AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

federal register

FRIDAY, MAY 4, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 86

Pages 11053–11329

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federal register

Area Code 202 Phone 962-8626

Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C., Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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

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

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Justice

Section 213.3310 is amended to show that the following positions are no longer excepted under schedule C: Confidential Assistant (Private Secretary) to the Assistant Attorney General, Internal Security Division, and Special Assistant to the Assistant Attorney General (Internal Security Division).

Effective on May 4, 1973, paragraphs (p)(1) and (p)(5) of § 213.3310 are revoked.

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

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

[FR Doc.73-8839 Filed 5-3-73;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that one position of Confidential Secretary to the Commissioner of Welfare is excepted under schedule C.

Effective on May 4, 1973, § 213.3316(g)(2) is added as set out below.

§ 213.3316 Department of Health, Education, and Welfare.

* * * * *

(g) *Welfare Administration.* * * *

(2) One Confidential Secretary to the Commissioner.

* * * * *

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

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

[FR Doc.73-8837 Filed 5-3-73;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Housing and Urban Development

Section 213.3384 is amended to show that one position of Special Assistant to the Under Secretary (Model Cities) is no longer excepted under schedule C, and that the following two positions are excepted under schedule C: One Special Assistant to the Deputy Under Secretary for Field Operations and One Director, Executive Secretariat.

Effective on May 4, 1973, § 213.3384 is amended by revoking paragraph (a)(4) and adding paragraphs (a)(48) and (49) as set out below.

§ 213.3384 Department of Housing and Urban Development.

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

(4) [Revoked]

* * * * *

(48) One Special Assistant to the Deputy Under Secretary for Field Operations.

(49) One Director, Executive Secretariat.

* * * * *

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

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

[FR Doc.73-8838 Filed 5-3-73;8:45 am]

PART 213—EXCEPTED SERVICE

Selective Service System

Section 213.3346 is amended to show that the position of Private Secretary to the Public Information Officer is no longer excepted under schedule C.

Effective on May 4, 1973, § 213.3346(c) is revoked.

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

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

[FR Doc.73-8808 Filed 5-3-73;8:45 am]

PART 900—INTERGOVERNMENTAL PERSONNEL ACT AND GRANT PROGRAM

Nondiscrimination and Equal Employment Opportunity Regulations in Federally Assisted Programs

On December 21, 1972, notice of proposed rulemaking was published in the FEDERAL REGISTER (37 FR 28191) with regard to the addition of subpart E to part 900 of title 5 of the Code of Federal Regulations to effectuate nondiscrimination and equal employment opportunity under programs and activities receiving Federal financial assistance from the Commission. Interested persons were given 30 days in which to submit written comments, suggestions, and objections.

Having considered all relevant material, the U.S. Civil Service Commission, pursuant to the authority of section 503 of the Intergovernmental Personnel Act of 1970 (Public Law 91–648, 84 Stat. 1909), hereby adds subpart E to part 900 of title 5 of the Code of Federal Regulations. The subpart reads as follows:

Subpart E—Nondiscrimination and Equal Employment Opportunity in Federally Assisted Programs of the U.S. Civil Service Commission

Sec.

900.501 Purpose.
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900.505 Discrimination against participants and beneficiaries prohibited.
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900.509 Conduct of investigations.
900.510 Procedure for effecting compliance.

AUTHORITY.—Sec. 503, 84 Stat. 1926.

Subpart E—Nondiscrimination and Equal Employment Opportunity in Federally Assisted Programs of the U.S. Civil Service Commission

§ 900.501 Purpose.

The purpose of this subpart is to effectuate nondiscrimination and equal employment opportunity under programs receiving Federal financial assistance from the Commission under the Intergovernmental Personnel Act of 1970, 84 Stat. 1909 (hereafter referred to as the IPA).

§ 900.502 Applicability.

(a) *Programs.*—This subpart applies to each program for which Federal financial assistance is authorized under the IPA as administered by the Commission including applications approved before the effective date of this subpart.

(b) *Individuals.*—The provisions of this subpart do not apply to: (1) Individuals elected to public office in any State or political subdivision of any State by the qualified voters thereof, (2) an individual chosen by these elected officers to be on their personal staff, (3) an appointee on the policymaking level and an immediate advisor with respect to the exercise of the constitutional or legal powers of the office, except that these exceptions shall not apply to individuals specifically subject to the civil service laws of a State government, governmental agency, or political subdivision.

§ 900.503 Definitions.

In this subpart:

(a) "Applicant" means a person submitting an application, request, or plan requiring Commission approval as a condition of eligibility for IPA financial assistance, and "application" means that application, request, or plan.

(b) "Facility" means all or part of structures, equipment, or other real or personal property or interests therein.

(c) "Federal financial assistance" and "IPA financial assistance" mean a grant of Federal funds authorized by the IPA.

(d) "Program" means a project or activity providing services or other benefits, authorized by the IPA, including education or training whether provided through employees of a recipient of IPA financial assistance or provided by others through contracts or other arrangements with a recipient.

(e) "Recipient" means a State, the District of Columbia, the Commonwealth of Puerto Rico, a territory or possession of the United States, or a political subdivision or instrumentality thereof, a public or private agency, institution, organization or other entity, or an individual in a State, the District of Columbia, the Commonwealth of Puerto Rico, or territory or possession of the United States, to whom IPA financial assistance is extended, including a successor, assignee, or transferee, but the term does not include an ultimate beneficiary under a program.

