

(That portion of Idaho County south of the 46th parallel)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
TRUCK DRIVERS						
Group 1 LEVERMAN Loading at Bunkers	5.73	.40	.30	.05	.10	
Group 2 FLAT BED - 2 Axle and Pickup hauling material, Water Tank Truck (1800 gals and under), Fork Lift (3,000 and under)	5.79	.40	.30	.05	.10	
Group 3 FLAT BED - 3 Axle, Fuel Truck (1,000 Gals. and under), Greaser, Tireman, Serviceman, Buggymobile, Man Haul (Shuttle Truck or Bus).	5.85	.40	.30	.05	.10	
Group 4 TRANSIT MIX TRUCK - 3 Yds. and under, Warehouseman, Truck Helpers, Slurry or Concrete Pumping Truck	5.91	.40	.30	.05	.10	
Group 5 FLAT BED using Power Takeoff, Water Tank Truck (over 1,800-4,000 gals.) Semi-Trailer - Low Boy - up to 96,000 lbs. GVW, Bulk Cement Tanker - up to 96,000 lbs GVW, Fork Lift - over 3,000 lbs. (Bull Lift, Hydro Lift), Ross, Hyster and similar Straddle Equipment, "A" Frame Truck (Swedish Crane, Iowa 3,000, Hydro-lift).	5.97	.40	.30	.05	.10	
Group 6 TRANSIT MIX TRUCK, over 3 yds. - 6 yds	6.03	.40	.30	.05	.10	
Group 7 WATER TANK TRUCK - over 4,000 gals., Fuel Truck - over 1,000 gals., Distributor or Spreader Truck, Field Tireman - Serviceman	6.09	.40	.30	.05	.10	
Group 8 TRANSIT MIX TRUCK - over 6-8 yds., Dumptors	6.15	.40	.30	.05	.10	
Group 9 TRANSIT MIX TRUCK - over 8 - 10 yds.	6.27	.40	.30	.05	.10	

AP-273 F. 17
2-IDA-SIDA-TD-1-2-3-B (2-2)

TRUCK DRIVERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth
Group 10						
LOW BOY - 96,000 lbs. GVW and over, Bulk Cement Tanker - 96,000 lbs. GVW and over	6.33	.40	.30	.05	.10	
Group 11						
TRANSIT MIX TRUCK - over 10 yds.	6.39	.40	.30	.05	.10	
Group 12						
TURNABOCKER and similar equipment	6.45	.40	.30	.05	.10	
Group 13						
TRUCK - side, end and bottom dump (6 yds. and under)	5.91	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 6 yds. - including 12 yds.)	6.03	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 12 yds. - including 20 yds.)	6.27	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 20 yds. including 30 yds.)	6.45	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 30 yds. including 40 yds.)	6.58	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 40 yds. including 50 yds.)	6.70	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 50 yds. including 75 yds.)	6.94	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 75 yds. including 100 yds.)	7.18	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 100 yds.)	7.43	.40	.30	.05	.10	
Group 14						
TRUCK MECHANIC	6.81	.40	.30	.05	.10	

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(Remainder of Counties and that portion of Idaho County north of the 46th parallel)
2-IDA-NIDA-TD-1-2-3-d (1-2)

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
Group I						
FLAT BED TRUCK, single rear axle; Escort Driver; Fish Truck; Fork Lift, 3,000 lbs. & under; Fuel Truck Driver (steam cleaner & washer); Helper & Swamper; Leverman Loading Trucks at Bunkers; Pickup Hauling Material; Stationary Fuel Op.; Team Driver; Tractor (small rubber tired pulling trailer or sim. equip.); Water Tank Truck 1,800 gallons	6.50	.57	.50			
Group II						
BUS DRIVER OR MANHAUL DRIVER; Flat Bed Truck, dual rear axle; Tireman No. 1; Warehouseman	6.55	.57	.50			
GROUP III						
BUGGY MOBILE & SIM.; Bulk Cement Tanker; Oil Tank Driver; Power Operated Sweeper; Semi-Trailer, low bed, truck & Trailer; Straddle Carrier (Ross, Hyster & sim.); Transit Mixers & Trucks Hauling Concrete (3 yds. & under); Trucks, side end and bottom dump (under 6 yds.); Water Tank Truck (1,801 - 4,000 gallons)	6.60	.57	.50			
Group IV						
AUTO CRANE - 2000 lbs. capacity; Bulk Cement Spreader; Dumptor (6 yds. & under); Flaherty Spreader, box driver; Flat Bed Truck (using power take off); Fork Lift (over 3,000 lbs.) Oil Distributor Driver (road, bootman; leverman, helper); Rubber tired Tunnel Jumbo; Scissors Truck; Slurry Truck Driver; Transit Mixers & Trucks Hauling Concrete (over 3 yds. to 6 yds.) Trucks, side, end and bottom dump (over 6 yds. to 12 yds.); Water Tank Truck (4,001 - 6,000 gals.); Wrecker & Tow Trucks	6.70	.57	.50			
Group V						
LOW BOY (under 50 tons); Service Greaser; Tireman No. 2	6.75	.57	.50			

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2-IDA-NIDA-TD-1-2-3-d (2-2)

TRUCK DRIVERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group VI A-FRAME (Swedish Crane, Iowa 3,000, hydrolift); Water Tank Truck (over 6,001 - 8,000 gals.)	6.80	.57	.50			
Group VII DUMPTOR (over 6 yds.); Transit Mixers & Trucks Hauling Concrete (6 yds. to 10 yds.) Trucks, side, end & bottom dump (over 12 yds. incl. 20 yds.)	6.85	.57	.50			
Group VIII LOW BOY (over 50 tons); Water Tank Truck (8,001 - 10,000 gals.); 10¢ for each add. 2,000 gals.	6.90	.57	.50			
Group IX TRANSIT MIXERS & TRUCKS Hauling Concrete, (10 yds. to 15 yds.); Trucks, side, end & bottom dump (over 20 yds. incl. 30 yds.)	7.00	.57	.50			
Group X TOURNAROCKER, 24'S & sim. w/2 or 4 wheel power tractor w/trailer or yardage scale whichever is greater	7.05	.57	.50			
Group XI TRANSIT MIXERS & TRUCKS Hauling Concrete (15 yds. to 20 yds.); Trucks, side, end & bottom dump (over 30 yds. to 40 yds.)	7.15	.57	.50			
Group XII TRANSIT MIXERS & TRUCKS Hauling Concrete (over 20 yds.); Trucks, side, end & bottom dump (over 40 yds. to 50 yds.)	7.30	.57	.50			
Group XIII TRUCKS, side, end and bottom dumps, (over 50 yds. to 100 yds.)	7.45	.57	.50			
Group XIV TRUCKS, side, end and bottom dump (over 100 yds.)	7.60	.57	.50			

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SOUTHERN IDAHO LINE CONSTRUCTION - g

(That portion of Idaho County south of the 46th parallel)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION: All work over 34.5 KV and all work on steel towers and/or multiple wood structures and all substations of 1000 KVA or greater capacity and all communications, underground work except street and highway lighting and motor traffic controls:						
Groundman	$5.00	.25	1%		3/4%	
Equipment Operators	6.05	.25	1%		3/4%	
Lineman	6.63	.25	1%		3/4%	
Cable Splicer	7.29	.25	1%		3/4%	
All work 34.5 KV and under and all work on highway lighting and motor traffic controlling:						
Groundman	4.94	.25	1%		3/4%	
Equipment Operator	5.77	.25	1%		3/4%	
Lineman	6.41	.25	1%		3/4%	

NORTHERN IDAHO LINE CONSTRUCTION -

(Remainder of Counties and that portion of Idaho County north of the 46th parallel)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION (Remainder of Counties and that portion of Idaho County north of the 46th parallel):						
Cable Splicers; Leadman Pole Sprayer	$8.60	.25	1%		1/2%	
Lineman; Pole Sprayer; Heavy Line Equipment Man; Certified Lineman Welder	7.76	.25	1%		1/2%	
Tree Trimmer	7.00	.25	1%		1/2%	
Line Equipment Man	6.67	.25	1%		1/2%	
Head Groundman (Chipper); Head Groundman; Powderman; Jackhammer Man	5.82	.25	1%		1/2%	
Groundman; Tree Trimmer Helper	5.49	.25	1%		1/2%	
Hole Digger	5.25	.25	1%		1/2%	

SUPERSEDEAS DECISION

STATE: Idaho

COUNTIES: Ada, Adams, Blaine, Boise, Butte, Camas, Canyon, Cassia, Custer, Elmore, Gem, Gooding, Jerome, Lemhi, Lincoln, Minnidoka, Owyhee, Payette, Twin Falls, Valley and Washington

DECISION NUMBER: AP-274

DATE: Date of Publication

Supersedes Decision No. AP-228 Dated August 25, 1972, in 37 FR 17343

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$7.46	.50	.72			
BOILERMAKERS	7.45	.60	1.00	.50	.02	
BRICKLAYERS; Stonemasons (Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, Washington Counties)	6.45	.25	.30			
BRICKLAYERS; Stonemasons (Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minnidoka, Twin Falls Counties)	6.15	.25				
BRICKLAYERS; Stonemasons (Butte, Custer, Lemhi Counties)	5.50					
CARPENTERS:						
Carpenters; Floor Layer; Shingler; Drywall Applicator and installer of metal studs, metal framing, accoustical material, metal partition, porcelain and enamel and metal panels, marlite and rigid or flexible plastic laminates, weatherstripping and insulation	6.32	.22	.20	.30	.10	
Saw Filer; Stationary Machine; Piledriverman; Bridgeman and Wharf Builders	6.50	.22	.20	.30	.10	
Millwrights; Machine Erector; Piledriverman's Boom Man	6.62	.22	.20	.30	.10	
CEMENT MASONS:						
Cement Masons	6.20	.22	.20	.10	.10	
Gunnite; Composition Floorlayer; Power Grinder; Power Trowel	6.38	.22	.20	.10	.10	
ELECTRICIANS: (Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley and Washington Counties)						
Electricians	7.45	.30	1%		2/10%	
Cable Splicers	8.195	.30	1%		2/10%	
ELECTRICIANS (Remaining Counties)						
Electricians	7.40	.25	1%		2/10%	
Cable Splicers	8.14	.25	1%		2/10%	
ELEVATOR CONSTRUCTORS	7.23	.345	.23	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.345	.23	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS: (Ada, Adams, Boise, Canyon, Elmore, (except Mt. Home AFB), Gem, Gooding, (W. portion), Owyhee, Payette, Valley and Washington Counties	5.50	.25	.20	.23		
IRONWORKERS (Adams, Valley and Washington Counties north of the Weiser-Gibbonsville line)						
Fence Erectors; Structural; Ornamental; Reinforcing	7.56	.48	.65		.05	
IRONWORKERS (Remaining Counties and south of the Weiser-Gibbonsville line in Adams, Valley and Washington Counties)						
Fence Erectors; Reinforcing; Structural; Ornamental	6.94	.40	.65		.01	
PAINTERS: (Ada, Adams, Boise, Camas, Elmore, Gem (incl. city of Ola), Gooding (western 1/3 of Co. incl. city of Bliss), Owyhee (incl. cities of Bruneau, Grand View, Riddle and Tindall), Valley and Washington Cos.)						
Brush	6.11	.25	.10			
Steel	6.21	.25	.10			
Sign	6.23	.25	.10			
Spray	6.58	.25	.10			
PAINTERS (Mountain Home AFB)						
Brush	7.11	.25	.10			
Sandblasting; Spray Gun	7.58	.25	.10			
Steel	7.21	.25	.10			
PAINTERS (Remaining Counties and Remaining portion of Gooding County)						
Brush; Perfatapers	5.81	.25	.10			
Structural Steel; Spray	6.26	.25	.10			
PLASTERERS	5.98	.22	.20	.10		
PLUMBERS; Steamfitters	7.19	.37	.40		.05	
ROOFERS (Ada, Adams, Boise, Canyon, Custer, Elmore, Gem, Lemhi, Owyhee, Payette, Valley and Washington Cos.)						
Kettlemen; Roofers	5.85	.13	.15			
Roofers working with coal tar and pitch products	7.35	.13	.15			
ROOFERS (Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minnidoka and Twin Falls Counties)	5.98		.15			
ROOFERS (Butte County)	6.90		.20			

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
SHEET METAL WORKERS (Butte, Custer & Lemhi Counties)	7.47	.22			.01	
SHEET METAL WORKERS (Remaining Cos.)	7.06	.27	.20		.02	
SPRINKLER FITTERS	8.70	.30	.50		.05	
TILE SETTERS (Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley and Washington Counties)	5.65	.25	.30			

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Employer credits 4% of basic hourly rate of employee with over 5 years' service, 2% basic hourly rate from 6 months to 5 years' service to Vacation Plan. Six Paid Holidays: A through F.

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1-IDA-SIDA-JAB-1-2-3-k

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I						
GENERAL LABORERS, Sloper, Clearing and Grading, Form Stripper, Concrete Crew, Concrete Curing Crew, Carpenter Tender, Asphalt Laborer, Hopper Tender, Heater Tender, Stake Jumper, Choker Setter, Spreader and Weighman, Power Wheelbarrow, Scouring Concrete, Rip Rap Man (hand placed), Fence Erector and Installer - manual or mechanical (includes the installation and erection of fences, guard rails, median rails, reference posts, guide posts and right-of-way markers), Crusher Helper, Cribbing and Shoring (in open ditches), Machinery and Parts Cleaner, Leverman - Manual or Mechanical, Demolition - Salvage, Landscaper, Tool Room Man	$4.82	.35	.35	.10	.10	
GROUP II						
CHUCK TENDER, Driller Helper, Air Tampers, Gunite Nozzleman Tender, Pipe Wrapper, Tar Pot Tender, Concrete Sawyer, Signalman, Handling Cement, Dumpman, Steam Nozzleman, Air and Water Nozzleman (Green Cutter, concrete) Grade Checker, Vibrator (less than 4"), Pumpcrete and Grout Pump Crew, Hydraulic Monitor	4.92	.35	.35	.10	.10	
GROUP III						
PIPELAYER including sewer, drainage, sprinkler systems and water lines, Free Air Caisson, Jackhammer, Paving Breaker, Powderman Helper, Asphalt Raker, Gasoline Powered Tamper, Electric Ballast Tamper, Sand Blasting, Form Setter - Airport Paving, Gunman (Gunite), Manhole Setter, Hand Guided Machines, such as Rotor Tillers, Trenchers, Post Hole Diggers, Walking Garden Tractors, etc., Form Setter (Highway-Curb and Gutter), Vibrator (4" and over), Timber Faller and Bucker, Metal Pan Installer	5.02	.35	.35	.10	.10	

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1-IDA-SIDA-LAB-1-2-3-k

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP IV						
HOD CARRIER, Mason Tender Plaster Tender, Mason Tender (Concrete), Terrazzo-Tile Tender	$5.12	.35	.35	.10	.10	
GROUP V						
RICOSCALER, Wagon Drill, Gunite Nozzleman, Diamond Drill	5.17	.35	.35	.10	.10	
GROUP VI						
DRILLERS on Drills with manufacturers rating 3" or over, Powderman	5.42	.35	.35	.10	.10	
GROUP VII						
REBOUNDMAN, Chucktender, Nipper, Dumpman, Vibrator(less than 4"), Brakeman, Muckers, Bullgang	4.97	.35	.35	.10	.10	
GROUP VIII						
FORM SETTER and Mover; Vibrator (4" and over)	5.12	.35	.35	.10	.10	
GROUP IX						
MINERS, Machinemen, Timbermen, Steelmen, Drill Doctors, Spaders and Tuggers, Spiling and/or Caisson Workers	5.42	.35	.35	.10	.10	

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1-IDA-SIDA-PEO-1-2-3- p____ (1-3)

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Group 1						
Brakeman, Crusher, Plant Feeder (Mechanical), Deckhand, Drill Helpers, Grade Checkers, Heater Tender, Land Plane, Oilers, Pumpman	5.78	.40	.35		.10	
Group 2						
Air Compressor, Assistant Refrigeration Plant Operator, Bell Boy, Bit Grinder Operator, Blower Operator (Cement), Bolt Threader Machine Operator-Broom, Cement Hog, Concrete Mixer, Concrete Saw - Multiple Cut, Discing - Harrowing or mulching (Regardless of Motive Power), Distributor Leverman, Drill Steel Threader Machine Operator, Fireman - All, Heavy Duty Mechanic Helper or Welder Helper, Hoist - Single Drum, Hydraulic Monitor Operator - Skid Mounted, Oiler on Cranes and Shovels, Pugmixer - Box or Screed Operator, Spray Curing Machine, Tractor - Rubber Tired Form Type Using Attachments	5.94	.40	.35		.10	
Group 3						
A-Frame Truck (Hydra lift, Swedish Cranes, Ross Carrier, Hyster on Construction jobs), Battery Tunnell Locomotive, Belt Finishing Machine, Cable Tenders (Underground), Chip Spreader Machine (Self-propelled), Front End and Overhead Loaders and Similar Machines under 2 Yds. - Rubber-tired, Hoist - 2 or more Drums or Tower Hoist, Hydralift - Fork Lift and Similar (When Hoisting), Oilers (Underground), Power Loader (Bucket Elevator, Conveyors), Road Roller (Regardless of Motive Power), Service Oiler.	6.12	.40	.35		.10	
Group 4						
Boring Machines (Earth or Rock) Quarymaster - Joy - Tractor Mounted, Drills; Churn - Core - Calyx or Diamond, Front End and Overhead Loaders and Similar Machines - 2 Yds. and including 4 Yds. - Rubber-tired, Grout Pump, Hydra-hammer, Locomotive Engineer, Longitudinal Float Machine, Mixermobile, Spreader Machine, Tractor - Rubber-tired - using						

1-IDA-SIDA-PEO-1-2-3- p (2-3)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth.
Group 4 (Cont'd) Backhoe, Transverse Finishing Machine, Trenching Machines, Waggoner Compactor and Similar, Asphalt Spreaders.	6.45	.40	.35		.10	
Group 5 Concrete Plant Operator, Concrete Road Paver Dual), Elevating Grader Operator, Euclid Elevating Loader, Generator Plant Operator-Mechanic (Diesel Electric), Post Hole Auger or Punch Operator, Power Shovels and Draglines-under 1 Yd., Pumpcrete, Refrigeration Plant Operator, Road Roller (Finishing High Type Pavement), Skidder - Rubber tired, Sub Grader.	6.63	.40	.35		.10	
Group 6 Asphalt Pavers - Self-prop., Asphalt Plant Operator, Blade Operator (Motor Patrol), Concrete Slip Form Paver, Cranes - up to and including 50 ton, Crusher Plant Operator, Derrick Operator, Front End and Overhead Loaders and Similar Machines - over 4 yds. to and including 6 Yds., Koehring Scooper, Heavy Duty Mechanic or Welder, Mucking Machine (Underground), Multi-batch Concrete Plant Operator, Piledriver Engineer, Power Shovels and Draglines - 1 Yd. to and including 3-1/2 Yds., Tower Crane Operator, Tractor - Crawler Type - including all attachments, Refrigeration Plant Operator (Over 1,000 Tons), Trimmer Machine Operator, Tournapulls - Euclid and Similar - to and including 40 Yds.	6.81	.40	.35		.10	
Group 7 Cableway Operator, Cranes - Over 50 Ton, Dredges, Fine Grader - CMI or Equivalent, Front End and Overhead Loaders and Similar Machines - Over 6 Yds., Power Shovels and Draglines over 3-1/2 Yds., Quad Type Tractors with all Attachments, Tournapulls - Euclid and Similar - Over 40 Yds. to and including 50 Yds., Multiple Scraper Units.	7.14	.40	.35		.10	

1-IDA-SIDA-PEO-1-2-3-P (3-3)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth.
Group 8 Tournapulls - Euclid and Similar - Over 50 Yds. to and including 75 Yds.	7.38	.40	.35		.10	
Group 9 Tournapulls - Euclid and Similar - Over 75 Yds. to and including 100 Yds.	7.63	.40	.35		.10	
Group 10 Tournapulls - Euclid and Similar - Over 100 Yds.	7.87	.40	.35		.10	

1-IDA-SIDA-TD-1-2-3-R (1-2)

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Dr
Group 1 LEVERMAN Loading at Bunkers	5.73	.40	.30	.05	.10	
Group 2 FLAT BED - 2 Axle and Pickup hauling material, Water Tank Truck (1800 gals and under), Fork Lift (3,000 and under)	5.79	.40	.30	.05	.10	
Group 3 FLAT BED - 3 Axle, Fuel Truck (1,000 Gals. and under), Greaser, Tireman, Serviceman, Buggymobile, Man Haul (Shuttle Truck or Bus).	5.85	.40	.30	.05	.10	
Group 4 TRANSIT MIX TRUCK - 3 Yds. and under, Warehouseman, Truck Helpers, Slurry or Concrete Pumping Truck	5.91	.40	.30	.05	.10	
Group 5 FLAT BED using Power Takeoff, Water Tank Truck (over 1,800-4,000 gals.) Semi-Trailer - Low Boy - up to 96,000 lbs. GVW, Bulk Cement Tanker - up to 96,000 lbs GVW, Fork Lift - over 3,000 lbs. (Bull Lift, Hydro Lift), Ross, Hyster and similar Straddle Equipment, "A" Frame Truck (Swedish Crane, Iowa 3,000, Hydro-lift).	5.97	.40	.30	.05	.10	
Group 6 TRANSIT MIX TRUCK, over 3 yds. - 6 yds	6.03	.40	.30	.05	.10	
Group 7 WATER TANK TRUCK - over 4,000 gals., Fuel Truck - over 1,000 gals., Distributor or Spreader Truck, Field Tireman - Serviceman	6.09	.40	.30	.05	.10	
Group 8 TRANSIT MIX TRUCK - over 6-8 yds., Dumptors	6.15	.40	.30	.05	.10	
Group 9 TRANSIT MIX TRUCK - over 8 - 10 yds.	6.27	.40	.30	.05	.10	

1-IDA-SIDA-TD-1-2-3-R (2-2)