(f) "Indirect recipient" means a subgrantee, contractor, or subcontractor receiving IPA financial assistance through a recipient.

(g) "Employment practices" means practices relating to recruitment or recruitment advertising, examining, hiring, firing, classification, assignment, upgrading, promotion, transfer, disciplinary action, demotion, layoff, termination, rates of pay or other forms of compensation or benefits, selection for training or apprenticeship, use of facilities, and treatment of employees.

(h) "Other organization" has the meaning given that term by section 304 of the IPA.

§ 900.504 Program consistency with merit principles.

(a) The substance, design, and administration of a program shall assure the fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, or religious creed and with proper regard for their privacy and constitutional rights as citizens.

(b) A program related to recruiting, selecting, and advancing employees, to which this subpart applies, shall provide for recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.

§ 900.505 Discrimination against participants and beneficiaries prohibited.

(a) *General.*—A recipient or indirect recipient may not exclude an individual from participation in, deny an individual the benefits of, or otherwise subject an individual to discrimination on the basis of race, color, national origin, sex, religious creed, or political affiliation in connection with an IPA supported program.

(b) *Specific discriminatory actions.*—(1) A recipient, or indirect recipient may not, directly or through contractual or other arrangements, on the basis of race, color, national origin, sex, religious creed, or political affiliation—

(i) Deny an individual a service, financial aid, or other benefit provided under the program;

(ii) Provide a service, financial aid, or other benefit to an individual which is different, or is provided in a different manner from that provided to others under the program;

(iii) Subject an individual to segregation or separate treatment in a matter related to his receipt of a service, financial aid, or benefit under the program;

(iv) Restrict an individual in the enjoyment of an advantage or privilege enjoyed by others receiving a service, financial aid, or other benefit under the program;

(v) Treat an individual differently from others in determining whether he satisfies an admission, enrollment, quota, eligibility, membership, or other requirement or condition which individuals must meet in order to be provided a service, financial aid, or other benefit provided under the program; or

(vi) Deny an individual an opportunity to participate in the program through the provision of services or otherwise afford him an opportunity to do so which is different from that afforded others under the program.

(2) A recipient, or indirect recipient, in determining the site or location of a facility for conducting a program may not make the selection with the purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination on the basis of race, color, national origin, sex, religious creed, or political affiliation, or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of this subpart.

(3) As used in this section, the services, financial aid, or other benefits provided under a program receiving IPA financial assistance include a service, financial aid, or other benefit provided in or through a facility receiving IPA financial assistance.

(4) The enumeration of specific forms of prohibited discrimination in this paragraph does not limit the generality of the prohibition in paragraph (a) of this section.

§ 900.506 Employment practices.

(a) A State or local government agency, department, or office, or other organization administering a program or any part of a program to which this section applies may not, on the basis of race, color, national origin, sex, or religious creed:

(1) Fail or refuse to hire or to discharge an individual, or otherwise to discriminate against an individual with respect to his compensation, terms, conditions, or privileges of employment; or

(2) Limit, segregate, or classify his employees, including applicants for employment, in any way which would deprive, or tend to deprive, an individual of employment opportunities or otherwise adversely affect his status as an employee.

(b) *Affirmative action.*—A State or local government agency, department, or office, or other organization administering a program or any part of a program to which this section applies shall take affirmative action to insure that all potential applicants have a fair opportunity to learn of and compete for employment, that applicants for employment are employed, and employees are treated during employment, without regard to their race, color, national origin, sex, or religious creed.

(c) *Written affirmative action plans.*—The Commission may require a State or local government agency, department, or office, or other organization administering a program or any part of a program to which this section applies to develop a written affirmative action plan for equal employment opportunity to meet the purposes of this section. This section does not affect the requirement that State and local government agencies subject to the "Standards for a Merit System of Personnel Administration" (45 CFR part 70), have a written affirmative action plan.

(d) An affirmative action plan under this section shall be consistent with the principles stated in section 2 of the IPA.

(e) Discrimination on the basis of religion, sex, or national origin is prohibited except where the agency, department or office, or other organization claiming an exception based on religion, sex, or national origin requirements is able to demonstrate that the religion, sex, or national origin of an individual is a bona fide occupational requirement for performance of the job. This exception will be interpreted very narrowly.

§ 900.507 Certification required.

(a) *General.*—Each application for IPA financial assistance, as a condition to its approval and the extension of financial assistance, shall contain or be accompanied by, a certification from the applicant that the program will be conducted in compliance with the requirements of this subpart. The assurance shall obligate the recipient for the period during which the IPA financial assistance is extended to the program.

(b) *Certification from indirect recipients.*—A certification shall be required from all indirect recipients of funds under the IPA to the effect that all programs or parts thereof carried out by indirect recipients shall be in compliance

with the requirements of this subpart. The IPA grant recipient shall be responsible for securing the certification from indirect recipients.

(c) *Certification from "other organizations".*—In an application for IPA financial assistance from an "other organization," as this term is used in section 304 of the IPA, the certification required by this section shall apply to the admission, membership, and all other practices relating to the treatment of members, unless the applicant establishes, to the satisfaction of the responsible Commission official, that the practices of the organization in no way affect (1) its practices in the program or part of the organization for which IPA financial assistance is sought, or (2) the beneficiaries of or participants in, or persons affected by the program, or (3) employees or applicants for employment in that part of the organization.

§ 900.508 Compliance information.

(a) *Cooperation and assistance.*—The Commission, to the fullest extent practicable, shall seek the cooperation of recipients and indirect recipients in obtaining compliance with this subpart and shall provide assistance and guidance to recipients to aid them in complying with this subpart.

(b) *Compliance reports.*—Each recipient shall maintain records and submit to the Commission timely, complete, and accurate compliance reports at the times, in the form, and containing the information the Commission determines necessary to enable it to determine whether the recipient has complied or is complying with this subpart. In determining compliance with this subpart, the Commission, wherever possible, will utilize records and data that are already being maintained or submitted to meet the nondiscrimination and equal employment opportunity requirements of the Equal Employment Opportunity Commission, State or local commissions having jurisdiction over the matter, or other appropriate authorities. The Commission reserves the right, however, to require the maintenance of special records and the submission of timely, complete, and accurate compliance reports, at the time, in the form, and containing the information the Commission determines necessary to enable it to determine whether the recipient or indirect recipient has complied or is complying with this subpart.

(c) *Compliance reports—indirect recipients.*—In programs involving indirect recipients, the indirect recipients shall submit to the IPA grant recipient compliance information and report necessary to permit the recipient and the Commission to determine whether the indirect recipient is complying with the provisions of this subpart.

(d) *Access to sources of information.*—Each recipient and indirect recipient shall permit the Commission, during normal business hours, to examine its books, records, accounts and other sources of information, and its facilities as may be useful to determine whether there has been compliance with this subpart. When information required of a recipient or indirect recipient is in the exclusive possession of another agency, institution or person which fails or refuses to furnish the required information, the recipient or indirect recipient shall so certify in its report and shall set forth what efforts it has made to obtain the information.

(e) *Information to beneficaries and participants.*—Each recipient and indirect recipient shall make available to participants, beneficiaries, and other interested persons information regarding the provisions of this subpart and its applicability to the program under which the recipient receives an IPA grant, in a manner the Commission finds necessary to apprise these persons of the protections against discrimination assured by the IPA and this subpart. All descriptive program materials for public consumption shall indicate that the program substance, administration, and the selection of participants and beneficiaries are subject to the provisions of this subpart.

§ 900.509 Conduct of investigations.

(a) *Periodic compliance reviews.*—The Commission may periodically review the practices of recipients or indirect recipients to determine whether they are complying with this subpart.

(b) *Complaints.*—A person who believes himself to have been subjected to discrimination prohibited by this subpart may by himself or by a representative file a written complaint with the appropriate Commission office listed in § 900.102. A complaint may be filed no later than 180 days after the date on which the alleged discrimination occurred, except that the Commission may extend the time limit in this paragraph when the complainant shows that he was unaware of the time limit or that he was prevented by circumstances beyond his control from filing within the time limit.

(c) *Protection of complainant's individual rights.*—The Commission will advise the complainant that in order to assure protection of his individual rights under the Federal equal employment opportunity law, title VII of the Civil Rights Act of 1964, he must also file a complaint with the Equal Employment Opportunity Commission, and that he may file a complaint with any State or local agency or commission which may have jurisdiction.

(d) *Complaints presented to State or local commissions or Equal Employment Opportunity Commission.*—When the Commission is aware that a complainant has also filed a complaint with the Equal Employment Opportunity Commission, with a State or local commission having jurisdiction over the matter, or with another appropriate authority, the Commission shall communicate with the responsible official of the appropriate authority which has received the complaint and shall arrange to handle the complaint in such a way as to avoid duplication and to secure the most effective action to resolve the problem. The Commission shall have the option of not taking any action until it has received the report of the appropriate authority.

(e) *Investigations.*—The purpose of an investigation under this section is to determine whether there has been a failure to comply with this subpart. The investigation will include, when appropriate, a review of the pertinent practices and policies of the recipient or indirect recipient, the circumstances under which the possible noncompliance with this subpart occurred, and other factors relevant to a determination as to whether the recipient or indirect recipient has failed to comply with this subpart. The Commission shall make a prompt investigation whenever a complaint indicating a possible failure to comply with this subpart is received, unless the Commission decides not to investigate because the charge is being investigated by an appropriate authority which will furnish the results to the Commission. The Commission shall also make a prompt investigation whenever a compliance review, report, audit, or other information indicates a possible failure to comply with this subpart.

(f) *Resolution on matters.*—(1) When an investigation under paragraph (e) of this section indicates a failure to comply with this subpart, the Commission shall inform the recipient, and the indirect recipient, as appropriate, and shall attempt to resolve the matter by informal means. When it has been determined that the matter cannot be resolved by informal means, action shall be taken as provided for in § 900.510.

(2) When an investigation does not warrant action pursuant to subparagraph (1) of this paragraph, the Commission shall inform, in writing, the complainant, if any, the recipient, and the indirect recipient, as appropriate.

(g) *Intimidatory or retaliatory act prohibited.*—A recipient or indirect recipient may not intimidate, threaten, coerce, or discriminate against an individual for the purpose of interfering with a right or privilege secured by this part, or because he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this subpart.

§ 900.510 Procedure for effecting compliance.

When the Commission determines that a recipient, or indirect recipient has failed or threatens to fail to comply with this subpart, and the noncompliance or threatened noncompliance cannot be corrected by informal means, the Commission may suspend or terminate or refuse to grant or to continue IPA financial assistance as provided in §§ 900.204 and 900.205 of subpart B of this part 900.[1]

Effective May 4, 1973.