TRUCK DRIVERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Dis
Group 10 LOW BOY - 96,000 lbs. GVW and over, Bulk Cement Tanker - 96,000 lbs. GVW and over	6.33	.40	.30	.05	.10	
Group 11 TRANSIT MIX TRUCK - over 10 yds.	6.39	.40	.30	.05	.10	
Group 12 TURNADOCKER and similar equipment	6.45	.40	.30	.05	.10	
Group 13 TRUCK - side, end and bottom dump (6 yds. and under)	5.91	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 6 yds. - including 12 yds.)	6.03	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 12 yds. - including 20 yds.)	6.27	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 20 yds. including 30 yds.)	6.45	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 30 yds. including 40 yds.)	6.58	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 40 yds. including 50 yds.)	6.70	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 50 yds. including 75 yds.)	6.94	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 75 yds. including 100 yds.)	7.18	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 100 yds.)	7.43	.40	.30	.05	.10	
Group 14 TRUCK MECHANIC	6.81	.40	.30	.05	.10	

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SOUTHERN IDAHO LINE CONSTRUCTION - 8

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LINE CONSTRUCTION:						
All work over 34.5 KV and all work on steel towers and/or multiple wood structures and all substations of 1000 KVA or greater capacity and all communications, underground work except street and highway lighting and motor traffic controls:						
Groundman	$5.00	.25	1%		3/4%	
Equipment Operators	6.05	.25	1%		3/4%	
Lineman	6.63	.25	1%		3/4%	
Cable Splicer	7.29	.25	1%		3/4%	
All work 34.5 KV and under and all work on highway lighting and motor traffic controlling:						
Groundman	4.94	.25	1%		3/4%	
Equipment Operator	5.77	.25	1%		3/4%	
Lineman	6.41	.25	1%		3/4%	

STATE: Idaho COUNTY: Ada
DECISION NUMBER: AP-275 DATE: Date of Publication
Supersedes Decision No. AP-257 Dated January 12, 1973, in 38 FR 1459
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$ 7.46	.50	.72			
BOILERMAKERS	7.45	.60	1.00	.50	.02	
BRICKLAYERS; Stonemasons	6.45	.25	.30			
CARPENTERS:						
Carpenters; Drywall applicators; Floor layers; Shinglers	6.32	.22	.20	.30	.10	
Piledrivermen	6.50	.22	.20	.30	.10	
Millwrights; Piledrivermen's boom man	6.62	.22	.20	.30	.10	
CEMENT MASONS:						
Cement Masons	6.20	.22	.20	.10	.10	
Gunnite & composition floor; Power grinder op.; Power trowel op.	6.38	.22	.20	.10	.10	
ELECTRICIANS:						
Electricians	7.45	.30	1%		2/10%	
Cable Splicers	8.195	.30	1%		2/10%	
ELEVATOR CONSTRUCTORS	7.23	.345	.23	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.345	.23	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
IRONWORKERS:						
Fence erectors; Reinforcing; Structural	6.94	.40	.65		.01	
PAINTERS						
Brush	6.11	.25	.10			
Steel	6.21	.25	.10			
Sign	6.23	.25	.10			
Spray	6.58	.25	.10			
PLASTERERS	5.98	.22	.20	.10		
PLUMBERS	7.19	.37	.40		.05	
ROOFERS:						
Kettlemen; Roofers	5.85	.13	.15			
Roofers working with coal tar & pitch products	7.35	.13	.15			
SHEET METAL WORKERS	7.06	.27	.20		.02	
SPRINKLER FITTERS	8.70	.30	.50		.05	
TILE SETTERS	5.65	.25	.30			
WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Employer credits 4% basic hourly rate of employee with over 5 years' service, 2% basic hourly rate from 6 months to 5 years' service to Vacation Plan. Six paid holidays: A through F.

1-IDA-SIDA-1AR-1-2-3-k

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I						
GENERAL LABORERS, Sloper, Clearing and Grading, Form Stripper, Concrete Crew, Concrete Curing Crew, Carpenter Tender, Asphalt Laborer, Hopper Tender, Heater Tender, Stake Jumper, Choker Setter, Spreader and Weighman, Power Wheelbarrow, Scouring Concrete, Rip Rap Man (hand placed), Fence Erector and Installer - manual or mechanical (includes the installation and erection of fences, guard rails, median rails, reference posts, guide posts and right-of-way markers), Crusher Helper, Cribbing and Shoring (in open ditches), Machinery and Parts Cleaner, Leverman - Manual or Mechanical, Demolition - Salvage, Landscaper, Tool Room Man	$4.82	.35	.35	.10	.10	
GROUP II						
CHUCK TENDER, Driller Helper, Air Tampers, Gunite Nozzleman Tender, Pipe Wrapper, Tar Pot Tender, Concrete Sawyer, Signalman, Handling Cement, Dumpman, Steam Nozzleman, Air and Water Nozzleman (Green Cutter, concrete) Grade Checker, Vibrator (less than 4"), Pumpcrete and Grout Pump Crew, Hydraulic Monitor	4.92	.35	.35	.10	.10	
GROUP III						
PIPELAYER including sewer, drainage, sprinkler systems and water lines, Free Air Caisson, Jackhammer, Paving Breaker, Powderman Helper, Asphalt Raker, Gasoline Powered Tamper, Electric Ballast Tamper, Sand Blasting, Form Setter - Airport Paving, Gunman (Gunite), Manhole Setter, Hand Guided Machines, such as Rotor Tillers, Trenchers, Post Hole Diggers, Walking Garden Tractors, etc., Form Setter (Highway-Curb and Gutter), Vibrator (4" and over), Timber Faller and Bucker, Metal Pan Installer	5.02	.35	.35	.10	.10	

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1-IDA-SIDA-LAB-1-2-3-k

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP IV						
HOD CARRIER, Mason Tender Plaster Tender, Mason Tender (Concrete), Terrazzo-Tile Tender	$5.12	.35	.35	.10	.10	
GROUP V						
HIGHSCALER, Wagon Drill, Gunite Nozzleman, Daimond Drill	5.17	.35	.35	.10	.10	
GROUP VI						
DRILLERS on Drills with manufacturers rating 3" or over, Powderman	5.42	.35	.35	.10	.10	
GROUP VII						
REBOUNDMAN, Chucktender, Nipper, Dumpman, Vibrator(less than 4"), Brakeman, Muckers, Bullgang	4.97	.35	.35	.10	.10	
GROUP VIII						
FORM SETTER and Mover; Vibrator (4" and over)	5.12	.35	.35	.10	.10	
GROUP IX						
MINERS, Machinemen, Timbermen, Steelmen, Drill Doctors, Spaders and Tuggers, Spiling and/or Caisson Workers	5.42	.35	.35	.10	.10	

AP-275 P. 4

1-IDA-SIDA-PEO-1-2-3- p____ (1-3)

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Group 1						
Brakeman, Crusher, Plant Feeder (Mechanical), Deckhand, Drill Helpers, Grade Checkers, Heater Tender, Land Plane, Oilers, Pumpman	5.78	.40	.35		.10	
Group 2						
Air Compressor, Assistant Refrigeration Plant Operator, Bell Boy, Bit Grinder Operator, Blower Operator (Cement), Bolt Threader Machine Operator-Broom, Cement Hog, Concrete Mixer, Concrete Saw - Multiple Cut, Discing - Harrowing or mulching (Regardless of Motive Power), Distributor Leverman, Drill Steel Threader Machine Operator, Fireman - All, Heavy Duty Mechanic Helper or Welder Helper, Hoist - Single Drum, Hydraulic Monitor Operator - Skid Mounted, Oiler on Cranes and Shovels, Pugmixer - Box or Screed Operator, Spray Curing Machine, Tractor - Rubber Tired Form Type Using Attachments	5.94	.40	.35		.10	
Group 3						
A-Frame Truck (Hydra lift, Swedish Cranes, Ross Carrier, Hyster on Construction jobs), Battery Tunnell Locomotive, Belt Finishing Machine, Cable Tenders (Underground), Chip Spreader Machine (Self-propelled), Front End and Overhead Loaders and Similar Machines under 2 Yds. - Rubber-tired, Hoist - 2 or more Drums or Tower Hoist, Hydralift - Fork Lift and Similar (When Hoisting), Oilers (Underground), Power Loader (Bucket Elevator, Conveyors), Road Roller (Regardless of Motive Power), Service Oiler.	6.12	.40	.35		.10	
Group 4						
Boring Machines (Earth or Rock) Quarrymaster - Joy - Tractor Mounted, Drills; Churn - Core - Calyx or Diamond, Front End and Overhead Loaders and Similar Machines - 2 Yds. and including 4 Yds. - Rubber-tired, Grout Pump, Hydra-hammer, Locomotive Engineer, Longitudinal Float Machine, Mixermobile, Spreader Machine, Tractor - Rubber-tired - using						

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2-IDA-SIDA-PEO-1-2-3- p (2-3)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group 4 (Cont'd) Backhoe, Transverse Finishing Machine, Trenching Machines, Waggoner Compactor and Similar, Asphalt Spreaders.	6.45	.40	.35		.10	
Group 5 Concrete Plant Operator, Concrete Road Paver Dual), Elevating Grader Operator, Euclid Elevating Loader, Generator Plant Operator-Mechanic (Diesel Electric), Post Hole Auger or Punch Operator, Power Shovels and Draglines-under 1 Yd., Pumpcrete, Refrigeration Plant Operator, Road Roller (Finishing High Type Pavement), Skidder - Rubber tired, Sub Grader.	6.63	.40	.35		.10	
Group 6 Asphalt Pavers - Self-prop., Asphalt Plant Operator, Blade Operator (Motor Patrol), Concrete Slip Form Paver, Cranes - up to and including 50 ton, Crusher Plant Operator, Derrick Operator, Front End and Overhead Loaders and Similar Machines - over 4 yds. to and including 6 Yds., Koehring Scooper, Heavy Duty Mechanic or Welder, Mucking Machine (Underground), Multi-batch Concrete Plant Operator, Piledriver Engineer, Power Shovels and Draglines - 1 Yd. to and including 3-1/2 Yds., Tower Crane Operator, Tractor - Crawler Type - including all attachments, Refrigeration Plant Operator (Over 1,000 Tons), Trimmer Machine Operator, Tournapulls - Euclid and Similar - to and including 40 Yds.	6.81	.40	.35		.10	
Group 7 Cableway Operator, Cranes - Over 50 Ton, Dredges, Fine Grader - CMI or Equivalent, Front End and Overhead Loaders and Similar Machines - Over 6 Yds., Power Shovels and Draglines over 3-1/2 Yds., Quad Type Tractors with all Attachments, Tournapulls - Euclid and Similar - Over 40 Yds. to and including 50 Yds., Multiple Scraper Units.	7.14	.40	.35		.10	

AP-275 Pg. 6

1-IDA-SIDA-PEO-1-2-3-P (3-3)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group 8 Tournapulls - Euclid and Similar - Over 50 Yds. to and including 75 Yds.	7.38	.40	.35		.10	
Group 9 Tournapulls - Euclid and Similar - Over 75 Yds. to and including 100 Yds.	7.63	.40	.35		.10	
Group 10 Tournapulls - Euclid and Similar - Over 100 Yds.	7.87	.40	.35		.10	

AP-275 P. 7

1-IDA-SIDA-TD-1-2-3-R (1-2)

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Group 1 LEVERMAN Loading at Bunkers	5.73	.40	.30	.05	.10	
Group 2 FLAT BED - 2 Axle and Pickup hauling material, Water Tank Truck (1800 gals. and under), Fork Lift (3,000 and under)	5.79	.40	.30	.05	.10	
Group 3 FLAT BED - 3 Axle, Fuel Truck (1,000 Gals. and under), Greaser, Tireman, Serviceman, Buggymobile, Man Haul (Shuttle Truck or Bus).	5.85	.40	.30	.05	.10	
Group 4 TRANSIT MIX TRUCK - 3 Yds. and under, Warehouseman, Truck Helpers, Slurry or Concrete Pumping Truck	5.91	.40	.30	.05	.10	
Group 5 FLAT BED using Power Takeoff, Water Tank Truck (over 1,800-4,000 gals.) Semi-Trailer - Low Boy - up to 96,000 lbs. GVW, Bulk Cement Tanker - up to 96,000 lbs GVW, Fork Lift - over 3,000 lbs. (Bull Lift, Hydro Lift), Ross, Hyster and similar Straddle Equipment, "A" Frame Truck (Swedish Crane, Iowa 3,000, Hydro-lift).	5.97	.40	.30	.05	.10	
Group 6 TRANSIT MIX TRUCK, over 3 yds. - 6 yds	6.03	.40	.30	.05	.10	
Group 7 WATER TANK TRUCK - over 4,000 gals., Fuel Truck - over 1,000 gals., Distributor or Spreader Truck, Field Tireman - Serviceman	6.09	.40	.30	.05	.10	
Group 8 TRANSIT MIX TRUCK - over 6-8 yds., Dumptors	6.15	.40	.30	.05	.10	
Group 9 TRANSIT MIX TRUCK - over 8 - 10 yds.	6.27	.40	.30	.05	.10	

AP-275 P. 8

1-IDA-SIDA-TD-1-2-3-R (2-2)

TRUCK DRIVERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group 10 LOW BOY - 96,000 lbs. GVW and over, Bulk Cement Tanker - 96,000 lbs. GVW and over	6.33	.40	.30	.05	.10	
Group 11 TRANSIT MIX TRUCK - over 10 yds.	6.39	.40	.30	.05	.10	
Group 12 TURNAROCKER and similar equipment	6.45	.40	.30	.05	.10	
Group 13 TRUCK - side, end and bottom dump (6 yds. and under)	5.91	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 6 yds. - including 12 yds.)	6.03	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 12 yds. - including 20 yds.)	6.27	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 20 yds. including 30 yds.)	6.45	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 30 yds. including 40 yds.)	6.58	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 40 yds. including 50 yds.)	6.70	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 50 yds. including 75 yds.)	6.94	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 75 yds. including 100 yds.)	7.18	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 100 yds.)	7.43	.40	.30	.05	.10	
Group 14 TRUCK MECHANIC	6.81	.40	.30	.05	.10	

STATE: Idaho

COUNTIES: Bannock, Bear Lake, Bingham, Bonneville, Caribou, Clark, Franklin, Fremont, Jefferson, Madison, Oneida, Power and Teton.

DECISION NUMBER: AP-276

DATE: Date of Publication

Supersedes Decision No. AP-226 Dated August 25, 1972, in 37 FR 17327.

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$7.46	.50	.72			
BOILERMAKERS	7.45	.60	1.00	.50	.02	
BRICKLAYERS; Stonemasons (Bingham No. 1/2 of County), Bonneville, Clark, Fremont, Jefferson, Madison, and Teton Counties)	5.50					
BRICKLAYERS; Stonemasons (So. 1/2 of Bingham County, Bannock, Bear Lake, Caribou, Franklin, Oneida, and Powers Counties)	6.50	.25	.15			
CARPENTERS:						
Carpenters; Floor Layer; Shingler; Drywall Applicator and installer of metal studs, metal framing, acoustical material, metal partition, porcelain and enamel and metal panels, marlite and rigid or flexible plastic laminates, weatherstripping and insulation	6.32	.22	.20	.30	.10	
Saw Filer; Stationary Machine; Pile-driverman; Bridgeman and Wharf Builder	6.50	.22	.20	.30	.10	
Millwrights; Machine Erector; Pile-driverman's Boom Man	6.62	.22	.20	.30	.10	
CEMENT MASONS:						
Cement Masons	6.20	.22	.20	.10	.10.	
Gunnite & Composition Floor; Power Grinder Operator; Power Trowel Operator	6.38	.22	.20	.10	.10	
ELECTRICIANS:						
Electricians	7.53	.25	1%		1%	
Cable Splicers	8.27	.25	1%		1%	
ELEVATOR CONSTRUCTORS	7.23	.345	.23	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.345	.23	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
IRONWORKERS:						
Ornamental-Reinforcing-Structural	6.94	.40	.65		.01	
PAINTERS:						
Brush, Perfatapers	$5.81	.25	.10			
Structural Steel, Swing Stage, Spray	6.26	.25	.10			
PLASTERERS	5.98	.22	.20	.10		
PLUMBERS; Steamfitters	7.19	.37	.40		.05	
ROOFERS	6.90		.20			
SHEET METAL WORKERS	7.47	.22			.01	
SOFT FLOOR LAYERS	5.70					
SPRINKLER FITTERS	8.70	.30	.50		.05	
TERRAZZO WORKERS (Bonneville, Clark, Fremont, Jefferson, Madison, Teton Counties and No. 1/2 of Bingham Co.)	5.50					
TERRAZZO WORKERS (Remaining Cos. & So. 1/2 of Bingham Co.)	5.40	.25	.15			
TILE SETTERS (Bonneville, Clark, Fremont, Jefferson, Madison, Teton Counties and No. 1/2 of Bingham Co.)	5.50					
TILE SETTERS (Remaining Cos. & So. 1/2 of Bingham Co.)	5.70	.25	.15			
WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Employer credits 4% basic hourly rate of employee with over 5 years' service, 2% basic hourly rate for 6 months to 5 years' service to Vacation Plan. Six Paid Holidays. A through F.

I-IDA-SIDA-LAB-1-2-3-k

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
GROUP I						
GENERAL LABORERS, Sloper, Clearing and Grading, Form Stripper, Concrete Crew, Concrete Curing Crew, Carpenter Tender, Asphalt Laborer, Hopper Tender, Heater Tender, Stake Jumper, Choker Setter, Spreader and Weighman, Power Wheelbarrow, Scouring Concrete, Rip Rap Man (hand placed), Fence Erector and Installer - manual or mechanical (includes the installation and erection of fences, guard rails, median rails, reference posts, guide posts and right-of-way markers), Crusher Helper, Cribbing and Shoring (in open ditches), Machinery and Parts Cleaner, Leverman - Manual or Mechanical, Demolition - Salvage, Landscaper, Tool Room Man	$4.82	.35	.35	.10	.10	
GROUP II						
CHUCK TENDER, Driller Helper, Air Tampers, Gunite Nozzleman Tender, Pipe Wrapper, Tar Pot Tender, Concrete Sawyer, Signalman, Handling Cement, Dumpman, Steam Nozzleman, Air and Water Nozzleman (Green Cutter, concrete) Grade Checker, Vibrator (less than 4"), Pumpcrete and Grout Pump Crew, Hydraulic Monitor	4.92	.35	.35	.10	.10	
GROUP III						
PIPELAYER including sewer, drainage, sprinkler systems and water lines, Free Air Caisson, Jackhammer, Paving Breaker, Powderman Helper, Asphalt Raker, Gasoline Powered Tamper, Electric Ballast Tamper, Sand Blasting, Form Setter - Airport Paving, Gunman (Gunite), Manhole Setter, Hand Guided Machines, such as Rotor Tillers, Trenchers, Post Hole Diggers, Walking Garden Tractors, etc., Form Setter (Highway-Curb and Gutter), Vibrator (4" and over), Timber Faller and Bucker, Metal Pan Installer	5.02	.35	.35	.10	.10	

I-IDA-SIDA-LAB-1-2-3-k

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
GROUP IV						
HOD CARRIER, Mason Tender Plaster Tender, Mason Tender (Concrete), Terrazzo-Tile Tender	$5.12	.35	.35	.10	.10	
GROUP V						
HIGHSCALER, Wagon Drill, Gunite Nozzleman, Daimond Drill	5.17	.35	.35	.10	.10	
GROUP VI						
DRILLERS on Drills with manufacturers rating 3" or over, Powderman	5.42	.35	.35	.10	.10	
GROUP VII						
REBOUNDMAN, Chucktender, Nipper, Dumpman, Vibrator(less than 4"), Brakeman, Muckers, Bullgang	4.97	.35	.35	.10	.10	
GROUP VIII						
FORM SETTER and Mover; Vibrator (4" and over)	5.12	.35	.35	.10	.10	
GROUP IX						
MINERS, Machinemen, Timbermen, Steelmen, Drill Doctors, Spaders and Tuggers, Spiling and/or Caisson Workers	5.42	.35	.35	.10	.10	

1-IDA-SIDA-PEO-1-2-3- p (1-3)

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Group 1 Brakeman, Crusher, Plant Feeder (Mechanical), Deckhand, Drill Helpers, Grade Checkers, Heater Tender, Land Plane, Oilers, Pumpman	5.78	.40	.35		.10	
Group 2 Air Compressor, Assistant Refrigeration Plant Operator, Bell Boy, Bit Grinder Operator, Blower Operator (Cement), Bolt Threader Machine Operator-Broom, Cement Hog, Concrete Mixer, Concrete Saw - Multiple Cut, Discing - Harrowing or mulching (Regardless of Motive Power), Distributor Leverman, Drill Steel Threader Machine Operator, Fireman - All, Heavy Duty Mechanic Helper or Welder Helper, Hoist - Single Drum, Hydraulic Monitor Operator - Skid Mounted, Oiler on Cranes and Shovels, Pugmixer - Box or Screed Operator, Spray Curing Machine, Tractor - Rubber Tired Form Type Using Attachments	5.94	.40	.35		.10	
Group 3 A-Frame Truck (Hydra lift, Swedish Cranes, Ross Carrier, Hyster on Construction jobs), Battery Tunnell Locomotive, Belt Finishing Machine, Cable Tenders (Underground), Chip Spreader Machine (Self-propelled), Front End and Overhead Loaders and Similar Machines under 2 Yds. - Rubber-tired, Hoist - 2 or more Drums or Tower Hoist, Hydralift - Fork Lift and Similar (When Hoisting), Oilers (Underground), Power Loader (Bucket Elevator, Conveyors), Road Roller (Regardless of Motive Power), Service Oiler.	6.12	.40	.35		.10	
Group 4 Boring Machines (Earth or Rock) Quarrymaster - Joy - Tractor Mounted, Drills; Churn - Core - Calyx or Diamond, Front End and Overhead Loaders and Similar Machines - 2 Yds. and including 4 Yds. - Rubber-tired, Grout Pump, Hydra-hammer, Locomotive Engineer, Longitudinal Float Machine, Mixermobile, Spreader Machine, Tractor - Rubber-tired - using						