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

[FR Doc.73-8836 Filed 5-3-73;8:45 am]

[1] These sections published for comment in the FEDERAL REGISTER, Feb. 23, 1973 (38 FR 4981).

Title 6—Economic Stabilization

CHAPTER I—COST OF LIVING COUNCIL

PART 130—COST OF LIVING COUNCIL PHASE III REGULATIONS

Mandatory Prenotification Rules for Certain Firms

Part 130 is amended by the addition of a new subpart N to prescribe mandatory prenotification rules for firms with annual sales or revenues of $250 million or more which have increased prices by a weighted average of more than 1.5 percent over prices authorized or lawfully in effect on January 10, 1973.

A firm subject to new subpart N may not increase a price for a product or service which that firm sells as a manufacturer or service organization until it has provided 30 days' prior notice to the Council. While revenues derived from wholesaling or retailing activities, from insurance and from operation of a public utility subject to subpart I are included in determining annual sales and revenues, the prenotification rules apply only to price increases for a product or service sold by a firm as a manufacturer or service organization. In addition, revenues derived from wholesaling or retailing activities, from the sale of insurance, or from operation of a public utility subject to subpart I are not included in determining whether prices have been increased by a weighted average of more than 1.5 percent for purposes of new subpart N.

These new prenotification requirements do not apply to sales which are subject to subpart F (food sales) or special rule No. 1 (petroleum products).

The prenotification requirements also do not apply to price increases for raw materials or partially processed products containing raw materials where volatile pricing authority has been granted by the Council. Section 130.132 sets forth rules for volatile pricing which are similar to the Price Commission regulations in effect on January 10, 1973. Section 130.132(c) provides that firms having volatile pricing orders from the Price Commission on January 10, 1973, may avail themselves of volatile pricing authority without obtaining new approval from the Council.

Because the purpose of this amendment is to provide immediate guidance as to Cost of Living Council policy, I find that publication in accordance with normal rulemaking procedures is impracticable and that good cause exists for making these regulations effective in less than 30 days. Interested persons may submit comments regarding these regulations. Communications should be addressed to the Office of General Counsel, Cost of Living Council, Washington, D.C. 20508.

In consideration of the foregoing, part 130 of title 6 of the Code of Federal Regulations is amended as set forth herein, effective 4 p.m., e.d.t., May 2, 1973.

Issued in Washington, D.C., on May 2, 1973.

JAMES W. MCLANE,
Deputy Director,
Cost of Living Council.

Part 130 is amended by adding a new subpart N as follows:

Subpart N—Mandatory Prenotification Rules for Certain Firms

Sec.
130.130 Scope.
130.131 Prenotification procedures.
130.132 Volatile prices.

AUTHORITY.—Economic Stabilization Act of 1970, Public Law 92-210, 85 Stat. 743, as amended, and Executive Order 11695, 38 FR 1473.

Subpart N—Mandatory Prenotification Rules for Certain Firms

§ 130.130 Scope.

This subpart applies to any price increase by a firm with annual sales or revenues of $250 million or more which, on or before April 30, 1973, has increased prices by a weighted average of more than 1.5 percent over prices authorized or lawfully in effect on January 10, 1973. This subpart also applies to any price increase after April 30, 1973, by a firm with annual sales or revenues of $250 million or more which, measured with all price adjustments since January 10, 1973, has the effect of increasing the firm's prices by a weighted average of more than 1.5 percent over prices authorized or lawfully in effect on January 10, 1973, and any subsequent price increase. For purposes of this subpart, revenues derived from wholesaling and retailing activities, from the sale of insurance or from operation of a public utility subject to subpart I are not included in determining whether prices have been increased by a weighted average of more than 1.5 percent. To the extent that a firm is subject to the provisions of subpart F, subpart M of this part, or special rule No. 1 in the appendix to subpart K of this part, those provisions continue to apply.

§ 130.131 Prenotification procedures.

Effective 4 p.m., e.d.s.t., May 2, 1973, a firm subject to this subpart may not increase any price for a product or service it sells as a manufacturer or service organization until it has provided 30 days prior notice to the Council in the form and manner prescribed by the Council. However, in any case in which the 30-day period ends on a Saturday, Sunday, or Federal holiday, it will end at the close of the next succeeding workday. The Council may take action to challenge or suspend pursuant to subpart J of this part any increase prenotified to it under this subpart. Failure of the Council to disapprove or modify a price increase within the 30-day period does not constitute approval of the price increase and nothing in this subpart shall be construed to limit the authority of the Council with respect to any such price increase after the expiration of the 30-day period. The entering into of a contract for the purchase of a product or service by an agency of the Federal Government, or the entering into of a subcontract under a contract for the purchase of a product or service by an agency of the Federal Government, is considered to be prenotification of the price stated in that contract or subcontract for the purposes of this section. The prenotification requirements of this section are not applicable to sales which are subject to the provisions of subpart F of this part or special rule No. 1 in the appendix to subpart K of this part.

§ 130.132 Volatile prices.

(a) Subject to paragraphs (b) and (c) of this section, a firm that has customarily priced an item in a manner immediately responsive to frequent and customary market price fluctuations of the raw materials or partially processed products which it uses in that item, may, when and to the extent authorized by the Council, increase the price of that item to the extent of any significant market price increase of those raw materials or partially processed products, without regard to § 130.131. However, in the case of a price increase based on an increase in the price of a partially processed product, only that part of the increased cost of the partially processed product that is due to an increase in the market price of the raw materials in that product may be used in computing the portion of the increase for which prenotification is not required. For the purposes of this section "raw materials" include raw agricultural products, raw seafood, and other raw materials used by the firm in preparing an item for which a waiver of prenotification is sought under this section.

(b) Each firm that increase a price on an item pursuant to a waiver of prenotification granted under paragraph (a) of this section should reduce that price to the extent of any later decrease in the cost of the raw material or partially processed product upon which the price increase was based.

(c) A firm which had a volatile pricing order from the Price Commission in effect on January 10, 1973, with respect to an item shall be deemed to have authority from the Council to put price increases for that item into effect in accordance with the provisions of this section.

[FR Doc.73-8869 Filed 5-2-73;4:00 pm]

Title 7—Agriculture

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

[Valencia Orange Reg. 429]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period May 4–May 10, 1973. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at

after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.729 Valencia Orange Regulation 429.

(a) *Findings.*—(1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, 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 Valencia Orange 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 Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the respective quantities of Valencia organes that may be marketed from district 1, district 2, and district 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges is very poor. Prices, f.o.b. for Valencia oranges averaged $3.73 per carton on a sales volume of 662 cars for the week ended April 26, 1973, compared with $3.75 per carton on a sales volume of 564 cars for the previous week. Track and rolling supplies at 388 cars were up 62 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges 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 rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges 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 Valencia oranges; 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 May 1, 1973.

(b) *Order.*—(1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period May 4, 1973, through May 10, 1973, are hereby fixed as follows:

(i) District 1: 217,000 cartons;
(ii) District 2: 390,000 cartons;
(iii) District 3: 143,000 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated May 2, 1973.

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

[FR Doc.73-9000 Filed 5-3-73;11:06 am]

[Lemon Reg. 584]

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 May 6–May 12, 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.

§ 910.884 Lemon Regulation 584.

(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 Agriculutral 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 continues to be weak, similar to last week, because the weather generally is cooler and more rainy than normal in the major consuming centers in the Midwest, the East, and the South. Average f.o.b. price was $4.82 per carton the week ended April 28, 1973, compared to $4.85 per carton the previous week. Track and rolling supplies at 128 cars were down 6 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 rulemaking 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 regulation 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 for regulation together with its supporting information has been submitted by the committee, however, the Secretary had modified the recomendation to provide for the shipment of a greater quantity of lemons, retaining the same effective date, and such information is being disseminated among handlers of such lemons: than 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 May 1, 1973.

(b) *Order.*—(1) The quantity of lemons grown in California and Arizona which may be handled during the period May 6, 1973 through May 12, 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. 1-9, 48 Stat. 31, as amended; 7 U.S.C. 601-674.)

Dated May 3, 1973.

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

[FR Doc.73-9042 Filed 5-3-73;2:45 pm]

[Peach Reg. 3]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Grades and Sizes

This regulation requires that all California peaches, entering interstate commerce, grade at least U.S. No. 2 grade, with not less than 80 percent U.S. No. 1 Grade quality. It also establishes minimum sizes for certain specified varieties and an overall minimum size for those varieties not so specified.

Findings.—(1) Pursuant to the amended marketing agreement, and Order No. 917 (7 CFR part 917), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Peach Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of peaches, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The recommendation by the Peach Commodity Committee reflects its appraisal of the California peach crop and the current and prospective market conditions. Shipments of California peaches are expected to begin on or about May 7, 1973. The grade and size requirements provided herein are necessary to prevent the handling, on and after May 7, 1972, of California peaches of a lower grade or smaller size than specified herein for such peaches, so as to assure consumers of an appropriate supply of quality fruit during the 1973 season and is in keeping with the objective of maintaining grower returns at a level consistent with the public interest.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until June 4, 1973 (5 U.S.C. 553) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than May 7, 1973. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop thereof, and adequate information thereon was not available to the Peach Commodity Committee until April 12, 1973, on which date an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such peaches. 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 was promptly submitted to the Department on April 13, 1973; shipments of the current crop of such peaches are expected to begin on or about the effective date hereof; this regulation should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this regulation are identical, as to minimum size, with the aforesaid recommendation of the committee, however, the Secretary has modified the minimum grade requirement in order to make more peaches available for shipment; information concerning such provisions and effective time has been disseminated among handlers of such peaches; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

§ 917.430 Peach Regulation 3.

(a) Peach Regulation 1 (37 FR 8669) is hereby terminated as of the effective date hereof.

(b) *Order.*—During the period May 7, 1973, through June 6, 1973, no handler shall handle:

(1) Any package or container of any variety of peaches unless such peaches meet the requirements of U.S. No. 2 Grade with not less than 80 percent of U.S. No. 1 Grade quality.

(2) Any package or container of Arm Gold, Desert Gold, Pat's Pride, Royal Gold, Spring Gold, or Springtime, variety peaches unless:

(i) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 108 peaches in the lug box; or

(ii) Such peaches when packed in any container, other than a No. 22D standard lug box, that is packed in accordance with the requirements of standard pack, measure not less than 2 inches in diameter as measured by a rigid ring: *Provided,* That not more than 10 percent by count of peaches in any container may fail to meet such diameter requirement.

(3) Any package or container of Springcrest variety peaches unless:

(i) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 96 peaches in the lug box; or

(ii) Such peaches when packed in any container, other than a No. 22D standard lug box that is packed in accordance with the requirements, of standard pack, measure not less than 2⅛ inches in diameter as measured by a rigid ring: *Provided,* That not more than 10 percent by count of peaches in any container may fail to meet such diameter requirement.