1-IDA-SIDA-PEO-1-2-3- p (2-3)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Group 4 (Cont'd) Backhoe, Transverse Finishing Machine, Trenching Machines, Waggoner Compactor and Similar, Asphalt Spreaders.	6.45	.40	.35		.10	
Group 5 Concrete Plant Operator, Concrete Road Paver Dual), Elevating Grader Operator, Euclid Elevating Loader, Generator Plant Operator-Mechanic (Diesel Electric), Post Hole Auger or Punch Operator, Power Shovels and Draglines-under 1 Yd., Pumpcrete, Refrigeration Plant Operator, Road Roller (Finishing High Type Pavement), Skidder - Rubber tired, Sub Grader.	6.63	.40	.35		.10	
Group 6 Asphalt Pavers - Self-prop., Asphalt Plant Operator, Blade Operator (Motor Patrol), Concrete Slip Form Paver, Cranes - up to and including 50 ton, Crusher Plant Operator, Derrick Operator, Front End and Overhead Loaders and Similar Machines - over 4 yds. to and including 6 Yds., Koehring Scooper Heavy Duty Mechanic or Welder, Mucking Machine (Underground), Multi-batch Concrete Plant Operator, Piledriver Engineer, Power Shovels and Draglines - 1 Yd. to and including 3-1/2 Yds., Tower Crane Operator, Tractor - Crawler Type - including all attachments, Refrigeration Plant Operator (Over 1,000 Tons), Trimmer Machine Operator, Tournapulls - Euclid and Similar - to and including 40 Yds.	6.81	.40	.35		.10	
Group 7 Cableway Operator, Cranes - Over 50 Ton, Dredges, Fine Grader - CMI or Equivalent, Front End and Overhead Loaders and Similar Machines - Over 6 Yds., Power Shovels and Draglines over 3-1/2 Yds., Quad Type Tractors with all Attachments, Tournapulls - Euclid and Similar - Over 40 Yds. to and including 50 Yds., Multiple Scraper Units.	7.14	.40	.35		.10	

1-IDA-SIDA-PED-1-2-3-P (3-3)

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Group 8 Tournapulls - Euclid and Similar - Over 50 Yds. to and including 75 Yds.	7.38	.40	.35		.10	
Group 9 Tournapulls - Euclid and Similar - Over 75 Yds. to and including 100 Yds.	7.63	.40	.35		.10	
Group 10 Tournapulls - Euclid and Similar - Over 100 Yds.	7.87	.40	.35		.10	

1-IDA-SIDA-TD-1-2-3-R (1-2)

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Group 1 LEVERMAN Loading at Bunkers	5.73	.40	.30	.05	.10	
Group 2 FLAT BED - 2 Axle and Pickup hauling material, Water Tank Truck (1800 gals and under), Fork Lift (3,000 and under)	5.79	.40	.30	.05	.10	
Group 3 FLAT BED - 3 Axle, Fuel Truck (1,000 Gals. and under), Greaser, Tireman, Serviceman, Buggymobile, Man Haul (Shuttle Truck or Bus).	5.85	.40	.30	.05	.10	
Group 4 TRANSIT MIX TRUCK - 3 Yds. and under, Warehouseman, Truck Helpers, Slurry or Concrete Pumping Truck	5.91	.40	.30	.05	.10	
Group 5 FLAT BED using Power Takeoff, Water Tank Truck (over 1,800-4,000 gals.) Semi-Trailer - Low Boy - up to 96,000 lbs. GVW, Bulk Cement Tanker - up to 96,000 lbs GVW, Fork Lift - over 3,000 lbs. (Bull Lift, Hydro Lift), Ross, Hyster and similar Straddle Equipment, "A" Frame Truck (Swedish Crane, Iowa 3,000, Hydro-lift).	5.97	.40	.30	.05	.10	
Group 6 TRANSIT MIX TRUCK, over 3 yds. - 6 yds	6.03	.40	.30	.05	.10	
Group 7 WATER TANK TRUCK - over 4,000 gals., Fuel Truck - over 1,000 gals., Distributor or Spreader Truck, Field Tireman - Serviceman	6.09	.40	.30	.05	.10	
Group 8 TRANSIT MIX TRUCK - over 6-8 yds., Dumptors	6.15	.40	.30	.05	.10	
Group 9 TRANSIT MIX TRUCK - over 8 - 10 yds.	6.27	.40	.30	.05	.10	

1-IDA-SIDA-TD-1-2-3-R (2-2)

TRUCK DRIVERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth
Group 10						
LOW BOY - 96,000 lbs. GVW and over, Bulk Cement Tanker - 96,000 lbs. GVW and over	6.33	.40	.30	.05	.10	
Group 11						
TRANSIT MIX TRUCK - over 10 yds.	6.39	.40	.30	.05	.10	
Group 12						
TURNAROCKER and similar equipment	6.45	.40	.30	.05	.10	
Group 13						
TRUCK - side, end and bottom dump (6 yds. and under)	5.91	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 6 yds. - including 12 yds.)	6.03	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 12 yds. - including 20 yds.)	6.27	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 20 yds. including 30 yds.)	6.45	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 30 yds. including 40 yds.)	6.58	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 40 yds. including 50 yds.)	6.70	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 50 yds. including 75 yds.)	6.94	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 75 yds. including 100 yds.)	7.18	.40	.30	.05	.10	
TRUCK - side, end and bottom dump (over 100 yds.)	7.43	.40	.30	.05	.10	
Group 14						
TRUCK MECHANIC	6.81	.40	.30	.05	.10	

SOUTHERN IDAHO LINE CONSTRUCTION - R

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
LINE CONSTRUCTION:						
All work over 34.5 KV and all work on steel towers and/or multiple wood structures and all substations of 1000 KVA or greater capacity and all communications, underground work except street and highway lighting and motor traffic controls:						
Groundman	$5.00	.25	1%		3/4%	
Equipment Operators	6.05	.25	1%		3/4%	
Lineman	6.63	.25	1%		3/4%	
Cable Splicer	7.29	.25	1%		3/4%	
All work 34.5 KV and under and all work on highway lighting and motor traffic controlling:						
Groundman	4.94	.25	1%		3/4%	
Equipment Operator	5.77	.25	1%		3/4%	
Lineman	6.41	.25	1%		3/4%	

SUPERSEDEAS DECISION

STATE: Kansas

COUNTIES: Allen, Anderson, Atchison, Bourbon, Brown, Butler, Chase, Chautauqua, Cherokee, Clay, Cloud, Coffey, Cowley, Crawford, Dickinson, Doniphan, Elk, Franklin, Geary, Greenwood, Harper, Harvey, Jackson, Kingman, Labette, Linn, Lyon, Marion, Marshall, McPherson, Montgomery, Morris, Nemaha, Neosho, Osage, Ottawa, Pottawatomie, Reno, Republic, Riley, Saline, Sumner, Wabaunsee, Washington, Wilson, Woodson

DECISION NO.: AP-519 DATE: Date of Publication

Supersedes Decision No. AM-11,403, dated March 17, 1972, in 37 FR 5664

DESCRIPTION OF WORK: Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
A-Frame Truck	$3.14					
Air Tool Man	2.65					
Asphalt Paving Machine	3.215					
Asphalt Spreader Screed Operator	2.75					
Asphalt Plant Heater Attendant	3.10					
Asphalt Plant Operator	3.62					
Asphalt Raker	3.00					
Auger Operator	3.08					
Back Filler Operator	3.06					
Back Hoe	3.61					
Blowing Mechanism on Straw Blower	2.50					
Brick Mason	3.65					
Bulldozer Operator	3.54					
Carpenter	3.64					
Carpenter Tender	2.88					
Cement Handler, Bulk	3.00					
Cement Mason	3.52					
Compressor Operator	2.70					
Concrete Central Plant Operator	3.75					
Concrete Gang Saw, Self-Propelled	3.35					
Concrete Finisher (Paving)	3.75					
Concrete Paver	3.92					
Concrete Paving Longitudinal Float	3.32					
Concrete Paving Spreader	4.00					
Concrete Saw	3.35					
Conveyor Operator	3.25					
Crane, or any Machine Power Swing	3.75					
Crusher, Feeder	3.50					
Crusher & Screening Plant Operator	3.50					
Distributor Driver	2.88					
Distributor Operator	3.00					
Electrician	4.31					
Euclid Loader Operator	3.20					
Finishing Machine Operator	3.50					
Form Liner and Setter	3.09					
Front End Loader, Over 1 C.Y.	3.39					
Front End Loader, 1 C.Y. & less	3.12					
Harrow, Disc, Seeder	2.75					
Hot Mastic Kettleman	3.60					
Ironworker (Ornamental & Structural)	2.75					
Laborer (Construction & General)	2.53					
Landscape Worker	2.53					
Lineman	4.30					
Line Truck & Equipment Operator	4.00					
Mechanic	$4.26					
Mechanic Helper	3.00					
Mixer (Skip)	3.00					
Motor Grader Operator (Finish)	3.55					
Motor Grader Operator (Rough)	3.43					
Oilers - Greasers	3.45					
Painter (Structural Steel & Bridge)	2.60					
Painter (Roadside Imp.)	2.00					
Piledriverman	4.33					
Pilot Car Driver	2.53					
Pipelayer	3.39					
Plumber (Roadside Imp.)	3.39					
Post Driver Operator	3.75					
Powderman	3.00					
Pump Operator	3.00					
Push Cat Operator	3.57					
Reinforcing Steel Setter	2.66					
Roller (Self-Propelled-Vibrator)	3.00					
Roller, Pneumatic (Self-Propelled)	2.85					
Roller, Steel (Self-Propelled)	3.00					
Roller (Self-Propelled-Not Asphalt)	3.00					
Roller, Steel Wheel (Plant Mix)	3.10					
Rotary Broom Operator	2.60					
Rotary Drill Operator	3.875					
Sand Blaster	2.65					
Scaleman	2.75					
Scoop Operator (Single Engine)	3.51					
Scoop Operator (Twin Engine)	3.75					
Serviceman	2.75					
Slurry Machine Operator	3.00					
Spreader Box Operator (Self-Propelled)	3.19					
Steel Worker (Structural)	3.27					
Subgrading Machine Operator	3.10					
Tamper Operator	2.53					
Tractor Operator, 50 HP or less	2.63					
Tractor Operator, Over 50 HP	3.00					
Tractor Operator, Fencing, 50 HP or less	3.29					
Trenching Machine Operator	3.38					
Trucks:						
Light	2.53					
Single Axle	2.66					
Tandem Axle	2.83					
Low Boy, Semi, Transit Mix	3.50					
Euclid, 17 C.Y. & less	3.25					
Euclid, Over 17 C.Y.	3.70					
Vibrating Machine Operator	2.53					
Wagon Drill Operator	2.85					
Welder	3.75					

SUPERSEDEAS DECISION

STATE: Kansas
DECISION NO.: AP-520
COUNTY: Sedgwick
DATE: Date of Publication
Supersedes Decision No. AM-11,404, dated March 17, 1972, in 37 FR 5665
DESCRIPTION OF WORK: Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
A-Frame Truck	$2.90					
Asphalt Paving Machine	3.55					
Asphalt Spreader Screed Operator	3.55					
Asphalt Raker	2.96					
Batching Plant Scaleman	2.36					
Bulldozer Operator	3.84					
Carpenter	3.63					
Carpenter Tender	2.75					
Cement Mason	3.50					
Compressor Operator	2.70					
Concreter Finisher (Curb & Gutter)	2.50					
Concreter Finisher (Paving)	3.46					
Concrete Paver	3.70					
Concrete Paving Curing Machine	2.48					
Concrete Saw	2.65					
Crane, or any Machine Power Swing	4.00					
Distributor Operator	3.00					
Finishing Machine Operator	3.40					
Form Liner and Setter	3.29					
Front End Loader, over 1 C.Y.	3.45					
Front End Loader, 1 C.Y. & less	3.30					
Laborer (Construction & General)	2.43					
Landscape Worker	2.43					
Mechanic	3.51					
Mechanic Helper	2.75					
Motor Grader Operator (Finish)	3.50					
Motor Grader Operator (Rough)	3.00					
Reinforcing Steel Setter	3.14					
Roller, Pneumatic (Self-Propelled)	3.16					
Roller, Steel (Self-Propelled)	3.16					
Roller, Steel Wheel (Plant Mix)	3.15					
Rotary Broom Operator	2.60					
Slurry Machine Operator	3.00					
Tractor Operator, 50 HP or less	2.75					
Tractor Operator, over 50 HP	2.90					
Trucks:						
Light	2.50					
Single Axle	2.72					
Tandem Axle	2.90					

SUPERSEDEAS DECISION

STATE: Kansas

COUNTIES: Barber, Barton, Cheyenne, Clark, Comanche, Decatur, Edwards, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greely, Hamilton, Haskell, Hodgeman, Jewell, Kearny, Kiowa, Lane, Lincoln, Logan, Meade, Mitchell, Morton, Ness, Norton, Osborne, Pawnee, Phillips, Pratt, Rawlins, Rice, Rooks, Rush, Russell, Scott, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Thomas, Trego, Wallace, Wichita

DECISION NO.: AP-521

DATE: Date of Publication

Supersedes Decision No. AM-11,405, dated March 17, 1972, in 37 FR 5666

DESCRIPTION OF WORK: Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
A-Frame Truck	$2.80					
Air Tool Man	2.50					
Asphalt Paving Machine	3.25					
Asphalt Spreader Screed Operator	3.25					
Asphalt Plant Heater Attendant	3.00					
Asphalt Plant Operator	3.25					
Asphalt Raker	2.60					
Back Hoe	3.53					
Batching Plant Scaleman	2.85					
Blowing Mechanism on Straw Blower	2.67					
Brick Mason	3.00					
Bulldozer Operator	3.50					
Carpenter	3.285					
Carpenter Tender	2.50					
Cement Mason	2.75					
Compressor Operator	2.50					
Concrete Finisher (Curb & Gutter)	3.625					
Concrete Finisher (Paving)	3.65					
Concrete Paver	3.65					
Concrete Saw	3.16					
Conveyor Operator	2.75					
Crane, or any Machine Power Swing	3.535					
Crusher & Screening Plant Operator	3.00					
Distributor Driver	2.87					
Distributor Operator	3.00					
Electrician	3.50					
Finishing Machine Operator	3.02					
Form Liner and Setter	2.78					
Form Machine (Curb & Gutter)	2.90					
Front End Loader, Over 1 C.Y.	3.14					
Front End Loader, 1 C.Y. & less	2.88					
Harrow, Disc, Seeder	2.65					
Hot Mastic Kettleman	2.75					
Ironworker (Ornamental & Structural)	2.50					
Laborer (Construction & General)	2.42					
Mechanic	3.14					
Mechanic Helper	2.50					
Mixer (Skip)	3.00					
Motor Grader Operator (Finish)	3.50					
Motor Grader Operator (Rough)	3.25					
Oilers - Greasers	3.05					
Piledriverman	$3.625					
Pipelayer	2.955					
Post Driver Operator	3.10					
Push Cat Operator	3.48					
Reinforcing Steel Setter	2.59					
Roller, Pneumatic (Self-Propelled)	2.755					
Roller, Not Asphalt (Self-Propelled)	2.80					
Roller, Sheepsfoot	2.50					
Roller, Steel (Self-Propelled)	2.80					
Roller, Steel Wheel (Plant Mix)	3.00					
Rotary Broom Operator	2.59					
Sand Blaster	2.60					
Scaleman	2.60					
Scoop Operator (Single Engine)	3.21					
Scoop Operator (Twin Engine)	3.25					
Scraper	3.00					
Seaman Mixer	2.55					
Serviceman	2.60					
Spreader Box Operator (Self-Propelled)	2.95					
Tamper Operator	2.50					
Tractor Operator, 50 HP or less	2.55					
Tractor Operator, over 50 HP	3.00					
Tractor Operator, Fencing, 50 HP or less	2.625					
Traveling Plant Stabilizer	3.53					
Trenching Machine Operator	3.38					
Trucks:						
Light	2.625					
Single Axle	2.50					
Tandem Axle	2.625					
Low Boy, Semi, Transit Mix	3.25					
Euclid, 17 C.Y. & less	2.95					
Vibrating Machine Operator	2.50					
Welder	3.00					

SUPERSEDEAS DECISION

STATE: Kentucky
DECISION NUMBER: AP-170
Supersedes Decision No. AM-8625 dated June 23, 1972 - 37 FR 12471.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

COUNTY: Boyd
DATE: Date of Publication

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$8.65	.25	.25		.02	
Boilermakers-Blacksmiths	7.95	.30	.60		.01	
Boilermakers-Blacksmiths' helpers	7.70	.30	.60		.01	
Bricklayers:						
Bricklayers	8.00					
Stone masons	8.00					
Carpenters:						
Carpenters	7.36	.30	.50		.02	
Millwrights	8.70	.30	.37		.02	
Piledrivermen	7.61	.30	.50		.02	
Cement masons	8.23					
Electricians:						
Electricians	7.15	.30	1% + .27	1.02	.04	
Cable splicers (electricians)	7.865	.30	1% + .27	1.02	.04	
Linemen	7.35	.20	1% + .27	1.02	.02	
Groundmen	5.87	.20	1% + .27	1.02	.02	
Elevator Constructors:						
Elevator constructors	7.74	.17	.185	¾+ a & b	.005	
" " helpers	70%JR	.17	.185	¾+ a & b	.005	
" " " (prob.)	50%JR					
Ironworkers:						
Structural	8.40	.50	.55		.01	
Ornamental	8.40	.50	.55		.01	
Reinforcing	8.40	.50	.55		.01	
Lathers	7.05		.10			
Lead burners	7.80	.30		d	.01	
Painters:						
Commercial:						
Brush	5.60					
Spray	6.10					
Industrial:						
Brush	6.50					
Spray	7.05					
Plasterers	8.23					
Plumbers and steam fitters:						
Within a 5 mile radius of 17th Street and Winchester Ave., Ashland	7.05	.35	.60	c + 1.00	.10	
Over 5 mile and within a 15 mile radius of 17th and Winchester Ave., Ashland	7.45	.35	.60	c + 1.00	.10	
Over 30 miles radius of 17th Street and Winchester Ave., Ashland	7.55	.35	.60	c + 1.00	.10	
Roofers	7.89	.38	.20			
Sheet metal workers	8.68	.45	.40		.04	
Soft floor layers	7.36	.30	.50		.02	
Sprinkler fitters	8.20	.25	.40		.05	
Welders--Receive rate prescribed for craft performing operation to which welding is incidental						

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Footnotes:

a. Six paid holidays; A through F

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who worked in business less than 5 years.

c. Two paid holidays: C and F.

d. Nine paid holidays: A through F, plus Washington's Birthday, Good Friday and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

PAID HOLIDAYS

A-New Year's Day; B-Memorial Day; C-Independence Day; D- Labor Day; E-Thanksgiving Day; F-Christmas Day.

KY-10-Lab. - 1 K (1-1)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Laborers: Industrial Work						
Laborers, carpenters' helpers, concrete men, wreckers and wall men, handlers of empty oxygen and acetylene bottles	$5.31	.25	.20			
Hod carriers, mortar men, cement finishers' helpers, lathers and plasterers' tenders	5.46	.25	.20			
Jackhammer and electrical, gas or air power driven tools, burning torch, wagon drill operators, tile layers, handling of all creosote material, signal men and asphalt raker	5.56	.25	.20			
Wrapping, heating and applying hot and cold tar on all pipes, applying tape on pipes and operating of tester	5.48	.25	.20			
Deck hand and scow men	5.51	.25	.20			
Rock and powdermen	5.81	.25	.20			
Sand hog or mucker, tunnel miners	6.01	.25	.20			
Caisson worker	6.51	.25	.20			
Laborers: Commercial Work						
Laborers, carpenters' helpers, concrete men, wreckers, wall men, handlers of empty oxygen and acetylene bottles	5.31	.25	.20			
Hod carriers, mortar men, cement finishers' helpers, lathers and plasterers' tenders	5.46	.25	.20			
Jackhammer and electrical, gas or air power driven tools, burning torch, wagon drill operators and tile layers, handling of all creosote material, signal men, tool room men, asphalt raker and sandblasters	5.56	.25	.20			
Wrapping, heating and applying hot and cold tar on all pipes, applying tape on pipes and operating of tester	5.48	.25	.20			
Deck hand and scow men	5.51	.25	.20			
Rock and powdermen	5.81	.25	.20			
Sand hog or mucker, tunnel miners	6.01	.25	.20			
Caisson workers	6.51	.25	.20			

KENTUCKY 1-PEO-1 -H

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth.
POWER EQUIPMENT OPERATORS						
Class A Operators: Auto patrol, batcher plant, bituminous paver, cableway, central compressor plant, Clamshell, concrete mixer (21 cu. ft. or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching and trenching machine, dragline, dredge operator, dredge engineer, elevating grader and all types of loaders, hoetype machine, hoisting engine (2 or more drums) locomotive, motor scraper, carry-all scoop, bulldozer, heavy duty welder, mechanic, orangepeel bucket, pile driver, power blade, motor grader, roller (bituminous), scarifier, shovel, tractor shovel, truck crane, winch truck, push dozer, highlift, forklift (regardless of lift height), all types of boom cats, core drill, hopto, tow or push boat, A-Frame winch truck, concrete paver, gradeall, hoist, hyster, pumpcrete, ross carrier, side boom, tail boom, rotary drill, hydro hammer, mucking machine, rock spreader attached to equipment, scoopmobile, KeCal loader, tower cranes (French, German and other types), hydro crane, backfiller, gurries, sub-grader	$7.20	.25	.25			
Class B Operators: All air compressors, (600 cu. ft. per min. or greater capacity), bituminous mixer, joint sealing machine, concrete mixer (under 21 cu. ft.), form grader, roller (rock), tractor (50 H. P. and over) bull float, finish machine, outboard motor boat, flexoplane, fireman, boom type tamping machine, truck crane oiler, greaser on grease facilities servicing heavy equipment, switchman or brakeman, mechanic helper, whirley oiler, self propelled compactor, tractair and road widening trencher and farm tractor with						

KENTUCKY 1-PCO-1 - H

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
POWER EQUIPMENT OPERATORS (Cont'd)						
Class B Operators (cont'd): attachments except backhoe, highlift and end loader, elevator (regardless of ownership when used for hoisting any building material), hoisting engine (one drum or buck hoist), well points, grout pump, throttle-valve man, tugger, electric vibrator compactor	$5.86	.25	.25			
Class C Operators: Bituminous distributor, cement gun, conveyor, mud jack, paving joint machine, roller (earth), tamping machine, tractors (under 50 HP), vibrator, oiler, concrete saw, burlap and curing machine, hydro-seeder, power form handling equipment, deckhand oiler, hydraulic post driver, and drill helper	5.42	.25	.25			

Kentucky 10 - TD - H

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
TRUCK DRIVERS						
Warehousemen, yardmen, truck helpers, pick-ups, station wagons, panel trucks, Flatbody material trucks (straight jobs), greasers, washers, tiremen, gas pump attendants, dump trucks (up to 5 cu. yds.)	$6.60	a28.50	a26.00	b		
Tank Trucks (straight)	6.70	a28.50	a26.00	b		
Dump trucks (5 cu. yds. or over), semi-dump trucks, semitrailers whether flat, rack or pole & hauling or pushed by trucks or tractors, agitators or mixer trucks (up to 5 cu. yds), farm type tractors, tank trucks (semi)	6.85	a28.50	a26.00	b		
Lowboys trailers, winch trucks, fork trucks, distributors trucks (front and back end), truck cranes, monirails	6.90	a28.50	a26.00	b		
Euclids, dumpsters, Turnarockers, Ross carriers, Athey wagons or similar equipment, A-Frame, Hydrolifts, dual purpose trucks & mechanics	7.25	a28.50	a26.00	b		
Agitators or mixer trucks (5 cu. yds. & over	7.00	a28.50	a26.00	b		
Material checkers and receivers mechanics helpers	6.95	a28.50	a26.00	b		

FOOTNOTES:

a. Per month, for employees employed over 30 days or more

b. Employees working a minimum of 480 hours receive 1 hours pay for each 40 hours worked with limit to 52 hours pay.

SUPERSEDEAS DECISION

STATE: Kentucky
DECISION NUMBER: AP-171
Supersedes Decision No. AP-132
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

COUNTY: Jefferson
DATE: Date of Publication
dated October 13, 1972 - 37 FR 21763.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$8.40	.25	.20			
Boilermakers - Blacksmiths	8.10	.30	.70	.55	.01	
Boilermakers - Blacksmiths' helpers	7.85	.30	.70	.55	.01	
Bricklayers:						
Bricklayers and concrete block layers	8.13	.25	.40			
Caulkers	8.13	.25	.40			
Cleaners	8.13	.25	.40			
Pointers	8.13	.25	.40			
Stone masons	8.13	.25	.40			
Carpenters:						
Carpenters	7.80	.30	.30			
Carpenters when work in excess of 30' to 100' above ground or a solid floor on scaffold, skip hoist, tower or slip form	8.05	.30	.30			
Carpenters, when working in excess of 100' above ground or a solid floor on scaffold, skip hoist, tower or slip form	8.30	.30	.30			
Carpenters, when working on suspended or swinging scaffold	8.05	.30	.30			
Cement masons	7.93	.40				
Electricians, linemen and hole digger:						
Zone 1 (within 26 mile radius of third & Broadway, Louisville)	9.38	.25	1%		‡ of 1%	
Zone 2 (over 26 mile radius)	9.78	.25	1%		‡ of 1%	
Groundmen:						
Zone 1	5.82	.25	1%		‡ of 1%	
Zone 2	6.17	.25	1%		‡ of 1%	
Elevator constructors	8.45	.345	.23	2%+a+b	.015	
Elevator constructors' helpers	5.915	.345	.23	2%+a+b	.015	
Elevator constructors' helpers (prob).	4.225					
Glaziers	7.15	.30	.30			
Ironworkers:						
Conveyormen, machinery movers	8.30	.50	.75		.04	
Structural, ornamental and reinforcing	8.30	.50	.75		.04	
Riggers, fence erectors, sheeters	8.30	.50	.75		.04	
Lathers	7.84		.20		.01	
Leadburners	7.80	.30		c	.01	
Marble, tile and terrazzo workers	7.60	.25	.40			
Marble, tile and terrazzo workers' helpers	6.45					
Millwrights	8.28	.30	.30			
Millwrights, when working 30' above ground or solid floor	8.78	.30	.30			
Painters:						
Zone 1 - 35 mile radius from Jefferson Co. Courthouse, Louisville, Ky.						
New Construction:						
Basic	6.84	.25	.10		.03	
Special	7.19	.25	.10		.03	

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Painters (cont'd):						
Zone 1 (cont'd)						
New Construction						
Spray	$7.29	.25	.10		.03	
Old Construction:						
Basic	6.64	.25	.10		.03	
Special	6.99	.25	.10		.03	
Spray	7.09	.25	.10		.03	
Zone 2 - Over 35 miles radius from Jefferson Co. Courthouse, Louisville, Ky.						
New Construction:						
Basic	7.19	.25	.10		.03	
Special	7.54	.25	.10		.03	
Spray	7.64	.25	.10		.03	
Old Construction:						
Basic	6.99	.25	.10		.03	
Special	7.34	.25	.10		.03	
Spray	7.44	.25	.10		.03	
Work on bridges (Over navigable water) $2.00 per hour premium all Zones	7.80	.30	.30			
Piledrivermen	7.60					
Plasterers	8.15	.33	.50	.77	.07	
Plumbers						
Roofers:						
Roofers	6.20	.30	.20			
Slate, tile and precast concrete slab	6.60	.30	.20			
Helpers	4.45	.30	.20			
Sheet metal workers	8.55	.60	.60		.05	
Soft floor layers	7.80	.30	.30			
Sprinkler fitters	8.20	.25	.40		.05	
Steam fitters	8.30	.25	.60	.50	.07	

Footnotes:

a. Six paid holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Nine paid holidays: A through F, plus Washington's Birthday, Christmas Eve and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

PAID HOLIDAYS

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Laborers:						
General laborers	$5.80	.25	.25			
Air tool operator and vibrator	6.00	.25	.25			
Power driven Georgia buggy and chain saw	5.95	.25	.25			
Wagon drill, pipe layer, well man, burner man and joint maker	6.00	.25	.25			
Stackman	6.20	.25	.25			
Powderman	6.25	.25	.25			
Sand hog or mucker (free air)	6.50	.25	.25			
Caisson worker	7.25	.20	.25			
Asphalt raker	6.00	.25	.25			
Side rail setter (metal)	6.15	.25	.25			
Sand miner (tunnel) (free air)	6.80	.25	.25			
Gunnite nozzle man (sewer)	6.30	.25	.25			
Tunnel (free air)	6.30	.25	.25			
Driller, air track	6.05	.25	.25			
Mason tenders, mortar mixers	6.15	.25	.25			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS						
Class A Operators: Auto patrol, batcher plant, bituminous paver, cableway, central compressor plant, Clamshell, concrete mixer (21 cu. ft. or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching and trenching machine, dragline, dredge operator, dredge engineer, elevating grader and all types of loaders, hoetype machine, hoisting engine (2 or more drums) locomotive, motor scraper, carry-all scoop, bulldozer, heavy duty welder, mechanic, orangepeel bucket, pile driver, power blade, motor grader, roller (bituminous), scarifier, shovel, tractor shovel, truck crane, winch truck, push dozer, highlift, forklift (regardless of lift height), all types of boom cats, core drill, hopto, tow or push boat, A-Frame winch truck, concrete paver, gradeall, hoist, hyster, pumpcrete, ross carrier, side boom, tail boom, rotary drill, hydro hammer, mucking machine, rock spreader attached to equipment, scoopmobile, KoCal loader, tower cranes (French, German and other types), hydro crane, backfiller, gurries, sub-grader	$7.20	.25	.25			
Class B Operators: All air compressors, (600 cu. ft. per min. or greater capacity), bituminous mixer, joint sealing machine, concrete mixer (under 21 cu. ft.), form grader, roller (rock), tractor (50 H. P. and over) bull float, finish machine, outboard motor boat, flexoplane, fireman, boom type tamping machine, truck crane oiler, greaser on grease facilities servicing heavy equipment, switchman or brakeman, mechanic helper, whirley oiler, self propelled compactor, tractair and road widening trencher and farm tractor with						

KENTUCKY 1-FOD-1-H

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS (Cont'd)						
Class B Operators (cont'd): attachments except backhoe, highlift and end loader, elevator (regardless of ownership when used for hoisting any building material), hoisting engine (one drum or buck hoist), well points, grout pump, throttle-valve man, tugger, electric vibrator compactor	$5.86	.25	.25			
Class C Operators: Bituminous distributor, cement gun, conveyor, mud jack, paving joint machine, roller (earth), tamping machine, tractors (under 50 HP), vibrator, oiler, concrete saw, burlap and curing machine, hydro-seeder, power form handling equipment, deckhand oiler, hydraulic post driver, and drill helper	5.42	.25	.25			

KY-56-TD - 1 D (1-1)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
3 tons and under	$5.72	a	a	b		
Over 3 tons	5.83	a	a	b		
Semi-trailer, tandem axle or pole trailers and dumps	5.83	a	a	b		
Euclid and other heavy earth moving equipment and lowboy	6.00	a	a	b		
Winch truck and A-Frame and monorail truck when used to transport building materials	6.00	a	a	b		
Fork lift truck when used to transport building materials	6.00	a	a	b		
Mechanic	5.90	a	a	b		
Mechanic helpers, greasers and tire changers	5.72	a	a	b		
Helpers	5.60	a	a	b		
Concrete mixers (all types), hauling only on job site	5.90	a	a	b		

FOOTNOTES

a. Employer contributes $13.50 per week to Health and Welfare; and $14.00 per week to Pension for each employee whose name appears on the payroll that week who has been employed a minimum of 20 work days within any 90 consecutive day period.

b. Employees who have been regularly employed on a project by an employer for one year and who have worked a minimum of 1200 hours during the year receive a vacation and pay for 40 hours. Employees who have been regularly employed on a project by an employer for one year, and who have worked a minimum of 650 hours during the year receive a vacation and pay for 20 hours. Employees who have worked 1200 hours since their 2nd year of employment and have completed three years receive an additional week vacation (40 hours).

STATE: Montana
DECISION NUMBER: AP-272
SUPERSEDEAS DECISION
COUNTIES: Statewide
DATES: Date of Publication
Supersedes Decision Nos. AP-229 dated September 1, 1972 in 37 FR 17940 and AP-230 dated September 1, 1972 in 37 FR 17945
DESCRIPTION OF WORK: Heavy and Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Carpenters:						
Carpenters	$6.01	.30	.35		.01	
Piledrivermen; Sawfilers; Carpenters on charred & creosote wood	6.16	.30	.35		.01	
Cement Masons (Eastern Counties):						
Cement Masons	5.64	.35	.15			
Grinder, bush hammer & clipping fan preparing finish surface; Epoxy	5.79	.35	.15			
Cement Masons (Western Counties):						
Cement masons	5.89	.35	.15			
Grinder, bush hammer & clipping fan preparing finished surface; Exopy	6.04	.35	.15			
Electricians:						
Beaverhead-Jefferson-Madison & Silverbow Counties	6.65	.30	1%		½	
Big Horn-Carbon-Golden Valley-Musselshell-Powder River-Rosebud-Stillwater-Treasure & Yellowstone Cos.	6.94	.20	1%		½	
Broadwater-Lewis & Clark & Meagher Cos.	6.50		1%		½	
Cascade-Choteau-Glacier-Judith Basin-Pondera-Teton & Toole Cos.	7.55	.20	1%		½	
Deerlodge-Granite-Powell Cos.	6.95		1%		½	
Fergus-Petroleum & Wheatland Cos.:						
(Electrical Contracts less than $20,000)	5.40		1%		½	
(Electrical Contracts $20,000 or more)	6.10		1%		½	
Flathead-Lake-Mineral-Missoula-Ravalli & Sanders Cos.	6.68		1%		½	
Gallatin County	6.15	.20	1%		½	
Blaine-Hill-Liberty-Lincoln & Phillips Park & Sweetgrass Counties	6.30		1%		½	
(Electrical Contracts less than $25,000)	6.05	.20	1%		½	
(Electricial Contracts Over $25,000)	6.94	.20	1%		½	
Electricians (cont'd)						
Carter-Daniels-Dawson-Fallon-McCone-Prairie-Richland-Roosevelt-Sheridan-Valley & Wibaux Counties	$6.40		1%		½	
Custer & Garfield Counties	5.24		1%		½	
Ironworkers:						
Beaverhead-Broadwater-Deerlodge-Gallatin-Granite-Jefferson-Lewis & Clark (Southern half including Wolf Creek)-Madison-Park-Powell-Ravalli & Silverbow Counties	6.95	.35	.50			
Flathead-Glacier-Lake-Lincoln-Mineral-Missoula and Sander Counties	7.56	.48	.65		.05	
Remaining Counties	6.88	.35	.50		.04	
Painters:						
Beaverhead-Broadwater-Jefferson-Madison and Silverbow Counties:						
Brush	5.56					
Roller, over 8 ft.	6.06					
Spray	8.34					
Big Horn-Carbon-Carter-Custer-Daniels-Dawson-Fallon-Garfield-Golden Valley-McCone-Musselshell-Phillips-Powder River-Prairie-Richland-Roosevelt-Rosebud-Sheridan-Stillwater Treasure-Valley-Wheatland-Wilbaux & Yellowstone Counties:						
Brush	5.54	.25	.20			
Steel	5.79	.25	.20			
Spray	6.32	.25	.20			
Cascade-Choteau-Glacier-(excluding Glacier National Park)-Judith Basin-Lewis & Clark N½-Pondera-Teton & Toole Counties:						
Brush	5.49	.25	.30			
Brush on steel	5.99	.25	.30			
Spraying; Sandblasting	7.74	.25	.30			
Granite-Lake-Mineral-Missoula-Powell-Ravalli and Sanders Counties:						
Brush; Spray; Sign Painters	5.66	.30	.15			
Plumbers:						
Blaine-Cascade-Choteau-Fergus-Glacier-Hill-Judith Basin-Liberty-McCone-Phillips-Pondera-Roosevelt-Teton-Toole and Valley counties	6.91	.35	.50		.04	
Flathead and Lincoln Counties	5.90	.30	.30		.02	
Mineral and Missoula Counties	6.58	.30	.30		.05	
Beaverhead-Broadwater-Deerlodge-Gallatin-Granite-Jefferson-Lewis & Clark-Madison-Meagher-Park-Powell-Silverbow-Sweetgrass Counties	6.30	.25	.15		.05	
Big Horn-Carbon-Carter-Custer-Daniels-						

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Plumbers (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
Dawson-Fallon-Garfield-Golden Valley-Musselshell-Petroleum-Powder River-Prairie-Richland-Rosebud-Sheridan-Stillwater-Treasure-Wheatland-Wibaux-Yellowstone Counties	$7.30	.40	.40		1½%	
Sheet Metal Workers:						
Blaine-Cascade-Choteau-Glacier-Hill-Judith Basin-Liberty-Pondera-Teton-Toole Counties	7.05	.22				
Gallatin County	6.56	.27	.10		.02	
Broadwater-Jefferson, S½ incl. City of Boulder-Lewis & Clark-Meagher Cos.	7.12	.22	.10			
Flathead-Lake-Lincoln-Mineral-Missoula-Ravalli-Sanders	6.88	.22	.10		.01	
Big Horn-Carbon-Carter-Custer-Daniels-Dawson-Fallon-Fergus-Garfield-Golden Valley-McCone-Musselshell-Petroleum-Phillips-Powder River-Park-Prairie-Richland-Roosevelt-Rosebud-Sheridan-Stillwater-Sweet Grass-Valley-Wheatland-Wibaux-Treasure and Yellowstone Cos.	6.62	.27	.20		.02	
Beaverhead-Deerlodge-Jefferson(N½)-Madison-Powell and Silverbow Counties	6.55	.27	.20			

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LABORERS	EASTERN COUNTIES Basic Hourly Rates	WESTERN COUNTIES Basic Hourly Rates	ALL COUNTIES Fringe Benefits Payments H & W	Pensions	Vacation	App. T
Asphalt Raker	$5.05	$5.20	.30	.25		.03
Axeman	4.89	5.04	.30	.25		.03
Car & Truck Loaders, Scissorman	4.89	5.04	.30	.25		.03
Caisson Workers (Free Air)	5.05	5.20	.30	.25		.03
Carpenter Tender	4.89	5.04	.30	.25		.03
Cement Handlers	5.05	5.20	.30	.25		.03
Choker Setter	5.05	5.20	.30	.25		.03
Chuck Tender & Nipper (above ground)	4.89	5.04	.30	.25		.03
Concrete Laborers (wet or dry), Bucketman, Signalman & Cement Mason Tender	5.05	5.20	.30	.25		.03
Concrete or Asphalt Saw	4.99	5.14	.30	.25		.03
Concrete Vibrator (5" and over)	5.10	5.25	.30	.25		.03
Creosote Material Handler, Epoxy, other chemically injurious material	5.05	5.20	.30	.25		.03
Cosmolene applying and removing	4.89	5.04	.30	.25		.03
Core Drill	5.49	5.64	.30	.25		.03
Curb Machine	4.99	5.14	.30	.25		.03
Drills, Air-Tract, self-propelled, Cat or Truck mounted air operated	5.15	5.30	.30	.25		.03
Drills, Air-Tract, with Dual Masts	5.25	5.40	.30	.25		.03
Drills, Air-Tract, self-propelled, Mustang type or similar	5.25	5.35	.30	.25		.03
Dumpman (Spotter)	4.89	5.04	.30	.25		.03
Dumpman (Grademan)	5.05	5.20	.30	.25		.03
Fence Erector & Installer (Incl. installation & erection of fences, guard rails, median rails, reference posts, guide posts & right of way markers)	4.89	5.04	.30	.25		.03
Form Stripper	4.89	5.04	.30	.25		.03
Form Setter	4.99	5.14	.30	.25		.03
Grade Setter	5.15	5.30	.30	.25		.03
General Laborer	4.89	5.04	.30	.25		.03
Hand Faller	4.97	5.12	.30	.25		.03
High Scaler	5.25	5.40	.30	.25		.03
High Pressure Machine Nozzleman	5.09	5.25	.30	.25		.03
Heater Tender	4.89	5.04	.30	.25		.03
Jackhammer, Pavement Breaker, Wagon Driller, Vibrator, Mechanical Tamper, Cat or Truck Mounted Air Operated Drills, Vibrating Roller hand steered and other Air Tools	5.05	5.20	.30	.25		.03
Landscape Laborer	4.89	5.04	.30	.25		.03
Nozzleman-Air and Water, Gunite and Placo Machine	4.99	5.14	.30	.25		.03
Pilot Car	4.89	5.04	.30	.25		.03
Pipe Layer (all types)	5.05	5.20	.30	.25		.03
Pipe Wrapper	5.05	5.20	.30	.25		.03
Post Hole Digger (Power Auger)	4.99	5.14	.30	.25		.03

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LABORERS (CONT'D)	EASTERN COUNTIES	WESTERN COUNTIES	ALL COUNTIES			
	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	App. Tr.
Power Saw, Bucking	$5.05	$5.20	.30	.25		.03
Power Saw, Falling	5.15	5.30	.30	.25		.03
Powderman	5.45	5.60	.30	.25		.03
Powderman Helper	4.99	5.14	.30	.25		.03
Power Driven Wheelbarrow	4.99	5.14	.30	.25		.03
Riprapper	5.05	5.20	.30	.25		.03
Riprap Helper	4.89	5.04	.30	.25		.03
Rodder and Spreader (concrete)	5.05	5.20	.30	.25		.03
Scaleman	5.05	5.20	.30	.25		.03
Sandblaster	4.99	5.14	.30	.25		.03
Sandblaster Tailhose Man, Pot Tender	4.89	5.04	.30	.25		.03
Sodcutter-Hand Operated	4.89	5.04	.30	.25		.03
Stake Jumper for Equipment	4.89	5.04	.30	.25		.03
Tar Pot	4.99	5.14	.30	.25		.03
Tool Checker, Toolhouseman	4.89	5.04	.30	.25		.03

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POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
A-Frame Truck Crane, Winch Truck and similar	$6.71	.45	.45		.02	
Air Compressor, Single	6.40	.45	.45		.02	
Air Compressor, two or more	6.57	.45	.45		.02	
Air Doctor	6.87	.45	.45		.02	
Asphalt Paving Machine	6.87	.45	.45		.02	
Asphalt Paving Machine Screed	6.87	.45	.45		.02	
Automatic Finegrader, Gurries and other similar types	7.00	.45	.45		.02	
Belt Finish Machine	6.57	.45	.45		.02	
Bit Grinder	6.87	.45	.45		.02	
Bituminous Mixer Paving, Travel Plant	6.87	.45	.45		.02	
Boring Machine (small), jeep, pickup or farm tractor mounted	6.46	.45	.45		.02	
Boring Machine (large)	6.87	.45	.45		.02	
Broom, self-propelled	6.54	.45	.45		.02	
Cableway Highline	7.38	.45	.45		.02	
Cement Silo	6.66	.45	.45		.02	
Central Mixing Plants, Concrete dam & stationary	7.12	.45	.45		.02	
Chain Bucket Loader	6.59	.45	.45		.02	
Chip or Gravel Spreader, self-propelled	6.59	.45	.45		.02	
Concrete Batch Plant, one & two mixers	6.87	.45	.45		.02	
Concrete Batch Plant, three and four mixers	7.07	.45	.45		.02	
Concrete Batch Plant, five mixers & over	7.27	.45	.45		.02	
Concrete Batch Plant Oiler, up to & incl. two mixers	6.39	.45	.45		.02	
Concrete Batch Plant Oiler, three mixers and over	6.70	.45	.45		.02	
Concrete Bucket Dispatcher	6.87	.45	.45		.02	
Concrete Curing Machine	6.87	.45	.45		.02	
Concrete Finish Machine Paving	6.87	.45	.45		.02	
Concrete Float-Spreader	6.87	.45	.45		.02	
Concrete Mixer, three bags & under	6.46	.45	.45		.02	
Concrete Mixer, four bags and over	6.63	.45	.45		.02	
Concrete Power Saw, self-propelled	6.87	.45	.45		.02	
Concrete Travel Batcher	6.87	.45	.45		.02	
Conveyor Loader, up to & incl. 42" belt	6.45	.45	.45		.02	
Conveyor Loader, over 42 inch belt	6.57	.45	.45		.02	
Crane, to & incl. 80' boom with jib	7.03	.45	.45		.02	
Crane, 81' to 130' boom	7.18	.45	.45		.02	