(4) Any package or container of Robin, any type of Babcock, Blazing Gold, Bonjour, Cardinal, Dixired, Gold Dust, June Lady, Merrill Gemfree, Royal May, or Early Coronet variety peaches unless:

(i) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 88 peaches in the lug box;

(ii) Such peaches when packed in a No. 12B standard peach box are of a size that will pack, in accordance with the requirements of standard pack, not more than 75 peaches in the box; or

(iii) Such peaches when packed in any container, other than a No. 22D standard lug box, or a No. 12B standard peach box that is packed in accordance with the requirements of standard pack measure not less than 2¼ inches in diameter as measured by a rigid ring: *Provided,* That not more than 10 percent, by count, of peaches in any such container may fail to meet such diameter requirement.

(5) Any package or container of Aurora, Coronet, Gaiety, Indian Red, Merrill Beauty, Merrill Gem, Peterson Elberta, Red Haven, Regina, or Red Top variety peaches unless:

(i) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 80 peaches in the box; or

(ii) Such peaches when packed in a No. 12B standard peach box are of a size that will pack, in accordance with the requirements of standard pack, not more than 70 peaches in the box; or

(iii) Such peaches when packed in any container, other than a No. 22D standard lug box or a No. 12B standard peach box that is packed in accordance with the requirements of standard pack, measure not less than 2⅜ inches in diameter as measured by a rigid ring: *Provided,* That not more than 10 percent, by count, of peaches in any such container may fail to meet such diameter requirement.

(6) Any package or container of Alamar, Angelus, Carnival, Fairtime, Fay Elberta, Fayette, Fiesta, Fortyniner, Franciscan, Halloween, J. H. Hale, John Gee, Jody Gaye, July Elberta (Early Elberta, Kim Elberta, and Socala), Madera Gem, Mardigras, Merricle, O'Henry, Pacifica, Pageant, Parade, Paradise, Preuss Suncrest, Regular Elberta, Red Globe, Red Lady, Rio Oso Gem, Royal Faye, Scarlet Lady, Summerset, Summertime, Suncrest, Toreador, or William's Gem variety peaches unless:

(i) Such peaches when packed in a No. 22D lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 72 peaches in the lug box;

(ii) Such peaches when packed in a No. 12B standard peach box are of a size that will pack, in accordance with the requirements of standard pack, not more than 65 peaches in the peach box; or

(iii) Such peaches when packed in any container, other than a No. 22D standard lug box or a No. 12B standard peach box that is packed in accordance with the requirements of standard pack, measure not less than 2 7/16 inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent, by count, of peaches in any such container may fail to meet such diameter requirement.

(c) During the period May 7, 1973, through June 6, 1973; no handler shall handle any package or container of any variety of peaches not specifically named in subparagraph (2), (3), (4), (5), or (6) of paragraph (b) of this section unless:

(1) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 96 peaches in the lug box; or

(2) Such peaches when packed in any container, other than a No. 22D standard lug box, measure not less than 2⅛ inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent by count of peaches in any such container may fail to meet such diameter requirements.

(d) [Reserved]

(e) Terms used in the amended marketing agreement and order shall, when used herein have the same meaning as given to the respective term in said amended marketing agreement and order; "U.S. No. 1," and "standard pack," shall have the same meaning as when used in the U.S. Standards for Peaches (§§ 51.1210–1223 of this title); "No. 22D standard lug box" and "No. 12B standard peach box" shall have the same meaning as set forth in section 43601 of the Agricultural Code of California; and "diameter" shall mean the distance through the widest portion of the cross section of a peach at right angles to a line running from the stem to the blossom end.

Dated April 30, 1973.

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

[FR Doc.73-8818 Filed 5-3-73;8:45 am]

PART 930—CHERRIES GROWN IN MICHIGAN, NEW YORK, WISCONSIN, PENNSYLVANIA, OHIO, VIRGINIA, WEST VIRGINIA, AND MARYLAND

Subpart—Rules and Regulations

CONDITIONS GOVERNING SALE OF RESERVE POOL CHERRIES

This amendment to the rules and regulations would establish the conditions and procedures for the release and sale of reserve pool cherries to eligible handlers under the order by the Cherry Administrative Board.

Notice was published in the FEDERAL REGISTER issue of March 23, 1973 (38 FR 7570), that the Department was giving consideration to proposed amendment to the rules and regulations (subpart—rules and regulations, 7 CFR part 930.101 through 930.161; 37 FR 273, 13789, 16169) hereinafter designated as subpart—rules and regulations, 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 collectively 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). The aforesaid amendment to the rules and regulations was proposed by the Cherry Administrative Board, the agency established under said order to administer the provisions thereof. No written data, views, or arguments were filed with respect to said proposal during the period specified therefor in the notice.

This amendment would establish, as required by the order, the conditions and procedures for the release and sale of reserve pool cherries. It provides for notification to be given to each eligible handler by the Cherry Administrative Board of the beginning date, amount of such handler's share of reserve pool cherries, and the prices of such cherries prior to the reserve pool release period. Such amendment would divide the 10-day release period into three time segments during two of which handlers wishing to purchase such cherries must declare their intention, and one segment during which the board must notify eligible handlers of any cherries not sold during the first offering. The conditions of sale require a deposit of one dollar per 30 pounds of frozen cherries which would be forfeited to the board if the sale is not consummated within 30 days and specifies that the full purchase price shall be paid before the board relinquishes physical control of any such cherries.