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POWER EQUIPMENT OPERATORS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Crane, 131' to 150' boom	$7.23	.45	.45		.02	
Crane, 151' boom & over	7.28	.45	.45		.02	
Crane Oiler	6.44	.45	.45		.02	
Crusher	6.87	.45	.45		.02	
Crusher Oiler & Helper	6.36	.45	.45		.02	
Crusher Conveyor, when required	6.33	.45	.45		.02	
Distributor	6.87	.45	.45		.02	
DW 10, 15, or 20 Tractor pulling roller	6.59	.45	.45		.02	
Electric Overhead Cranes	7.05	.45	.45		.02	
Elevating Grader	6.87	.45	.45		.02	
Farm Type Tractor, up to & incl. 50 HP Engine	6.33	.45	.45		.02	
Farm Type Tractor, over 50HP Engine	6.41	.45	.45		.02	
Field Equipment Serviceman	6.79	.45	.45		.02	
Field Equipment Serviceman Helper	6.36	.45	.45		.02	
Fireman	6.46	.45	.45		.02	
Forklift, on construction job site	6.68	.45	.45		.02	
Form Grader	6.64	.45	.45		.02	
Gradall	6.87	.45	.45		.02	
Grade Setter	6.33	.45	.45		.02	
Heavy Duty Drill, all types	6.87	.45	.45		.02	
Heavy Duty Driller Helper	6.46	.45	.45		.02	
Herman-Nelson Heaters & similar type	6.41	.45	.45		.02	
Hoist, Single drum	6.64	.45	.45		.02	
Hoist, two or more drums	6.87	.45	.45		.02	
Helicopter Hoist	7.37	.45	.45		.02	
Hot Plant	6.87	.45	.45		.02	
Hot Plant Fireman, when in Operation	6.87	.45	.45		.02	
Hot Plant Oiler, 100 ton per hour or over	6.36	.45	.45		.02	
Hydra lift and similar types	6.77	.45	.45		.02	
Industrial Locomotive all classes	6.87	.45	.45		.02	
Mechanic and/or Welder on job	6.97	.45	.45		.02	
Mechanic and/or Welder Helper on job	6.36	.45	.45		.02	
Mixermobile	6.95	.45	.45		.02	
Motor Patrol	7.00	.45	.45		.02	
Mountain Logger or smiilar type	6.87	.45	.45		.02	
Mucking Machine	6.87	.45	.45		.02	
Oiler-Driver, Tubber Tired Cranes	6.44	.45	.45		.02	
Oilers, other than Shovels & Cranes	6.36	.45	.45		.02	
Oiler, hoist house, dams	6.77	.45	.45		.02	
Pavement Breaker, Ensco & similar	6.87	.45	.45		.02	
Paving & Mixing Machine	7.00	.45	.45		.02	
Power Auger, Large Truck or Tractor Mounted	6.87	.45	.45		.02	
Power Mixer, single or double drum	6.87	.45	.45		.02	
Power Saw, Multiple cut, self-propelled	6.87	.45	.45		.02	
Pumpcrete or Grout Machine	6.87	.45	.45		.02	
Pumpman	6.40	.45	.45		0.2	

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POWER EQUIPMENT OPERATORS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Push Tractor	$6.87	.45	.45		.02	
Quad Cat	7.17	.45	.45		.02	
Refrigerator Plant	6.87	.45	.45		.02	
Retort	6.46	.45	.45		.02	
Roller, on blade or hot mix oil paving	6.87	.45	.45		.02	
Roller, on other blade or hot mix paving	6.57	.45	.45		.02	
Roller, 25 ton or over	6.87	.45	.45		.02	
Ross & similar type carriers, on construction site	6.87	.45	.45		.02	
Rubber-tired Dozer	6.87	.45	.45		.02	
Rubber-tired Front End Loader, 1 yd. & under	6.58	.45	.45		.02	
Rubber-tired Front End Loader, 1 yd. to and incl. 3 yds.	6.87	.45	.45		.02	
Rubber-tired Front End Loader, over 3 yds. to and incl. 5 yds.	6.99	.45	.45		.02	
Rubber-tired Front End Loader, over 5 yds. to and incl. 10 yds.	7.09	.45	.45		.02	
Rubber-tired Front End Loader, over 10 yds. to and incl. 15 yds.	7.19	.45	.45		.02	
Rubber-tired Front End Loader, over 15 yds.	7.29	.45	.45		.02	
Scraper, DW 15, 20, 21 & similar type if power unit is not used	6.87	.45	.45		.02	
Scraper, single or twin engine pulling belly dump trailer	7.25	.45	.45		.02	
Scraper, single engine	7.00	.45	.45		.02	
Scraper, twin engine	7.10	.45	.45		.02	
Scraper, tandem engine	7.36	.45	.45		.02	
Self-propelled Sheepfoot and similar type	6.87	.45	.45		.02	
Shovels, incl. all attachments, under 1 cu. yd.	6.87	.45	.45		.02	
Shovels, incl. all attachments, 1 cu. yd. to & incl. 3 cu. yd.	7.05	.45	.45		.02	
Shovels, incl. all attachments, over 3 cu. yd. to & incl. 5 cu. yd.	7.32	.45	.45		.02	
Shovels, incl. all attachments, over 5 cu. yd.	7.45	.45	.45		.02	
Shovel Oiler, 3 yds. & under	6.36	.45	.45		.02	
Shovel Oiler, over 3 cu. yds.	6.77	.45	.45		.02	
Slip form paver	7.00	.45	.45		.02	
Stiff leg derrick & guy derrick	7.32	.45	.45		.02	
Track-type front end loaders; up to & incl. 5 cu. yds.	6.87	.45	.45		.02	
Track-type front end loaders; over 5 cu. yd. to & incl. 10 cu. yd.	7.10	.45	.45		.02	
Track-type front end loaders, over 10 cu. yd. to & incl. 15 cu. yd.	7.20	.45	.45		.02	

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POWER EQUIPMENT OPERATORS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Track-type front end loaders, over 15 cu. yd.	$7.30	.45	.45		.02	
Track-type tractor with or without attachments	6.87	.45	.45		.02	
Track-type tractor, on Euclid Loader	7.05	.45	.45		.02	
Trenching Machine	6.87	.45	.45		.02	
Turnhead Conveyor, or Head Tower on Batch Plant	6.87	.45	.45		.02	
Wagner Roller & similar type	6.87	.45	.45		.02	
Whirley Crane	7.40	.45	.45		.02	
Whirley Crane Oiler	6.77	.45	.45		.02	
Water Pull when used for compaction	6.87	.45	.45		.02	
Washing and Screening Plant	6.87	.45	.45		.02	
Washing and Screening Plant Oiler	6.36	.45	.45		.02	

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TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
COMBINATION Truck; Concrete Mixer & Transit Mixer:						
To & incl. 4 cu. yds.	$5.80	.45	.30			
Over 4 cu. yds. to & incl. 6 cu. yds.	5.88	.45	.30			
Over 6 cu. yds. to & incl. 8 cu. yds.	5.96	.45	.30			
Over 8 cu. yds. to & incl. 10 cu. yds.	6.04	.45	.30			
Over 10 cu. yds. - additional $.08 per hour each additional 2 cu. yds. increment						
DISTRIBUTOR DRIVER & HELPER	5.73	.45	.30			
DRY BATCH TRUCKS:						
3 Batch or under	5.55	.45	.30			
Over 3 Batch to & incl. 5 Batch	5.68	.45	.30			
Over 5 Batch to & incl. 10 Batch	5.84	.45	.30			
Over 10 Batch to & incl. 15 Batch	6.00	.45	.30			
Over 15 Batch - additional $.15 per hour each additional 5 Batch increment						
DUMPMAN, GRAVEL SPREADER BOX; Pickup Driver, Hauling Materials; Pilot Car Driver, Teamsters & Helpers; Warehousemen, Partsmen, Cardex men, Warehouse Expediter	5.55	.45	.30			
DUMP TRUCKS & SIMILAR EQUIPMENT WATER LEVEL CAPACITY, INCLUDING SIDEBOARDS:						
7 cu. yds. or less	5.55	.45	.30			
Over 7 cu. yds. to & incl. 10 cu. yds	5.68	.45	.30			
Over 10 cu. yds. to & incl. 15 cu. yds.	5.84	.45	.30			
Over 15 cu. yds. to & incl. 20 cu. yds.	5.98	.45	.30			
Over 20 cu. yds. to & incl. 25 cu. yds.	6.04	.45	.30			
Over 25 cu. yds. to & incl. 30 cu. yds.	6.10	.45	.30			
Over 30 cu. yds. to & icnl. 35 cu. yds.	6.16	.45	.30			
Over 35 cu. yds. to & incl. 40 cu. yds.	6.22	.45	.30			
Over 40 cu. yds. to & incl. 45 cu. yds.	6.28	.45	.30			
Over 45 cu. yds. - additional $.06 per hour each additional 5 cu. yds. increment						
DUMPSTERS	5.68	.45	.30			

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DW 20, DW 21, or EUCLID TRACTORS, PULLING P.R. 21 or SIMILAR DUMP WAGONS:						
To & incl. 25 cu. yds.	$6.04	.45	.30			
Over 25 cu. yds. to & incl. 30 cu. yds.	6.10	.45	.30			
Over 30 cu. yds. - additional $.06 per hour each additional 5 cu. yd. increment						
SERVICEMEN	6.29	.45	.30			
POWDER TRUCK DRIVER (Bulk unloader type)	5.73	.45	.30			
FLAT TRUCKS:						
To & incl. 3 tons	5.55	.45	.30			
Over 3 tons Factory rating	5.90	.45	.30			
FUEL TRUCK; SERVICE TIREMEN	6.02	.45	.30			
LOWBOYS, FOUR-WHEEL TRAILER, FLOAT SEMI-TRAILER	5.90	.45	.30			
LUMBER CARRIERS, LIFT TRUCKS; Power Broom	5.64	.45	.30			
WATER TANK DRIVERS, PETROLEUM PRODUCTS DRIVERS:						
2,500 gals. & under	5.55	.45	.30			
Over 2,500 gals to & incl. 4,500 gals	5.84	.45	.30			
Over 4,500 gals to & incl. 6,000 gals	6.04	.45	.30			
Over 6,000 gals to & incl. 8,000 gals	6.10	.45	.30			
Over 8,000 gals to & incl. 10,000 gals	6.18	.45	.30			
Over 10,000 gals - additional $.08 per hour each additional 2,000 gals increment						
WINCH, A-FRAME, SWEDISH CRANE, HYDRA-LIFT, GROUTCRETE, & COMBINATION MULCHING, SEEDING & FERTILIZING	5.80	.45	.30			
TRUCK MECHANIC	6.29	.45	.30			
ALL TUNNEL & UNDERGROUND WORK 10% ADDITIONAL						

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
(Flathead-Lake-Lincoln Counties)						
LINE CONSTRUCTION						
All construction of "H" fixture and Steel Tower Transmission Lines with capacity of 69 K.V. voltages & over, switch yard and substation rated at 5000 K.V.A. & all work not covered by Schedule "B".						
SCHEDULE "A"						
GROUNDMAN "B"	4.61	.25	1%		1%	
GROUNDMAN "A" (experienced)	5.31	.25	1%		1%	
HEAD GROUNDMAN; Powderman; Jackhammer-Compressorman	5.65	.25	1%		1%	
LINE EQUIPMENT OPERATOR	6.50	.25	1%		1%	
LINEMAN	7.58	.25	1%		1%	
CABLE SPLICER	8.43	.25	1%		1%	
SCHEDULE "B"						
All work for Power Utilities & R.E.A's except work covered under Schedule "A" all Highway Lighting, Street Lighting & Motor Traffic Controlling.						
JACKHAMMER-COMPRESSORMAN; Powderman; Head Groundman	5.13	.25	1%		1%	
LINE EQUIPMENT OPERATOR	5.88	.25	1%		1%	
LINEMEN; Pole Sprayer	6.67	.25	1%		1%	
CABLE SPLICER	7.48	.25	1%		1%	

(Remaining Counties)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION (Job 69,000 volts or less)						
Cable splicer	$6.71	.25	1%		½%	
Line equipment operators; Powdermen	5.96	.25	1%		½%	
Experienced groundmen (2 yrs.); Truck drivers	4.72	.25	1%		½%	
Groundmen; Pole digger (groundman)	4.20	.25	1%		½%	
Linemen	6.07	.25	1%		½%	
(Jobs over 69,000 bolts)						
Cable splicers	6.88	.25	1%		½%	
Linemen; Pole sprayer	6.53	.25	1%		½%	
Line equipment operators; Powdermen	6.00	.25	1%		½%	
Groundmen	4.96	.25	1%		½%	

* Eastern Counties: Blaine-Carter-Custer-Daniels-Dawson-Fallon-Garfield-McCone-Petroleum-Phillips-Powder River-Prairie-Richland-Roosevelt-Sheridan-Valley and Wibaux

* Western Counties: Beaverhead-Big Horn-Broadwater-Carbon-Cascade-Choteau-Deerlodge-Fergus Flathead-Gallatin-Glacier-Golden Valley-Granite-Hill-Jefferson-Judith Basin-Lake-Lewis & Clark-Liberty-Lincoln-Madison-Meagher-Mineral-Missoula-Musselshell-Park-Pondera-Powell-Ravalli-Rosebud-Sanders-Silverbow-Stillwater-Sweetgrass-Teton-Toole-Treasure-Wheatland and Yellowstone

SUPERSEDEAS DECISION

STATE: Nebraska
DECISION NUMBER: AP-518
COUNTIES: Statewide (Except Douglas and Sarpy)
DATE: Date of Publication
Supersedes Decision No. AP-211 dated August 4, 1972 in 37 FR 15829
DESCRIPTION OF WORK: Highway and road type construction, including grading, surfacing, paving and miscellaneous work incidental to construction of highways, roads and trails.

Statewide (except Cass, Washington, and that portion of Saunders County, East of Highway 109)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Carpenters	$3.90					
Carpenters Helper	3.25					
Cement Finisher	4.00					
Concrete Saw Operator	3.25					
Form Setter (road)	4.00					
Form Setter (structures)	3.25					
Laborer	2.85					
Painter	3.00					
Pile Driver Leadsman	3.10					
Power Equipment Operators:						
Asphalt Distributor	3.43					
Asphalt Heaterman	3.42					
Asphalt Paving Machine	4.00					
Asphalt Paving Machine Screedman	3.10					
Stationary Plant (asphalt or concrete)	3.75					
Beginner Operator	3.30					
Bulldozer:						
Less than 115 Drawbar H.P.	3.78					
115 Drawbar H.P. and over	3.88					
Cement Handler	2.75					
Clamshell, Dragline, Backhoe, Crane, Pile Driver or Shovel	4.02					
Concrete Paver	3.80					
Slip Form Paver	4.25					
Concrete Finishing Machine and Spreader	3.90					
Crusher (incl. those with integral screening plant)	4.00					
Fireman (boiler)	3.05					
Front End Loader:						
3½ cu. yds. or less	3.58					
Over 3½ cu. yds.	3.77					
Mechanic	3.99					
Mechanic Helper	3.60					
Motor Grader (rough)	3.80					
Motor Grader (finish)	4.04					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Oiler or Greaser	$3.30					
Roller, Self-Propelled (hot mix)	3.68					
Scraper Under 16 cu. yds.	3.50					
Scraper 16 cu. yds. and over	3.87					
Tractor:						
Farm type (towing)	3.00					
Traveling Plant (stabilization)	3.60					
Truck Drivers:						
Single Axle	2.87					
Tandem Axle	3.00					
Semitrailer	3.10					
Transit Mix	3.30					
Lowboy	3.35					
Welder	3.95					

AP-530 P. 3
1-MEB-2-3-q (1-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CARPENTERS:						
Carpenters	6.38	.20	.20			
Piledrivermen	6.505	.20	.20			
CEMENT FINISHER	6.63	.25	.20			
IRONWORKERS: Reinforcing and Structural	6.78	.20	.20			
LABORERS:						
Common Laborer	5.00	.20	.20			
Towboat & Dredge Deckhands	5.10	.20	.20			
Form Setter Helpers	5.20	.20	.20			
Rakers & Screedmen on Asphalt Work; Mortar Mixers; Chain Saw Operator	5.18	.20	.20			
Pipelayers; Concrete Saw Operator	5.25	.20	.20			
Form Setters & Precast Manhole Setters Inlet Builders & Manhole Setters	5.63	.20	.20			
POWER EQUIPMENT OPERATORS:						
Oiler; Greaser; Mechanic's Helper; Spread Oiler (less than one year's experience)	5.18	.25	.20			
Oiler Driver	5.23	.25	.20			
Tractor under 35 HP; Welding Machine; Spray Machine; Form Trencher; Belt Machine; Air Compressors; Pumps	5.88	.25	.20			
Spread Oiler (after one year's experience in classification)	5.88	.25	.20			
Concrete Mixer; Concrete Pump; Hydro-Hammer	5.78	.25	.20			
Concrete Spreader; Concrete Finishing Machine; Bulldozer; Roller; Trax-cavator; Fork Lift; Winch Truck; One Drum Hoist; Oil Distributor; Asphalt Roller	6.08	.25	.20			
Blade (Patrol); Scraper over 35 HP; Tournapull over 35 HP; DW-21 over 35 HP; DW-10	6.23	.25	.20			
Two Drum Hoist; Trenching Machine; Paving Mixer; Pile Driver; Heavy Duty Mechanic & Welder; Shovel; Dragline; Clamshell; Orange Peel; Backhoe; Derrick; Crane; Locomotive; Fireman (on boilers); Laydown Machine; Two-Drum Winch Truck; Side Boom Cat; Pug Mill Operator on Asphalt Plant; Leverman on Dredge; Tugboat Operator; Gradall Operator; Rotary Well Drilling Operator; Hydrocrane Operator; Cleveland-type back Filler Operator; Self-propelled Spreader Vibrator Operator; Slip Form Power Operator; Engineer on Dredge	6.38	.25	.20			

AP-530 P. 4
1-MEB-2-3-q (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS:						
Single Axle Trucks	5.43	.25	.20			
Tandem Axle Trucks; Power Lift Form Form Trucks; Euclid Trucks & Spreader Trucks	5.49	.25	.20			
Lowboys & Tractor-Trailers	5.62	.25	.20			
Lumber Carrier	5.79	.25	.20			

SUPERSEDEAS DECISION

STATE: Oregon
DECISION NUMBER: AP-271
COUNTIES: Statewide
DATE: Date of Publication
Supersedes Decision No. AP-249 dated November 10, 1972, in 37 FR 23998
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction and dredging.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	1/Others
ASBESTOS WORKERS	7.85	.35	.60		.06	
BOILERMAKERS	6.95	.60	1.00	.50	.02	
BRICKLAYERS; Stonemasons						
Clackamas, Clatsop, Columbia, Gilliam, Hood River, Multnomah, Morrow, Sherman, Tillamook, Wasco (north of the City of Maupin), Washington, N½ Yamhill Cos.	7.90	.35	.35		.02	
North ½ of Lincoln, Marion, Polk, S½ of Yamhill Cos.	7.40	.35	.35		.02	
Baker, North 1/2 of Malheur, Union, Umatilla, Wallowa Cos.	7.85	.30				
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, South 1/2 of Lincoln, Linn, South 1/2 of Malheur, Wasco (incl. the City of Maupin & south thereof), Wheeler Cos.	7.00	.45	.45		.02	
CARPENTERS:						
Acoustical & Drywall Applicators; Automatic Nailing Machine; Carpenters; Form Strippers; Manhole Builders	6.78	.55	.40	.35	.03	
Piledrivermen, Bridge, Dock & Wharf Builders	6.88	.55	.40	.35	.03	
Floor Layers & Finishers; Stationary Power Saw Operators	6.91	.55	.40	.35	.03	
Boom Men	6.98	.55	.40	.35	.03	
Millwrights & Machine Erectors	7.03	.55	.40	.35	.03	
CEMENT MASONS:						
Cement Masons	6.51	.35	.25		.01	
Mastic Worker; Composition Workers; Gunnite Men; Power Machinery Operator	8.635	.35	.25		.01	
DRYWALL TAPERS	6.10	.32	.15	.50	.015	
ELECTRICIANS:						
Malheur County						
Electricians	7.45	.30	1%		2/10%	
Cable Splicers	8.195	.30	1%		2/10%	
Baker; Gilliam; Grant; Morrow; Umatilla; Union; Wallowa; Wheeler Cos.						
Electricians	7.93	.35	1%		.02	
Cable Splicers	8.33	.35	1%		.02	
Coos; Curry; Lincoln; Those portions of Douglas & Lane Cos. lying west of a line north & south from the NE corner of Coos Co. to the SE corner of Lincoln Co.						
Electricians	$8.21	.25	1%		.04	
Cable Splicers	9.03	.25	1%		.04	
Benton; Crook; Deschutes; Jefferson; Lane (except coast portion); Linn; Marion; Polk; S 1/2 of Yamhill Cos.						
Electricians	8.50	.25	1%		.04	
Cable Splicers	8.95	.25	1%		.04	
Clackamas; Clatsop; Columbia; Hood River; Multnomah; Sherman; Tillamook; Wasco; Washington; N½ of Yamhill Cos.						
Electricians	7.75	.25	1% +.30		.02	
Cable Splicers	8.35	.25	1% +.30		.02	
Harney; Jackson; Josephine; Klamath; Lake; That portion of Douglas lying east of a line running north & south from the corner of Coos Co. to the southeast corner of Lincoln Co.						
Electricians	7.70	.25	1%		.04	
Cable Splicers	8.25	.25	1%		.04	
ELEVATOR CONSTRUCTORS	8.01	.345	.22	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.345	.22	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	6.82	.26	.20	4%	.01	
IRONWORKERS:						
Reinforcing; Structural; Fence Erectors; Ornamental; Riggers; Signal Men	7.31	.48	.65	.25	.05	
LATHERS						
Clackamas, Clatsop, Columbia, Gilliam, Harney, Hood River, Morrow, Multnomah, Sherman, Tillamook, Wasco, Washington, Yamhill Cos.	6.60	.15			.01	
MARBLE SETTERS						
Clackamas, Clatsop, Columbia, Gilliam, Hood River North 1/2 of Lincoln, Marion, Multnomah, Morrow, Polk, Sherman, Tillamook, Wasco (north of the City of Maupin), Washington, Yamhill Cos.	7.90	.35	.35		.02	
Baker, North 1/2 of Malheur, Union, Umatilla; Wallowa Cos.						
Outside	7.85	.30				
Inside	7.65	.30				
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake,						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Cr.
Lane, South 1/2 of Lincoln, Linn, South 1/2 of Malheur, Wasco (incl. the City of Maupin & south thereof), Wheeler Cos.	$7.00	.45	.45		.02	
PAINTERS:						
Brush	7.05	.30	.20		.015	
Spray	7.30	.30	.20		.015	
High Work over 100'	7.55	.30	.20		.015	
High Towers, ground to 100'	7.20	.30	.20		.015	
High Towers, ground to 300'	7.55	.30	.20		.015	
High Towers, ground to over 300'	8.05	.30	.20		.015	
PLASTERERS	6.95	.45	.45		.01	
PLUMBERS; STEAMFITTERS:						
Baker; Harney (except NW portion); Malheur Cos.	6.58	.28	.30		.05	
Grant (except SW corner); Morrow; Umatilla; Wallowa; Union Cos.	7.52	.26	.55	.47	.06	
N. 1/2 of Benton, Lincoln, & Linn Cos.; Marion; Polk; S 1/2 of Tillamook, Yamhill Cos.	6.55	.46	.65	1.00	.08	
Clackamas; Clatsop; Columbia; Gilliam; Hood River; Jefferson; Multnomah; Sherman; N. 1/2 of Tillamook; Wasco; Wheeler; Washington; & N. 1/2 of Yamhill	7.36	.59	.66		.07	
Coos; Curry; West Coast portion of Douglas Co; Lane (City of Florence)	7.74	.41	.52		.0175	
Lane (except for City of Florence); Douglas (except coast portion); Crook; Deschutes; N.W. portion of Harney; Northern portions of Klamath and Lake Cos.; S. 1/2 of Lincoln, Linn, Benton and Jefferson Cos.; & S.W. corner of Grant County	7.73	.41	.62		.02	
Remainder of Klamath & Lake Cos.	7.06	.45	.55	.75	.05	
Jackson; Josephine Cos.	7.05	.40	.50	.43	.02	
ROOFERS						
Clackamas, Clatsop, Columbia, Gilliam, Hood River, Jefferson, Multnomah, Sherman, Tillamook, Wasco Cos.						
Roofers	6.95	.45	.46			
Coal Tar	7.45	.45	.46			
Coal Tar in confined areas	7.70	.45	.46			
Wallowa County	6.65					
Coos, Crook, Curry, Deschutes, Douglas, Harney, Jackson, Josephine, Klamath, Lake, Lane, Malheur Cos.	6.53	.25				

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Cr.
SHEET METAL WORKERS						
Benton, Clackamas, Clatsop, Columbia, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Wasco, Washington, Wheeler, Yamhill Cos.	6.95	.33	.24	.28	.02	
Malheur County	7.06	.27	.20		.02	
Baker, Umatilla, Union, Wallowa Cos.	6.50	.22	.30			
Coos, Curry, Douglas, Lane Cos.	7.85	.22	.34		1/2%	
Jackson, Josephine	6.73	.22	.30			
SOFT FLOOR LAYERS	6.75	.35	.45	b	.05	
SPRINKLER FITTERS	8.70	.30	.50		.05	
TILE SETTERS & TERRAZZO WORKERS						
Clatsop, Clackamas, Columbia, Gilliam, Harney, Hood River, N. 1/2 of Lincoln, Marion, Morrow, Multnomah, Polk, Sherman, Wasco (north of the City of Maupin), Washington, Tillamook, Yamhill Cos.	6.95	.25	.24			
Baker, North 1/2 of Malheur, Union, Umatilla, Wallowa Cos.	7.18	.30				
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, South 1/2 of Lincoln, Linn, South 1/2 of Malheur, Wasco (incl. the City of Maupin and south thereof), Wheeler Cos.	6.95	.25				
TILE SETTERS' HELPERS	6.04	.25				
WELDERS; RIGGERS: Receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer credits 4% basic hourly rate of employee with over 5 years' service, 2% basic hourly rate from 6 months to 5 years' service to Vacation Plan. Six Paid Holidays: A through F.

b. 4% of all gross wages to be placed to the credit of employees with less than one year of service. 6% to employees with more than one year of service

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I ASSISTANT CONVEYOR; Oiler, including plant and crusher; Crusher Feederman; Deckhand; Self-propelled Scaffolding; Guard Rail Punch Oiler; Pump under 4" Brakeman Switchman; Parts Man (Tool Room)	$6.35	.45	.60	.25		
GROUP II BLADE, PULLED TYPE; Truck Crane Oiler-driver, 25 ton capacity or over; Fireman, all equipment; A-Frame Truck, single drum; Tugger or Coffin type Hoist, any power; Drill Helper; Auger Oiler; Boatman; Forklift or Lumber Stacker; Temporary Heating Plant; Grade Oiler, required to check grade; Grade Checker; Tar Pot Fireman; Tar Pot Fireman (power agitated); H. D. Repairman Helper; Welder's Helper; Fireman Helicopter Radio-man (ground); Roller, Rock	6.49	.45	.60	.25		
GROUP III PLANT FIREMAN; Pugmill; Truck Mounted Asphalt Spreader, with screed; Compressor, any power, under 1,000 cu. ft. total capacity; Mixer Box Concrete Plant; Concrete Conveyor; Cement Hog; Concrete Saw, self-propelled unit; Wire Mat Machine or Booming Machine; Concrete Curing Machine, self-propelled; Bucket Elevator Loader, Barber Greene and similar type; Hydraulic Pipe Press; Pump any power, 4' and over; Hydrostatic Pump; Motorman; Ballast Jack Tamper; Bell Boy, phones, etc.; Tamping Machine, mechanical self-propelled; Hydrographic Seeder Machine, straw, pump or seed; Broom Operator, self-propelled; Air Filtration Equipment; Welding Machine	6.59	.45	.60	.25		
GROUP IV SCREED; Compactor, including vibratory; Compressor, over 1,000 cu. ft. total capacity; Concrete Mixer, single drum, under 5 bag capacity;						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP IV (Cont'd) Concrete Cooling Machine; Combination Mixer and Compressor, Gunnite work; Helicopter Hoist; Fork Lift, over 5 tons; Lull Hi-Lift or similar type, 20 ft. or over; Service Oiler (Greaser); Hydra Hammer or similar types; Pavement Breaker; Pump, more than 3, any size; Locomotive, under 40 tons; Roller, Oiling, CTB	$6.75	.45	.60	.25		
GROUP V CURB MACHINE, MECHANICAL BERM, CURB AND/OR CURB AND GUTTER: Wagner Pactor or similar type (without blade); Batch Plant Material Control; Power Jumbo, setting slip forms, etc. in tunnels; Slip Form Pumps, power driven hydraulic lifting device for concrete forms; Hoist, single drum; Elevator, Diesel, Gas, Engineer; Chip Spreading Machine; Lime Spreading Sweeper (Wayne Type) self-propelled; Tractor, rubber-tired 50 H. P. Flywheel and under; Trenching Machine, maximum digging capacity 3 ft. depth	6.77	.45	.60	.25		
GROUP VI ASPHALT PLANT; Asphalt Paver; Maginnis, internal full slab vibrator; Concrete finishing Machine, Clary, Johnson, Bidwell, Burgess, bridge deck or similar type; Curb Machine, Mechanical Berm, Curb and/or Curb and Gutter; Concrete Joint Machine; Concrete Planer; Cast in place pipe laying machine; Concrete Paving Machine; Concrete Spreader; Loaders, Rubber-tired type, 2 1/2 cu. yds. and under; Rock Spreader, self-propelled	6.85	.45	.60	.25		
GROUP VII ROLLER, ASPHALT; Concrete Mixer, single drum, 5 bag capacity and over; Beltcrete; Pumpcrete; Cement pump, Fuller-Kenyon and similar; Grouting Machine; Concrete Pump;						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP VII (Cont'd) Tower Mobile; A-Frame Truck, double drums; Boom Truck; Churn Drill and Earth Boring Machine; Hydraulic Backhoe, wheel type 3/8 cu. yds. and under with or without front end attachments 2 1/2 cu. yds. and under (Ford, John Deere, Case type); Elevating Grader, Tractor and towed requiring operator or grader; Pot Rammer; Ballast Regulator; Ballast Tamper Multi-Purpose; Track Liner; Tie Spacer, Shuttle Car; Locomotive, 40 tons and over	6.91	.45	.60	.25		
GROUP VIII DIESEL-ELECTRIC ENGINEER, PLANT OR FLOATING; Batch Plant and/or wet mix, one and two drums; Generator; Diesel-Electric Engineer; Belt Loaders, Kolman and Ko Cal types	7.01	.45	.60	.25		
GROUP IX BULLDOZER; Drill Cat; Side-Boom Cat; Compactor, with blade; Chicago Boom and similar types; Lift Slab Machine; Boom Type lifting device, 5 tons capacity or less; Cherry picker or similar type crane-hoist 5 ton capacity or less; Grizzley; Crusher Plant; Boring Machine; Surface Heater & Planer; Hydraulic Backhoe, truck type 3/8 cu. yds. Loader, front end and overhead 2 1/2 cu. yds. and under 4 cu. yds.; Pipe Cleaning Machine; Pipe Doping Machine; Pipe Bending Machine; Pipe Wrapping Machine; Bolt Threading Machine; Drill Doctor; including bit grinder; H.D. Mechanic; H.D. Welder; Machine Tool Operator; Stationary Drag Scraper; Tractor Rubber-tired over 50 H.P. Flywheel; Tractor, Rubber tired with boom attachments; Trenching Machine maximum digging capacity over 3 ft. depth	7.07	.45	.60	.25		
GROUP X BULLDOZER, TWIN-ENGINE (TC 12 and similar type); Cable-Plow; Compactor,						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP X (Cont'd) Multi-engine; Driller-Percussion, Diamond, Core, Cable, Rotary and similar types Jack Operator Elevating Barges; Barge Operator, self-unloading; Combination H.D. Mechanic-Welder; Welder-Certified; Rubber tired Dozers & Pushers (Michigan, Cat, Hough type)	7.13	.45	.60	.25		
GROUP XI MIXER MOBILE: Crane, 25 tons and under; Shovel, Dragline; Clamshell, Hoe, etc., under 1 cu. yd.; Gradeall, under 1 cu. yd.; Mucking Machine	7.15	.45	.60	.25		
GROUP XII BLADE; Batch Plant and/or wet mix, 3 units or more; Hoist, 2 drum; Hoist, 3 or more drums; Elevating Loader, Athey and similar types; Piledriver (not crane type); Rubber-tired Scraper, single engine, single scraper; Scraper-Self-Loading, paddle wheel ladder type; Rubber-tired Scraper, twin engine; Rubber-tired Scraper, with push-pull attachments; Blade Mounted Spreaders, Ulrich and similar types; Shield Operator	7.21	.45	.60	.25		
GROUP XIII BLADE, FINISH (Working with either red or blue tops); Blade, Electronically controlled by wire or laser beams; Blade, Multi-engine; Concrete Paving and Road Mixer; Bridge Crane, Locomotive, Gantry, Overhead; Derrick, under 100 tons; Hoist, Stiff leg, Guy Derrick or similar type 50 tons and over; Cableway, up to 25 tons; Crane, over 25 tons and including 40 tons; Tower Crane; Piledriver (not crane type); Floating Clamshell, etc., under 3 cu. yds.; Floating Crane (Derrick Barge), less than 30 tons; Hydraulic Backhoe, truck type over 3/8 cu. yds., Elevating Grader, operated by tractor, Sierra, Euclid or similar types; Back-Filling Machine; Shovel, etc., 1 cu. yd., but less than 3 cu. yds.; Gradeall, 1 cu. yd., and over; Back Filling Machine	7.29	.45	.60	.25		

AP-271 P. 9

1-ORE-FBO-1-2-3-c (5-5)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP XIV RUBBER-TIRED SCRAPER WITH TANDEM SCRAPER	$7.45	.45	.60	.25		
GROUP XV ROCK HOUND; Loader, 4 cu. yds. but less than 6 cu. yds.	7.61	.45	.60	.25		
GROUP XVI AUTO GRADER (i.e. CMD) or TRIMMER; Tandem Bulldozer, Quad-nine and similar type; Automatic Concrete Slip Form Paver; Concrete Canal Liner; Cableway, 25 tons and over; Crane, over 40 tons and including 100 tons; Whirley, 80 tons and under; Floating Clamshell, etc., 3 cu. yds. and over; Floating Crane (Derrick Barge), 30 tons but less than 80 tons; Loader, 6 cu. yds., but less than 8 cu. yds., Loader 8 cu. yds., but less than 12 cu. yds.; Rubber-tired Scraper, with Tandem Scrapers, Multi-engine; Shovel, etc., 3 cu. yds. but less than 5 cu. yds.; Wheel Excavator, under 750 cu. yds. per hour	7.79	.45	.60	.25		
GROUP XVII CRANE, Over 100 tons and including 200 tons; Whirley over 80 tons and including 150 tons; Floating Crane (Derrick Barge), 80 tons but less than 150 tons; Loader, 12 cu. yds. and over; Shovel, etc., 5 cu. yds. and over; Canal Trimmer	7.93	.45	.60	.25		
GROUP XVIII CRANE, over 200 tons; Whirley, 150 tons and over; Floating Crane 150 tons but less than 250 tons; Wheel Excavator, over 750 cu. yds. per hour; Bend Wagons, in conjunction with wheel excavator	8.11	.45	.60	.25		
GROUP XVIV HELICOPTER; When used in erecting work; Floating Crane 250 tons and over; Remote controlled earth moving equipment (no one operator shall operate more than two pieces of moving equipment at one time); Underwater Equipment, remote or otherwise	8.25	.45	.60	.25		

AP-271 P. 10

1-ORE-LAB-1-2-3-d (1-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS						
GROUP I Asphalt plant laborers; Asphalt spreaders; Batch weighman; Broomers; Brush burner & cutters; Car & truck loaders; Carpenter tender; Change-House man or dry shack men; Choker setters; Cleam up laborers; Concrete laborers; Crusher feeders; Culvert, hand labor; Curing, concrete; Demolition, wrecking, & moving laborers; Driller helpers; Dumpers, Road oiling crew; Dumpmen (for grading crew); Elevator feeders; Fence builder (incl. Guard rail, Median rail, Reference post, Guide post, Right-of-way marker); Fine graders; Form strippers (not swinging stages); General laborers; Landscaping or planting laborers; Leverman on aggregate spreader (Flaherty & similar types); Loading spotters; Material yard man (incl. electrical); Pittsburgh chipper operator or similar types; Powderman helper; Railroad track laborers; Ribbon setters (incl. steel forms); Rip Rap man (hand placed); Road pump tender; Sewer labor; Skipmen; Signalman; Slopers; Spraymen; Stake chaser-Stake setter-Grade checker; Stockpiler; Timber faller & bucker (hand labor); Toolroom man (at job site) Tunnel bull gang (above ground); Weigh man-crusher aggregate (when used)	$5.35	.45	.50	.25	.02	

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apr. Tr.	Other
GROUP II						
Applicator (incl. pot tender for same), applying protective material by hand or nozzle on utility lines or storage tanks on project; Burners; Choker splicer; Clary power spreader & similar types; Clean-up nozzleman; Greencutter (Concrete rock, etc.); Concrete power buggyman; Demolition & wrecking charred materials; Gunite nozzleman tender; Gunite or sand blasting pot tender; Handlers or mixers of all materials of an irritating nature (incl. cement & lime); Manhole builder; Powertool op., incls. but not limited to: Chipping Guns; Jackhammer, Paving breakers, Post hole digger, Air, Gas, or Electric, Tampers, Vibrating screed, Vibrators (less than 4" in diameter); Ribbon setter, head; Rip rap man (head), Hand placed; Sand blasting (wet); Sewer timbermen; Timber buckers & fallers, Brush cutters (power saw); Tunnel-Muckers, Brakeman, Concrete crew, Bull gang (underground)	$5.70	.45	.50	.25	.02	
GROUP III						
Asphalt rakers; Bid grinder; Concrete saw op.; Drill doctor, Drill operator, Air tracks, Cat drills, Wagon drills, Rubber-mounted drills, & other similar types: Gunite nozzleman; High scalers, stiprrers & drillers (covers work in swinging stages, chairs or belts, under extreme conditions unusual or normal drilling, blasting, barring-down, or sloping & stripping); Powdermen; Power saw ops.(Bucking & falling merchantable logs); Pumpcrete nozzlemen; Sand blasting (Dry); Sewer pipe layers; Track liners, Anchor machines, Ballast regulators, Multiple tampers, Power jacks; Tugger op.; Tunnel--Chuck tenders, Nipper & Timbermen; Vibrators (4" & larger); Water blaster	5.85	.45	.50	.25	.02	
GROUP IV						
Tunnel miners; Tunnel powderman	6.00	.45	.50	.25	.02	

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apr. Tr.	Other
Battery rebuilder; Bus or man-haul drivers; Concrete buggies (power operated); Dump trucks, side, end & botton dumps, incl. semi-trucks & trains or combin. thereof: 6 cu. yds. & under; Lift jitneys, fork lifts (all sizes used in loading, unloading & transporting material on job site); Loader and/or leverman on concrete dry batch plant (manually operated); Pilot car; Solo flat bed & misc. body trucks, 0-10 tons; Truck helper; Truck mechanic helper; Warehouseman (warehouse parts, tool men & parts chaser, checker & receivers); Water wagons (rated capacity); up to 1600 gals.	$6.18	.40	.45	.25		
"A" frame or hydra-lift truck w/load bearing surface; Lubrication man, fuel truck driver, fireman, wash rack, steam cleaner or combin.; Team drivers	6.23	.40	.45	.25		
Dump trucks, side, end & bottom dumps, incl. semi-trucks & trains or combin. thereof: over 6 cu. yds. incl. 10 cu.yds. ; Slurry truck driver or leverman; Transit mix & dry or wet trucks: 5 cu. yds. & under; Fireman (full-time basis); Water wagons (rated capacity): 1600 to 3000 gals.	6.28	.40	.45	.25		
Flaherty spreader driver or leverman; Low bed equipment, flat bed semi-trailer, truck & trailer or doubles transporting equipment or wet or dry materials; Lumber carrier driver-Straddle carrier (used in loading, unloading and transporting of materials on job site); Oil distributor driver or leverman; Water wagons (rated capacity: 3000 to 5000 gals.	6.33	.40	.45	.25		
Dumpster or similar equipment, all sizes; Transit mix & wet or dry mix trucks; Over 5 cu. yds. & incl. 7 cu. yds.	6.38	.40	.45	.25		
Dump trucks, side, end & botton dumps, incl. semi trucks & trains or combin. thereof: over 10 cu. yds. & incl. 20 cu. yds.; Transit mix & dry or wet mix trucks: over 7cu. yds. & incl. 9 cu. yds.; Truck mechanic--welder--body repairman; Water wagons (rated capacity): 5000 to 7000 gals.	6.48	.40	.45	.25		

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Dump trucks, side end & bottom dumps, incl. semi-trucks & trains or combin. thereof: over 20 cu. yds. & incl. 30 cu. yds.; Transit mix & wet or dry mix trucks: over 9 cu. yds. & incl. 11 cu. yds.; Water Wagons (Rated capacity): over 7000 gals to 10,000 gals.	[3] 6.58	.40	.45	.25		
Dump trucks, side, end & botton dumps, incl. semi trucks & trains or combin. thereof: over 30 cu. yds. & incl. 40 cu. yds.; Transit mix & wet or dry mix trucks: over 11 cu. yds. and incl. 13 cu. yds.; Wager Wagons (rated capacity): over 10,000 gals. to 15,000 glas.	6.68	.40	.45	.25		
Dump trucks, side, end & botton dumps, incl. semi-trucks & trains or combin. thereof: over 40 cu. yds. & incl. 50 cu. yds.; Transit mix and wet or dry mix trucks: over 13 cu. yds. and incl. 15 cu. yds.	6.78	.40	.45	.25		
Dump trucks, side, end & botton dumps, incl. semi-trucks & trains or combin. thereof: over 50 cu. yds. & incl. 60 cu. yds.	6.95	.40	.45	.25		
Dump trucks, side, end & botton dumps, incl. semi-trucks & trains or combin. thereof: over 60 cu. yds. & incl. 70 cu. yds.	7.05	.40	.45	.25		
Dump trucks, side, end & botton dumps; incl. semi truck & trains or combin. thereof: over 70 cu. yds. and incl. 80 cu. yds.	7.15	.40	.45	.25		
Dump trucks, side, end & botton dump, including semi trucks & trains or combin. thereof: over 80 cu. yds. & incl. 90 cu. yds.	7.25	.40	.45	.25		
Dump trucks, side, end & botton dump, incl. semi-trucks and trains or combin. thereof: over 90 cu. yds. & incl. 100 cu. yds.	7.35	.40	.45	.25		

Drivers and Helpers (handling sacked cement add $.15 per hour).
Winch truck - takes classification of truck on which winch is mounted.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Dredging:						
Dipper Leverman:						
(a) 5 yards and under	$7.89	.45	.60	.25		
(b) Over 5 yards	8.44	.45	.60	.25		
Leverman, Hydraulic	7.20	.45	.60	.25		
Assistant Engineer (Electric Generator Operator for Primary Pump; Power Barge or Dredge)	7.18	.45	.60	.25		
Assistant Engineer (Electric, Diesel, Steam or Booster Pump); Mates and Boatmen	7.13	.45	.60	.25		
Engineer Welder; Craneman	7.08	.45	.60	.25		
Fireman; Oiler	6.74	.45	.60	.25		
Assistant Mate (Deckhand)	6.64	.45	.60	.25		