The board, in recommending this amendment, recognized the need to establish specific procedures to be followed in the release and subsequent sale of reserve pool cherries. This amendment assures each eligible handler adequate and timely information relating to the release dates, amount, and prices of such handler's share of the reserve pool. It also affords reserve pool equity holders protection in that the intent to purchase deposit is forfeited if such sale is not consummated within 30 days. This would defray any additional costs incurred by the pool equity holders in case of default. Likewise, physical release of reserve pool cherries is prohibited until the full purchase price is paid.

After consideration of all relevant matter presented, including that in the notice, it is hereby found that the amendment, as hereinafter set forth, of said rules and regulations is in accordance with said marketing order and will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that a release of reserve pool cherries has been recommended by the Cherry Administrative Board and this amendment should be applicable to all such cherries, (2) notice was given of the proposed amendment through publicity in the production area and by publication in the March 23, 1973, issue of the FEDERAL REGISTER, and (3) compliance with this amendment will not require of handlers any preparation that cannot be completed by the effective time hereof.

Order.—A new § 930.159 *Conditions governing the sale of reserve pool cherries* is added reading 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 this 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 $1.00 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 $1.00 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 May 1, 1973, to become effective on May 4, 1973.

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

[FR Doc.73-8871 Filed 5-3-73;8:45 am]

Title 10—Atomic Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 140—FINANCIAL PROTECTION REQUIREMENTS AND INDEMNITY AGREEMENTS

Nuclear Energy Liability Policy

On February 5, 1973, the Atomic Energy Commission published in the FEDERAL REGISTER (38 FR 3336) a proposed amendment to 10 CFR part 140, "Financial Protection Requirements and Indemnity Agreements," which would be reflected in the facility form set out in § 140.91, and would extend from 2 to 10 years the period after termination or cancellation of the Nuclear Energy Liability Insurance Policy (facility form) during which a written claim may be made against the insurer which alleges bodily injury or property damage caused during the policy period.

Interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendment within 30 days after publication of the notice of proposed rulemaking in the FEDERAL REGISTER. General Electric submitted the only comment prior to the March 7, 1973, expiration period. Their comment was an endorsement of the amendment.

Under the 2-year discovery provision currently in effect in the nuclear facility policy, there is the possibility that termination of the policy after a nuclear incident may result in exclusion of a significant portion of the insurer's liability from the coverage of the policy. Such a possibility has particular significance in connection with radiation injuries because such injuries may not become evident until some years after exposure has occurred. In addition, there could be a gap in the financial protection afforded under such policies since the applicable State statute of limitations might provide for a period longer than 2 years during which suits might be instituted.

Pursuant to the Atomic Energy Act of 1954, as amended, and section 553 of title 5 of the United States Code, the following amendment of 10 CFR part 140 is published as a document subject to codification, to be effective June 4, 1973.

Section 140.91 appendix A is amended by adding an endorsement at the end thereof to read as follows:

NUCLEAR ENERGY LIABILITY POLICY

(Facility Form)

AMENDATORY ENDORSEMENT

(Application of Policy)

It is agreed that insuring agreement IV of the policy, captioned "Application of Policy" is amended to read as follows: Application of Policy. This policy applies only to bodily injury or property damage: (1) Which is caused during the policy period by the nuclear energy hazard, and (2) which is discovered and for which written claim is made against the insured, not later than 10 years after the end of the policy period.

(Sec. 161, 170, 68 Stat. 948, 71 Stat. 576; 42 U.S.C. 2201, 2210.)

Dated at Bethesda, Md., this 27th day of April 1973.

For the Atomic Energy Commission.

L. MANNING MUNTZING,
Director of Regulation.

[FR Doc.73-8776 Filed 5-3-73;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. T]

PART 220—CREDIT BY BROKERS AND DEALERS

Independent Broker/Dealers Arranging Credit in Connection With the Sale of Insurance Premium Funding Programs

Independent broker/dealers who sell insurance premium funding programs and arrange credit thereon under § 220.4(k) of regulation T are restricted from engaging at the same time in a general securities business except for the sale of shares in registered investment companies without insurance in the special cash account under § 220.4(c).

§ 220.127 Independent broker/dealers arranging credit in connection with the sale of insurance premium funding programs.

(a) The Board's September 5, 1972, clarifying amendment to § 220.4(k) set forth that creditors who arrange credit for the acquisition of mutual fund shares and insurance are also permitted to sell mutual fund shares without insurance under the provisions of the special cash account. It should be understood, of course, that such account provides a relatively short credit period of up to 7 business days even with so-called cash transactions. This amendment was in accordance with the Board's understanding in 1969, when the insurance premium funding provisions were adopted in § 220.4(k), that firms engaged in a general securities business would not also be engaged in the sale and arranging of credit in connection with such insurance premium funding programs.

(b) The 1972 amendment eliminated from § 220.4(k) the requirement that, to be eligible for the provisions of the section, a creditor had to be the issuer, or a subsidiary or affiliate of the issuer, of programs which combine the acquisition of both mutual fund shares and insurance. Thus the amendment permits an independent broker/dealer to sell such a program and to arrange for financing in that connection. In reaching such decision, the Board again relied upon the

earlier understanding that independent broker/dealers who would sell such programs would not be engaged in transacting a general securities business.