LINE CONSTRUCTION - OREGON d (1-1)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Cable Splicers Leadman Pole Sprayer	$ 8.60	.25	1%		1/2%	
Lineman; Pole Sprayer; Heavy Line Equipment Man; Certified Lineman Welder	7.76	.25	1%		1/2%	
Tree Trimmer	7.00	.25	1%		1/2%	
Line Equipment Man	6.67	.25	1%		1/2%	
Head Groundman (Chipper); Head Groundman; Powderman; Jackhammer Man	5.82	.25	1%		1/2%	
Groundman; Tree Trimmer Helper	5.49	.25	1%		1/2%	
Hole Digger	5.25	.25	1%		1/2%	

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTY: Washington
DECISION NO.: AP-481 DATE: Date of Publication
Supersedes Decision No. AM-1,863, dated August 20, 1971, in 37 FR 16319
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asbestos workers	$9.02	.35	.70			
Boilermakers	8.25	6.5%	6.5%		.01	
Bricklayers & Stonemasons:						
Twps. of Cross Creek, Hanover, Jefferson, Mt. Pleasant, Nottingham Peters, Robinson, Smith and Union- Charleroi, Carroll, East Bethlehem, Fallowfield, North Bethlehem, Pike Run, Somerset & West Bethlehem	9.255	.35	.40			
Remainder of County	9.22	.58				
Carpenters	6.60	.35	7%			
Cement masons	8.30	5%	6%	5%	.40 of 1%	
Electricians	8.24	6%	16%			
Elevator constructors	8.60	.32	1%+.20	.60	.05	
Elevator constructors' helpers	7.73	.17	.185	1½%+b+c	.005	
Elevator constructors' helpers (prob.)	5.41	.17	.185	1½%+b+c	.005	
Glaziers	3.865					
Ironworkers, structural	7.89	.35	.44	.33	.01	
Ironworkers, reinforcing	8.83	.435	.62		.015	
Laborers:	8.83	.435	.62		.015	
Laborers, carryable pumps, west brick buggy or similar, vibrator operators, walk behind forklift or similar (non self-propelled) stripper and mover of forms, cement masons, footers, window cleaner, tool room man, all material conveyor (regardless of power used, including starting & stopping	6.45	.30	.30			
West brick buggy or similar (self-propelled), power wheelbarrows and buggies, walk behind forklift or similar, (self-propelled) wagon drill helper, drill runner, drill runners helper, (including drill mounted on truck, track or similar), blaster's helper, all operators of compacting equipment, pipe layer, burner, jackhammer mancoocrete buster	6.575	.30	.30			
Mud carrier, scaffold builder, bell & bottom man on furnaces & stacks, mortar mixer, mortar mixing machine (regardless of power used, including starting & stopping) grout machine feeder & pump operator	6.70	.30	.30			
Concrete saw operators	6.70	.30	.30			
Gunnite nozzleman	6.95	.30	.30			
Blaster & wagon drill operator	7.15	.30	.30			
Lathers	7.28	.30	1.10		.01	
Leadburners	8.25	.30		a	.01	

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Line Construction:						
Linemen & cable splicers	10.02	.15	.10		.095	
Line truck op.	7.01	.15	.10		.095	
Groundman	6.01	.15	.10		.095	
Marble setters (Charleroi)	8.25	.35	.50			
Marble setters' helpers	8.60		.10			
Marble tile and terrazzo workers (Remainder of County)	8.13					
Millwrights	7.325	4%	2¾%		1%	
Painters:						
Twps. and boroughs of Jefferson Luzerne, Perry, Morgan, West Pike Run, West Bethlehem, East Bethlehem, Washington, Rostraver, Union, Nottingham, Carroll, Fallowfield, Somerset, North Bethlehem, Centerville Borough & California:						
Painters, brush, commercial	5.50	.20	.20		.01	
Painters, structural steel, indus.	6.60	.20	.20		.01	
Remainder of County:						
Brush	6.75	.35	.10			
Spray	7.875	.35	.10			
Piledrivermen	8.95	5%	6%		.50 of 1%	
Plasterers	7.00				.01	
Plumbers & Steamfitters (Charleroi)	8.19	4%	8%		.02	
Plumbers (Remainder of County)	8.66	.60	.625		.125	
Steamfitters (Remainder of County)	8.69	.25	1.10		.065	
Roofers:						
Composition	8.59	4%	.95		.035	
Slate and tile	8.59	4%	.95		.035	
Sheet metal workers	8.23	.45	.70			
Soft floor layers	7.50	4%	5%	d	½%	
Sprinkler fitters	8.75	.30	.50		.05	
Terrazzo workers (Charleroi)	8.775	.35	.20			
Terrazzo workers' helpers (Charleroi)	7.855	.35	.10			
Terrazzo workers' dry grinding	8.355	.35	.10			
Tile setters (Charleroi)	6.85	.35	.95			
Tile setters' helpers (Charleroi)	7.89	.35				
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

BUILDING CONSTRUCTION

PAID HOLIDAYS: (where applicable)
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. 9 paid holidays: A through F and Washington's Birthday, Good Friday & Chhristmas Eve provided the employee has worked 15 days for the employer during the 120 days prior to the holiday, and is available for work the days preceding and following the holiday.

b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as vacation pay credit.

c. Six paid holidays: A through F.

d. Seven paid holidays: A through F plus Veterans' Day.

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS:

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHR
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caison drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), cranes tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer- maintenance, franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist 50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix-mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver- guard rail (skid type), pumpkrete- mobile or similar type, Quad Kins, shovels (all types), slip form paver (CMI or similar), tractors- boom mounted (all types), tractors (all types with hydraulic backhoe attached), tug boat, Whirley,	8.975	.35	.20		.04	
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 ton or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any bldg. structure)	9.225	.35	.20		.04	
Cranes (boom or mast over 150 ft. up to & including 200 ft.)engineer-lead	9.475	.35	.20		.04	
Cranes (boom or mast over 200 ft.)	9.725	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHR
Asphalt plant op., athey loader, augur-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat- job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunite machine (combination), compressor & sand blasting machine (combination), concrete belt placer, crane-overhead, crushing and screening plants, drill-core (truck or skid mounted), drill-Davey or similar type, drill- well & core (truck mounted), elevator, euclid loader, excavating equipment (all other), forklift- Lull or similar, generators- 2, grader, grader- elevating, greaser-equipment (head), hi-lift- less than 4 yds., hoist- one drum (4 floors or over), hoist- hod (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer- paving, mucking machine, pipe cleaning machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material), trencher, welding machines (up to and including 4 well point systems, two small machines, grout pump (10 H.P. or over), paver op., asphalt (spreader), pumpkrete or similar type (not self-propelled), pumpkrete machine op., (stationary), tire repairman, welder (repairman	8.825	.35	.20		.04	
Conveyors 4 units or more	8.75	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHR
Boiler, compactor (ridden or self-propelled), concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill & horizontal (self-propelled) & self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self-propelled or ridden), pipe dream, roller, saw concrete, soil stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment, ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor - over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW), hoists monorail (regardless of power used), hoist roof (regardless of power used), huck machine of similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used), pump (over 1½" discharge, regardless of power used), spray cure machine (power driven), steam Jenny (or similar type), syphon (steam or air) welding machine single (300 Amp or over), plant, private or industrial air or steam valve	8.25	.35	.20		.04	
Compressor - 65 c.f. or under (regardless of power used), conveyor 1 unit (regardless of power used), grout pump (under 10 HP), heaters - up to & including 6, jack moter hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump - 1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment), tie tamper (multiple heads), tractor farm (when used or landscaping), water blaster, oiler - truck crane 50 ton or over	7.50	.35	.20		.04	

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTH
Brake man, deck hand, helicopter signalman, oiler, mechanic helper	7.25	.35	.20		.04	
Crane truck oiler and fireman	7.35	.35	.20		.04	

HEAVY & HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360° Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (Self Contained) Quad Mine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar) Trenching Machine (30,000 lb. and over) Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar) Whirley	$7.73	.35	.50		.04	
Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180° Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (C.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boat (Powered)						

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator	$7.47	.35	.50		.04
Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal	5.46	.35	.50		.04
Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader, Concrete Mixer (1 cy. and under with Skip) Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Grout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Hoist (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tie Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (when hoisting and placing)	5.01	.35	.50		.04
Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helper, Oiler, Power Broom, Side Delivery Shoulder Spreader	4.86	.35	.50		.04

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	O
Laborers: Construction laborer (including tenders handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impactor wrench, Air tamper operator, Asphalt tampers, Batcherman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operator, Drill runner's helper (includes drill mounted on truck, track or similar and Davey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzlemen, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-automatic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.71	.30	.30			
Asphalt, batch and concrete plant operator (manually operated), Asphalt rakers, Burner, Caisson man (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete) (walk behind), Earth drill, Fork lift (walk behing), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (ahnd or machine), Pin drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance men, Portable single unit conveyor, Post hole auger (2 or 4 cycle) (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail porter, or similar, Screed operator						

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HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	
Laborers (cont'd):						
Signal man, Whacker	$5.93	.30	.30			
All Railroad Track Work:						
Adzing machine, Ballast router, Bolting machine, Power jacks, Rail drills, Railroad brakemen, Rail saws, Spike drivers, Spike pullers, Tamping machine	5.93	.30	.30			
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine (trencher or similar)	6.24	.30	.30			
Blacksmith, Blaster, Brick and block pavers (wood, belgain and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	6.36	.30	.30			
Multi-plate pipe (aligning and securing)	6.55	.30	.30			
Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	7.70	.30	.30			
Welder (pipeline)						
Tunnel and Shaft Work (Inside):						
Change house attendant	5.69	.30	.30			
Muckers, Brakemen and all other labor (inlcudes installation of utility lines), Signal man, Drill runner helper	5.93	.30	.30			
Miners and drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment & jumbos)	6.24	.30	.30			
Caisson and tunnel men under pressure (0-18 pounds)	6.36	.30	.30			
Reinforcing steel placers (bending, aligning and securing)	5.55	.30	.30			
Carpenters	7.46	6%	3%			
Carpenters-welders	7.70	6%	3%			
Cement masons	7.17	.43	1.08			
Piledrivermen	8.41	5%	6%			

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PA-2-TD-1-F

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	
Truck Drivers:						
Warehousemen, service trucks (pick-up, jeep, station wagon, panel truck)	$5.855	.30	.30	a		
Dumps and flat tops	5.905	.30	.30	a		
Transit-mix, single axle	5.93	.30	.30	a		
Transit-mix, tandem	5.93	.30	.30	a		
Distributed truck over 33,000 lbs. gross weight	5.905	.30	.30	a		
Distributed truck up to 33,000 lbs. gross weights	6.055	.30	.30	a		
Heavy duty trailers with high bed, 4 wheels	5.955	.30	.30	a		
Heavy duty trailers with low bed, 6 to 16 wheels	6.255	.30	.30	a		
Trucks with dolly	6.055	.30	.30	a		
Euclids or equivalent	6.055	.30	.30	a		
Truck with dump trailers or tandems	6.055	.30	.30	a		
Winch trucks	6.23	.30	.30	a		
Towing equipment off job site	6.055	.30	.30	a		

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day and Veterns Day & Good Friday, provide the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.

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HEAVY & HIGHWAY CONSTRUCTION TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth-
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehousemen)	$5.70	6%	3.5%			
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.85	6%	3.5%			
Tri-axle trucks	5.93	6%	3.5%			
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.93	6%	3.5%			
Heavy off-the-road equipment (rated at forty-five tons or over)	6.03	6%	3.5%			
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.01	6%	3.5%			
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%			
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.85	6%	3.5%			
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.93	6%	3.5%			
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additional to respecitve size truck						
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.85	6%	3.5%			
Tar and Asphalt Trailer Trucks	5.93	6%	3.5%			
Trucks with Dolly or Trailer	5.80	6%	3.5%			
Bottom or Belly-Dump Trucks	6.03	6%	3.5%			

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTY: Westmoreland
DECISION NO.: AP-482 DATE: Date of Publication
Supersedes Decision No. AM-1,864, dated August 20, 1971, in 36 FR 16326.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$9.02	.35	.70		
Boilermakers	8.25	6.5%	6.5%		.01
Bricklayers & Stonemasons:					
Fairfield & St. Clair Twps.	8.03	.35	.60		
New Kensington	8.35	.35	.20		
Rostraver	9.22	.58			
Scottsdale	6.40	.25			
Remainder of County	8.70	.35	.61		
Carpenters	8.30	5%	6%	5%	.40 of 1%
Cement masons	8.24	6%	16%		
Electricians	8.60	.32	1¾+.20	.60	.05
Elevator constructors	7.73	.17	.185	1¾%+b+c	.005
Elevator constructors' helpers	5.41	.17	.185	1¾%+b+c	.005
Elevator constructors' helpers (Prob.)	3.865				
Glaziers	7.89	.35	.44	.33	.01
Ironworkers, structural	8.83	.435	.62		.015
Ironworkers, reinforcing	8.83	.435	.62		.015
Laborers:					
Laborers, carryable pumps, vest brick buggy or similar, vibrator operator, walk behind forklift or similar (non self-propelled) stripper and mover of forms, cement masons, footers, window cleaner, tool room man, all material conveyor (regardless of power used, including starting and stopping)	6.45	.30	.30		
West brick buggy or similar (self-propelled), power wheel barrows and buggies, walk behind forklift or similar, (self-propelled) wagon drill helper, drill runner, drill runners' helper, (including drill mounted on truck, track or similar), blaster's helper, all operators of compacting equipment, pipe layer, burner, jackhammer man - concrete buster	6.575	.30	.30		
Hod carrier, scaffold builder, bell & bottom man on furnaces & stacks, mortar mixing machine (regardless of power used, including starting and stopping) grout machine feeder & pump operator	6.70	.30	.30		
Concrete saw operators	6.95	.30	.30		
Gunnite nozzleman	6.95	.30	.30		
Blaster & wagon drill operator	7.15	.30	.30		

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth.
Lathers	$8.28	.30	1.10		.01	
Lead burners	8.25	.30		a	.01	
Line Construction:						
Lineman	10.02	.15	.10		.5%	
Cable splicers	10.02	.15	.10		.5%	
Groundman	6.01	.15	.10		.5%	
Winch truck operators	7.01	.15	.10		.5%	
Marble setters	8.25	.35	.50			
Marble setters' helpers	7.95					
Millwrights	7.325	4%	2¾%		1%	
Painters:						
Painters, commercial	7.09	.40	.35		.07	
Painters, industrial	7.94	.40	.35		.07	
Piledrivermen	8.95	5%	6%		.50 of 1%	
Plasterers	6.48	.30	.10			
Plumbers	7.23	.45	1.00	1.00	.04	
Roofers:						
Composition	8.59	4%	.95		.035	
Slate and tile	8.59	4%	.95		.035	
Sheet metal workers	8.23	.45	.75			
Soft floor layers, carpet cutters	7.50	4%	5%	d	½%	
Sprinkler fitters	8.75	.30	.50		.05	
Steamfitters	7.23	.45	1.00	1.00	.04	
Terrazzo workers	8.775	.35	.50			
Terrazzo workers dry grinding	8.355	.35	.10			
Terrazzo workers' helpers	7.855	.35	.10			
Tile setters	6.85	.35	.95			
Tile setters' helpers	7.89					
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS (Where Applicable):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Paid holidays, A through F and Washington's Birthday, Good Friday and Christmas Eve, provided the employee has worked 45 days for the employer during the 120 days prior to the holiday, and is available for work the days preceding and following the holiday.
b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.
c. Six paid holidays: A through F.
d. Seven paid holidays: A through F plus Veterans' Day.

HEAVY & HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	O-h
Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360° Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (Self Contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar) Trenching Machine (30,000 lb. and over) Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar) Whirley	$7.73	.35	.50		.04	
Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180° Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (C.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boat (Powered)						

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. T
Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator	$7.47	.35	.50		.04
Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal	5.46	.35	.50		.04
Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader, Concrete Mixer (1 cy. and under with Skip) Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boat (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tie Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (when hoisting and placing)	5.01	.35	.50		.04
Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helper, Oiler, Power Broom, Side Delivery Shoulder Spreader	4.86	.35	.50		.04

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HEAVY & HIGHWAY CONSTRUCTION

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehousemen)	$5.70	6%	3.5%			
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.85	6%	3.5%			
Tri-axle trucks	5.93	6%	3.5%			
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.93	6%	3.5%			
Heavy off-the-road equipment (rated at forty-five tons or over)	6.03	6%	3.5%			
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.01	6%	3.5%			
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%			
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.85	6%	3.5%			
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.93	6%	3.5%			
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additionsl to respecitve size truck						
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.85	6%	3.5%			
Tar and Asphalt Trailer Trucks	5.93	6%	3.5%			
Trucks with Dolly or Trailer	5.80	6%	3.5%			
Bottom or Belly-Dump Trucks	6.03	6%	3.5%			

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BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHER
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caison drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), cranes tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer- maintenance, franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist 50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver- guard rail (skid type), pumpkrete- mobile or similar type, Quad Kine, shovels (all types), slip form paver (CMI or similar), tractors- boom mounted (all types), tractors (all types with hydraulic backhoe attached), tug boat, Whirley,	8.975	.35	.20		.04	
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 ton or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any bldg. structure)	9.225	.35	.20		.04	
Cranes (boom or mast over 150 ft. up to & including 200 ft.)engineer-lead	9.475	.35	.20		.04	
Cranes (boom or mast over 200 ft.)	9.725	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHR
Asphalt plant op., athey loader, auger-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat- job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunite machine (combination), compressor & sand blasting machine (combination), concrete belt placer, crane-overhead, crushing and screening plants, drill-core (truck or skid mounted), drill-Davey or similar type, drill- well & core (truck mounted), elevator, euclid loader, excavating equipment (all other), forklift- Lull or similar, generators- 2, grader, grader- elevating, grouser-equipment (boat), hi-lift- less than 4 yds., hoist- one drum (4 floors or over), hoist- hoe (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer- paving, mucking machine, pipe cleaning machine, refrigeration plant, ross carrior (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to and including 4 well point systems, two small machines, grout pump (10 H.P. or over), paver op., asphalt (spreader), pumpkrete or similar type (not self-propelled), pumpkrete machine op., (stationary), tire repairman, welder (repairman	8.825	.35	.20		.04	
Conveyors 4 units or more	8.75	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHR
Boiler, compactor (ridden or self-propelled), concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill & horizontal (self-propelled) & self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self-propelled or ridden), pipe dream, roller, saw concrete, soil stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment, ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor - over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW), hoists monorail (regardless of power used), hoist roof (regardless of power used), huck machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used), pump (over 1½" discharge, regardless of power used), spray cure machine (power driven), steam Jenny (or similar type), syphon (steam or air) welding machine single (300 Amp or over), plant, private or industrial air or steam valve	8.25	.35	.20		.04	
Compressor - 65 c.f. or under (regardless of power used), conveyor 1 unit (regardless of power used), grout pump (under 10 HP), heaters - up to & including 6, jack motor hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump - 1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment), tie tamper (multiple heads), tractor farm (when used or landscaping), water blaster, oiler - truck crane 50 ton or over	7.50	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH.
Brake man, deck hand, helicopter signalman, oiler, mechanic helper	7.25	.35	.20		.04	
Crane truck oiler and fireman	7.35	.35	.20		.04	

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Truck Drivers:						
Warehousemen, service trucks (pick-up, jeep, station wagon, panel truck)	$5.855	.30	.30	a		
Dumps and flat tops	5.905	.30	.30	a		
Transit-mix, single axle	5.93	.30	.30	a		
Transit-mix, tandem	5.93	.30	.30	a		
Distributed truck over 33,000 lbs. gross weight	5.905	.30	.30	a		
Distributed truck up to 33,000 lbs. gross weights	6.055	.30	.30	a		
Heavy duty trailers with high bed, 4 wheels	5.955	.30	.30	a		
Heavy duty trailers with low bed, 6 to 16 wheels	6.255	.30	.30	a		
Trucks with dolly	6.055	.30	.30	a		
Euclids or equivalent	6.055	.30	.30	a		
Truck with dump trailers or tandems	6.055	.30	.30	a		
Winch trucks	6.23	.30	.30	a		
Towing equipment off job site	6.055	.30	.30	a		

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day and Veterns Day & Good Friday, provide the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.

BUILDING DEMOLITION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Laborers:						
Wrecking Laborers	$6.55	.30	.30			
Low Burners	6.70	.30	.30			
Outside Wall Men	6.70	.30	.30			
Jackhammermen	6.70	.30	.30			
High Burners	6.90	.30	.30			
High Burners' Helpers	6.70	.30	.30			

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Laborers:						
Construction laborer (including tenders handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impactor wrench, Air tamper operator, Asphalt tampers, Batcherman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operator, Drill runner's helper (includes drill mounted on truck, track or similar and Davey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzlemen, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-automatic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.71	.30	.30			
Asphalt, batch and concrete plant operator (manually operated), Asphalt rakers, Burner, Caisson men (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete) (walk behind), Earth drill, Fork lift (walk behing), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (ahnd or machine), Pin drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance men, Portable single unit conveyor, Post hole auger (2 or 4 cycle (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail porter, or similar, Screed operator						

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	D
Laborers (cont'd):						
Signal man, Whacker	$5.93	.30	.30			
All Railroad Track Work:						
Adzing machine, Ballast router, Bolting machine, Power jacks, Rail drills, Railroad brakemen, Rail saws, Spike drivers, Spike pullers, Tamping machine	5.93	.30	.30			
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine (trencher or similar)	6.24	.30	.30			
Blacksmith, Blaster, Brick and block pavers (wood, belgain and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	6.36	.30	.30			
Multi-plate pipe (aligning and securing)	6.55	.30	.30			
Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	7.70	.30	.30			
Welder (pipeline)	5.69	.30	.30			
Tunnel and Shaft Work (Inside):						
Change house attendant	5.93	.30	.30			
Muckers, Brakeman and all other labor (inlcudes installation of utility lines), Signal man, Drill runner helper	6.24	.30	.30			
Miners and drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment & jumbos)	6.36	.30	.30			
Caisson and tunnel man under pressure (0-15 pounds)	5.55	.30	.30			
Reinforcing steel placers (bending, aligning and securing)	7.46	6%	3%			
Carpenters	7.70	6%	3%			
Carpenters-welders	7.17	.43	1.08			
Cement masons	8.41	5%	6%			
Piledrivermen						

SUPERSEDEAS DECISION

STATE: Pennsylvania — COUNTY: Allegheny
DECISION NO: AP-495 — DATE: Date of Publication
Supersedes Decision No. Ap-421, dated September 29, 1972, in 37 FR 20447.
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories); Heavy and Highway Construction.

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$9.02	.35	.70			
Boilermakers	8.25	6.5%	6.5%		.01	
Bricklayers	9.255	.35	.40			
Carpenters	8.30	5%	6%	5%	.40 of 1%	
Cement masons-finishers	8.24	6%	16%			
Electricians	8.60	.32	1%+.20	.60	.05	
Elevator constructors	7.73	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers	5.41	.17	.185	1½%+a&b	.005	
Elevator constructors' helpers (prob.)	3.865					
Glaziers	7.89	.35	.44	.33	.01	
Ironworkers, structural	8.83	.435	.62		.015	
Ironworkers, reinforcing	8.83	.435	.62		.015	
Laborers:						
Laborers, carryable pumps, vest brick buggy or similar, vibrator operators, walk behind forklift or similar (non-self-propelled) stripper and mover of forms, cement masons, footers, window cleaner, tool room man, all material conveyor (regardless of power used, including starting and stopping)	6.50	.30	.30			
West brick buggy or similar (self- propelled), power wheelbarrows and buggies, walk behind forklift or similar, (self propelled) wagon drill helper, drill runner, drill runners' helper, (including drill mounted on truck, track or similar), blaster's helper, all operators of compacting equipment, pipe layer, burner, jackhammer man-concrete buster	6.625	.30	.30			
Rod carrier, scaffold builder, bell & bottom man on furnaces and stacks, mortar mixer, mortar mixing machine (regardless of power used including starting & stopping), grout machine feeder and pump operator	6.75	.30	.30			
Concrete saw operators	6.75	.30	.30			
Gunnite nozzleman	7.00	.30	.30			
Blaster, wagon drill operator	7.20	.30	.30			
Lathers	8.28	.30	1.10		.01	
Lead burners	8.25	.30		c	.01	

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	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
Line construction: (Lineman, cable splicers	$10.02	.15	1%		.3%	
Groundman	6.01	.15	1%		.3%	
Winch truck operator	7.01	.15	1%		.3%	
Marble setters	8.25	.35	.50			
Marble setters' helpers	7.95		.10			
Millwrights	7.325	4%	29½%		1%	
Painters; Commercial:						
Brush	8.38	.275	.20			
Paperhangers	8.43	.275	.20			
Spray	8.88	.275	.20			
Painters; Industrial:						
Brush	8.68	.275	.20			
Spray	9.18	.275	.20			
Piledrivermen	9.40	5%	6%		.50of1%	
Plasterers	7.58	.37	.50			
Plumbers	8.66	.60	.625		.125	
Roofers:						
Composition, Slate, tile	8.59	4%	.95		.035	
Sheet metal workers	8.23	.45	.70			
Steamfitters	8.69	.25	1.10		.065	
Stonemasons	9.155	.35	.50			
Sprinkler fitters	8.855	.25	.40		.04	
Soft floor layers, carpet cutters	7.50	4%	5%	d	¾%	
Terrazzo workers	8.775	.35	.50			
Terrazzo workers' helpers	7.855	.35	.10			
Terrazzo workers' helpers, dry grinders	8.355	.35	.10			
Tile setters	6.85	.35	.95			
Tile setters' helpers	7.89					
Welders-receive rate prescribed for craft performing operation to which welding is incidential.						

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. 6 paid holidays: A through F.

c. Paid holidays, A through F and Washington's Birthday, Good Friday and Christmas Eve, provided the employee has worked 45 days for the employer during the 120 days prior to the holiday, and is available for work the day preceding and following the holiday.

d. 7 paid holiday: A through F plus Veterans' Day.

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PA-2-LAB-1-D

BUILDING DEMOLITION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Or
Laborers:						
Wrecking Laborers	$6.55	.30	.30			
Low Burners	6.70	.30	.30			
Outside Wall Men	6.70	.30	.30			
Jackhammermen	6.70	.30	.30			
High Burners	6.90	.30	.30			
High Burners' Helpers	6.70	.30	.30			

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BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caison drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), cranes tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer- maintenance, franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist 50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver- guard rail (skid type), pumpkrete- mobile or similar type, Quad Nine, shovels (all types), slip form paver (CMI or similar), tractors- boom mounted (all types), tractors (all types with hydraulic backhoe attached), tug boat, Whirley,	8.975	.35	.20		.04
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 ton or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any bldg. structure)	9.225	.35	.20		.04	
Cranes (boom or mast over 150 ft. up to & including 200 ft.)engineer-lead	9.675	.35	.20		.04	
Cranes (boom or mast over 200 ft.)	9.725	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHER
Asphalt plant op., athey loader, augor-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat- job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunite machine (combination), compressor & sand blasting machine (combination), concrete belt placer, crane-overhead, crushing and screening plants, drill-core (truck or skid mounted), drill-Davey or similar type, drill- well & core (truck mounted), elevator, euclid loader, excavating equipment (all other), forklift- Lull or similar, generators- 2, grader, grader- elevating, greaser-equipment (head), hi-lift- less than 4 yds., hoist- one drum (4 floors or over), hoist- hod (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer- paving, mucking machine, pipe cleaning machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to and including 4 well point systems, two small machines, grout pump (10 H.P. or over), paver op., asphalt (spreador), pumpkrete or similar type (not self-propelled), pumpkrete machine op., (stationary), tire repairman, welder (repairman	8.825	.35	.20		.04	
Conveyors 4 units or more	8.75	.35	.20		.04	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHER
Boiler, compactor (ridden or self-propelled), concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill & horizontal (self-propelled) & self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self-propelled or ridden), pipe dream, roller, saw concrete, soil stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment, ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor - over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW), hoists monorail (regardless of power used), hoist roof (regardless of power used), huck machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used), pump (over 1½" discharge, regardless of power used), spray cure machine (power driven), steam Jenny (or similar type), syphon (steam or air) welding machine single (300 Amp or over), plant, private or industrial air or steam valve	8.25	.35	.20		.04	
Compressor - 65 c.f. or under (regardless of power used), conveyor 1 unit (regardless of power used), grout pump (under 10 HP), heaters - up to & including 6, jack motor hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump - 1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment), tie tamper (multiple heads), tractor farm (when used or landscaping), water blaster, oiler - truck crane 50 ton or over	7.50	.35	.20		.04	

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
Brake man, deck hand, helicopter signalman, oiler, mechanic helper	7.25	.35	.20		.04	
Crane truck oiler and fireman	7.35	.35	.20		.04	

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Truck Drivers:						
Warehousemen, service trucks (pick-up, jeep, station wagon, panel truck)	$5.855	.30	.30	a		
Dumps and flat tops	5.905	.30	.30	a		
Transit-mix, single axle	5.93	.30	.30	a		
Transit-mix, tandem	5.93	.30	.30	a		
Distributed truck over 33,000 lbs. gross weight	5.905	.30	.30	a		
Distributed truck up to 33,000 lbs. gross weights	6.055	.30	.30	a		
Heavy duty trailers with high bed, 4 wheels	5.955	.30	.30	a		
Heavy duty trailers with low bed, 6 to 16 wheels	6.255	.30	.30	a		
Trucks with dolly	6.055	.30	.30	a		
Euclids or equivalent	6.055	.30	.30	a		
Truck with dump trailers or tandems	6.055	.30	.30	a		
Winch trucks	6.23	.30	.30	a		
Towing equipment off job site	6.055	.30	.30	a		

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day and Veterns Day & Good Friday, provide the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth
Laborers:						
Construction laborer (including tenders handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impactor wrench, Air tamper operator, Asphalt tampers, Batcherman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operator, Drill runner's helper (includes drill mounted on truck, track or similar and Davey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzlemen, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-automatic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.86	.30	.30			
Asphalt, batch and concrete plant operator (manually operated), Asphalt rakers, Burner, Caisson men (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete) (walk behind), Earth drill, Fork lift (walk behing), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (ahnd or machine), Pin drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance men, Portable single unit conveyor, Post hole auger (2 or 4 cycle) (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail portor, or similar, Screed operator						

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth
Laborers (cont'd):						
Signal man, Whacker	$6.05	.30	.30			
All Railroad Track Work:						
Adzing machine, Ballast router, Belting machine, Power jacks, Rail drills, Railroad brakemen, Rail saws, Spike drivers, Spike pullers, Tamping machine	6.05	.30	.30			
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine (trencher or similar)	6.36	.30	.30			
Blacksmith, Blaster, Brick and block pavers (wood, belgain and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	6.48	.30	.30			
Multi-plate pipe (aligning and securing) Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	6.55	.30	.30			
Welder (pipeline)	7.70	.30	.30			
Tunnel and Shaft Work (Inside):						
Change house attendant	5.86	.30	.30			
Muckers, Brakemen and all other labor (inlcudes installation of utility lines), Signal man, Drill runner helper	6.10	.30	.30			
Miners and drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment & jumbos)	6.36	.30	.30			
Caisson and tunnel men under pressure (0-18 pounds)	6.48	.30	.30			
Reinforcing steel placers (bending, aligning and securing)	6.55	.30	.30			
Carpenters	7.46	6%	3%			
Carpenter Welder	7.70	6%	3%			
Cement Masons	7.17	.43	1.08			
Piledrivermen	8.41	5%	6%			

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HEAVY & HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360° Swing, Cableway, Caisson Drill (Similar to Bugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Koral, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (Self Contained) Quad Kine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar) Trenching Machine (30,000 lb. and over) Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar) Whirley	$7.73	.35	.50		.04	
Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180° Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (C.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boat (Powered)						

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PA-2-PEO-2-3- G (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator	$7.47	.35	.50		.04	
Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal	5.46	.35	.50		.04	
Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader, Concrete Mixer (1 cy. and under with Skip) Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Grout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boat (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tie Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (when hoisting and placing)	5.01	.35	.50		.04	
Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helper, Oiler, Power Broom, Side Delivery Shoulder Spreader	4.86	.35	.50		.04	

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HEAVY & HIGHWAY CONSTRUCTION TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehousemen)	$5.70	6%	3.5%			
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.85	6%	3.5%			
Tri-axle trucks	5.93	6%	3.5%			
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.93	6%	3.5%			
Heavy off-the-road equipment (rated at forty-five tons or over)	6.03	6%	3.5%			
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, doal-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.01	6%	3.5%			
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%			
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.85	6%	3.5%			
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.93	6%	3.5%			
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additionsl to respecitve size truck						
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.85	6%	3.5%			
Tar and Asphalt Trailer Trucks	5.93	6%	3.5%			
Trucks with Dolly or Trailer	5.80	6%	3.5%			
Bottom or Belly-Dump Trucks	6.03	6%	3.5%			

SUPERSEDEAS DECISION

STATE: Rhode Island
DECISION NO.: AP-483
COUNTIES: Bristol, Kent and Providence
DATE: Date of Publication

Supersedes Decision No. AP-426, dated September 29, 1972, in 37 FR 20471.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4-stories), heavy and highway construction, and marine construction.

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$8.70	.39	.35		.005	
Boilermakers	8.705	.50	10%		.01	
Bricklayers, cement masons and stone masons:						
Ashton, Berkeley, Central Falls, Cumberland, Lincoln, Lonsdale, Pawtucket and Valley Falls	8.70	.25	.25		.01	
Bricklayers, cement masons, plasterers, stone masons, marble, tile and terrazzo workers:						
Woonsocket, N. Smithfield, Burrillville and Cumberland Hill	8.67	.25	.30		.01	
Bristol and Kent Counties; and Remainder of Providence County:						
Bricklayers and stone masons	8.57	.25	.35		.01	
Cement masons	7.95	.50	.35			
Marble, tile and terrazzo workers	8.55	.25	.35			
Plasterers	8.50	.20	"			
Carpenters, soft floor layers, piledrivermen:						
Burrillville, N. Smithfield, Woonsocket Townships	7.67	.25	.25			
Bristol & Kent Cos., & Remainder of Providence County:						
Carpenters, soft floor layers & Piledrivermen	8.25	.35	.35		.01	
Millwrights	8.50	.35	.35		.01	
Electricians	8.35	.18	1%		.02	
Elevator constructors	6.87	.17	.185	½%a+b	.005	
Elevator constructors' helpers	4.81	.17	.185	½%a+b	.005	
Elevator constructors' helpers (Prob.)	3.435					
Glaziers	7.74	.42	.30	e	.01	
Ironworkers: str., orn., reinforcing	7.70	.45	.80+.50		.02	
Laborers:						
Laborers, Building:						
Laborers, carpenters tender, cement finisher tenders, mason tenders	6.50	.40	.40		.05	
Jackhammers, paving breaker, chain saw pipelayers, mechanical grinder, all other pneumatic tools, barco type jumping tampers	6.75	.40	.40		.05	
Plasterers tenders	6.30	.25	.15			
Powdermen Blasters	7.25	.40	.40			
Laborers, Wrecking:						
Laborers, signalmen	6.50	.40	.40		.05	
Adzman, burner, jackhammer	6.75	.40	.40		.05	

1-2-4-RI-BRI-KENT-PROV-1-C 2 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Lathers	$7.40	.45	.50		.01	
Lead burners	7.80	.30		c	.01	
Line Construction:						
Linemen	7.14	.20	1%	d		
Driver Groundman	5.58	.20	1%	d		
Groundman	5.07	.20	1%	d		
Equipment operator	6.31	.20	1%	d		
Marble, tile and terrazzo workers' helpers	7.23		.50			
Painters:						
Bristol, Kent and Providence Counties:						
Brush	6.95	.25	.25			
Structural steel	7.20	.25	.25			
Spray	7.95	.25	.25			
Plumbers	8.55	.35	.35			
Roofers:						
Composition, waterproofers	7.85	.20	.25			
Slate, tile and precast concrete	8.05	.20	.25			
Helpers, Class A	7.00	.20	.25			
Helpers, Class B	6.45	.20	.25			
Sheet metal workers	8.43	.36	.35		.02	
Sprinkler fitter	9.07	.30	.50		.01	
Steamfitters, pipefitters	8.82	.35	.80		.03	
Truck Drivers: Building						
2-axle; dumps	5.31	.30	.50			
3-axle; trailers	5.39	.30	.50			
Low beds, trailers (24 tons and over); trailers (I-Beam), specialized earth moving equipment (Euclid type)	5.64	.30	.50			
Euclid type equipment over 35 ton capacity	5.89	.30	.50			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Holidays: A through F.

c. Holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve provided employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Paid Holiday: A through F, Bunker Hill day provided employee has been employed 10 working days prior to the holiday and provided the employee worked the scheduled work day immediately preceding and following the holiday.

e. Paid Holiday: "D".

HEAVY, HIGHWAY AND MARINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Bricklayers, stone masons, catch basin, manhole builders	$8.02	.25	.35		.01	
Carpenters, piledrivers	8.56	.35	.35			
Cement masons - finishers	6.85	.35				
Electricians:						
Burrivills, Cumberland, N. Smithfield, and Woonsocket	4.60	.10	1%		.01	
Bristol & Kent Cos.; & Remainder of Providence County	7.70	.18	1%		.02	
Ironworkers: str., orn., reinforcing	7.70	.45	.85		.02	
Laborers:						
Laborers	6.10	.25	.25		.05	
Adzemen, asphalt rakers, barco type jumping tampers, chain saw operators, concrete saw operators, demolition burners, fence and guard rail erectors highway stone spreaders, mechanical grinder operators, mortar mixers, pipelayers, pipe trench bracers, pneumatic tool operators, riprap and dry stonewall builders, setters of metal forms for roadways, stumper operators, tree toppers, tree trimmers, wagon drill operators, wood chipper operators concrete and power buggy operators	6.35	.25	.25		.05	
Air track op.	6.60	.25	.25		.05	
Blasters and powdermen	6.85	.25	.25		.05	
Pavers, rammers, curb setters	6.60	.25	.25		.05	
Line Construction:						
Linemen	7.14	.20	1%	a		
Equipment operator	6.31	.20	1%	a		
Groundman	5.07	.20	1%	a		
Driver groundman	5.58	.20	1%	a		
Painters:						
Bristol, Kent and Providence County:						
Brush	6.95	.25	.25			
Structural steel	7.20	.25	.25			
Spray and sandblasting	7.95	.25	.25			
Plumbers	6.70	.35	.35			
Waterproofers	7.85	.20	.25			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F, Bunker Hill Day provided employee has been employed 10 work days prior to the holiday and provided the employee works the scheduled work days immediately preceding and following the holiday.

BRIDGES, CAISSONS, DOCKS, MARINE, PIERS, SUBBASEMENTS, SUBTERRANEAN, TUNNELS, & HEAVY CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rate	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Digging Machines, cranes, pile drivers, lighters, locomotives, derricks, hoists, pavers and front end loaders 3 yds. and over	$10.05	.40	.40		.05	
Firemen and Oilers	8.05	.40	.40		.05	
Bulldozers, graders, spreaders, scrapers, rollers and front-end loaders less than 3 yds	8.65	.40	.40		.05	
Maintenance Engineers	8.35	.40	.40		.05	
Well-point Installation Crews	8.85	.40	.40		.05	
Gas or electric driven pumps, heaters, concrete mixers, stone crushers, air compressors, welding machines and generators for light plants	8.65	.40	.40		.05	
Boat and Tug Operators	10.05	.40	.40		.05	
Apprentices (Deckhands)	8.15	.40	.40		.05	

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Digging Machines, cranes, pile drivers, lighters, locomotives, derricks, hoists pavers, and front-end loaders 3 yds. and over	$9.35	.40	.40		.05	
Econoomobile type equipment	9.10	.40	.40		.05	
Fork lift	8.85	.40	.40		.05	
Firemen and Oilers	7.45	.40	.40		.05	
Bulldozers, graders, spreaders, tractors, scrapers, rollers and front-end loaders less than 3 yds.	8.00	.40	.40		.05	
Pippin type backhoes	8.30	.40	.40		.05	
Maintenance Engineers	7.90	.40	.40		.05	
Well-point Installation	8.05	.40	.40		.05	
Gas or electric driven pumps, heater, concrete mixers, stone crushers, air compressors, welding machines and generators for light plants	8.20	.40	.40		.05	

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BRIDGE (Incidental to Highway) and HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATOR	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Digging machines, cranes, piledrivers, lighters, locomotives, derricks, hoists, pavers and front-end loaders 3 to 4 yds. and econoomobile & ross carriers	$9.15	.40	.40			
Fork lifts	8.35	.40	.40			
Firemen	7.75	.40	.40			
Oilers and apprentices	6.90	.40	.40			
Bulldozers, spreaders, rollers and front-end loaders, less than 3 yds., tractors	7.65	.40	.40			
Scrapers and greders & dozer operators	7.775	.40	.40			
Pippin type backhoe operator	8.00	.40	.40			
Maintenance engineers	7.50	.40	.40			
Gas and electric driven heaters, pumps, concrete mixers, stone crushers, air compressors, light plants and welding machines and concrete pumps	7.775	.40	.40			
Test boring machine operators	6.625	.40	.40			
Well point installation crews	7.60	.40	.40			
Operators of truck cranes with booms of 130 to 150 feet	9.65	.40	.40			
over 150 feet	9.90	.40	.40			
Operators of cat cranes with booms of 130 to 160 feet	9.65	.40	.40			
over 180 feet	9.90	.40	.40			

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HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Truck Drivers:						
2 axle	$3.97	.24	.35	a+b		
3-axle, Ready Mix Equipment	4.02	.24	.35	a+b		
4-5 axle Dump	4.12	.24	.35	a+b		
Low bed trailer equipment-specialized earth moving equipment other than conventional type	4.22	.24	.35	a+b		
Helpers on low bed	3.97	.24	.35	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F, Columbus Day, Veteran's Day providing employee has worked at least two days in the calendar week in which the holiday falls.

b. Employee who has been on payroll for 1 year or more but less than 5 years and has worked 150 days during the last year of employment shall receive: 1 week's vacation; 5 years or more - 2 weeks vacation.

SUPERSEDES DECISION

STATE: Tennessee
COUNTY: Davidson
DECISION NUMBER: AP-169
DATE: Date of Publication
Supersedes Decision No. AM-8,622 dated June 9, 1972 37 FR 11632
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories),

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$7.50	.25	.15			
Boilermakers	6.85	.40	.60		.01	
Bricklayers	6.75					
Carpenters	6.50	.15	.10		.02	
Cement masons	5.05	.25				
Electricians	6.31	.30	1%		.25%	
Elevator constructors	6.31	.345	.23	2%+a+b	.005	
Elevator constructors' helpers	70% JR					
Elevator constructors' helpers(prob.)	50% JR					
Glaziers	6.25	.30	.20		.02	
Ironworkers:						
Structural, ornamental and reinforcing	6.65	.30	.25		.04	
Laborers:						
Unskilled	3.51					
Air tool operator	4.15	.15	.10			
Mason tenders	4.15	.15	*.10			
Pipelayers	4.30	.15	.10			
Powderman	4.55	.15	.10			
Lathers	6.30		.20		.01	
Millwrights	6.65	.15	.10		.01	
Painters, brush	5.60	.20			.05	
Plasterers	6.10	.20	.20		.01	
Plumbers	6.47	.30	.30	.25	.03	
Roofers	5.70		.10	c		
Sheet metal workers	6.10	.25	.20	d	1½%	
Steamfitters	6.57	.25	.25	.25	.03	
Sprinkler fitters	8.05	.30	.40		.05	
Terrazzo workers	5.10					
Tile setters	5.10					
Truck drivers	3.85					
Welders - Rate for Craft.						
POWER EQUIPMENT OPERATORS:						
Air compressor	4.95	.25	.25			
Bulldozers	6.00	.25	.25			
Cranes	6.00	.25	.25			
Fork lift	6.00	.25	.25			
Front end loaders	6.00	.25	.25			
Gradall	6.00	.25	.25			
Hoist	5.15	.25	.25			
Oilers	5.28	.25	.25			
Trenchator	6.00	.25	.25			

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

c. Holidays: C, D and F.

d. Holidays: A through F.

[FR Doc.73-5366 Filed 3-22-73;8:45 am]