(c) In response to a specific view recently expressed, the Board agrees that under regulation T:

> * * * a broker/dealer dealing in special insurance premium funding products can only extend credit in connection with such products or in connection with the sale of shares of registered investment companies under the cash accounts * * * (and) cannot engage in the general securities business or sell any securities other than shares * * * (in) registered investment companies through a cash account or any other manner involving the extension of credit.

(d) There is a way, of course, as has been indicated, that an independent broker/dealer might be able to sell other than shares of registered investment companies without creating any conflict with the regulation. Such sales could be executed on a "funds on hand" basis and in the case of payment by check, would have to include the collection of such check. It is understood from industry sources, however, that few if any independent broker/dealers engage solely in a "funds on hand" type of operation.

By order of the Board of Governors, April 12, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8819 Filed 5-3-73;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-WE-5]

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

Designation of Control Zone and Alteration of Transition Area

Correction

In FR Doc. 73-7770 appearing at page 9991 in the issue for Monday, April 23, 1973, following the second line in the control zone description for Grand Canyon National Park Airport (§ 71.171) insert "gitude 112°08'37'' W.) and within 3 miles each side".

[Airspace Docket No. 73-EA-11]

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

Alteration of Control Zone and Transition Area

On page 6689 of the FEDERAL REGISTER for March 12, 1973, the Federal Aviation Administration published proposed regulations which would alter the Danvillea, Va., control zone (38 FR 369) and transtion area (38 FR 471).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t., June 21, 1973.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655 (c)).

Issued in Jamaica, N.Y., on April 17, 1973.

L. J. CARDINALI,
Acting Director, Eastern Region.

1. Amend § 71.171 of part 71 of the Federal Aviation regulations by deleting the description of the Danville, Va., control zone and by substituting the following in lieu thereof:

Within a 5-mile radius of the center 36°-34'30'' N., 79°20'11'' W., of Danville Municipal Airport, Danville, Va.; within 3 miles each side of the Danville, Va., VOR 044° radial, extending from the 5-mile-radius zone to 8.5 miles northeast of the VOR; within 3 miles each side of the Danville, Va., VOR 208° radial, extending from the 5-mile-radius zone to 8.5 miles southwest of the VOR. This control zone is effective from 0600 to 2200 hours, local time, daily.

2. Amend § 71.181 of part 71 of the Federal Aviation regulations by deleting the description of the Danville, Va. transition area and by substituting the following in lieu thereof:

That air space extending upward from 700 feet above the surface within an 8-mile radius of the center 36°34'30'' N., 79°20'11'' W., of Danville Municipal Airport, Danville, Va.; within 3 miles each side of the Danville, Va., VOR 044° radial, extending from the 8-mile-radius area to 8.5 miles northeast of the VOR and within 3 miles each side of the Danville, Va., VOR 208° radial, extending from the 8-mile-radius area to 8.5 miles southwest of the VOR.

[FR Doc.73-8778 Filed 5-3-73;8:45 am]

[Airspace Docket No. 73-EA-12]

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

Alteration of Control Zone and Transition Area

On page 6689 of the FEDERAL REGISTER for March 12, 1973, the Federal Aviation Administration published proposed regulations which would alter the Glens Falls, N.Y., control zone (38 FR 381) and transition area (38 FR 492).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t. June 21, 1973.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655 (c).

Issued in Jamaica, N.Y., on April 17, 1973.

L. J. CARDINALI,
Acting Director, Eastern Region.

1. Amend § 71.171 of part 71, Federal Aviation regulations, by deleting the description of the Glens Falls, N.Y., control zone and substituting the following in lieu thereof:

GLENS FALLS, N.Y.

Within a 5-mile radius of the center, latitude 43°20'32'' N., longitude 73°36'35'' W. of Warren County Airport, Glens Falls, N.Y., extending clockwise from a 357° bearing to a 275° bearing from the airport; within an 11-mile radius of the center of the airport extending clockwise from a 275° bearing to a 307° bearing from the airport; within a 7.5-mile radius of the center of the airport extending clockwise from a 307° bearing to a 357° bearing from the airport; within 2 miles each side of the Glens Falls VORTAC 005° radial extending from the VORTAC to 5.5 miles north of the VORTAC; and within 4 miles each side of the Glens Falls VORTAC 172° radial extending from the VORTAC to 12.5 miles south of the VORTAC.

2. Amend § 71.181 of part 71, Federal Aviation regulations, by deleting the description of the Glens Falls, N.Y., 700-foot floor transition area and substituting the following in lieu thereof:

GLENS FALLS, N.Y.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, latitude 43°20'32'' N., longitude 73°36'35'' W. of Warren County Airport extending clockwise from 050° bearing to a 220° bearing from the airport; within an 18.5-mile radius of the center of the airport, extending clockwise from 220° bearing to a 050° bearing from the airport; within 7 miles west and 9.5 miles east of the Glens Falls VORTAC 172° radial extending from the VORTAC to 18.5 miles south of the VORTAC.

[FR Doc.73-8777 Filed 5-3-73;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-799, Amdt. 17]

PART 298—CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Biennial Reregistration of Air Taxi Operators Instead of Annual Reregistration as Presently Required

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of April 1973.

Effective July 1, 1969, part 298 of the economic regulations was amended to require, inter alia, that all air taxi operators, including commuter air carriers, engaging in air transportation operations, register initially and reregister annually with the Board.[1] The preamble to this amendment stated that the registration requirement was adopted (1) to enable the Board to identify air taxi operators and to provide basic information as to

[1] ER-574, adopted April 23, 1969, 34 FR 7124. By ER-792, adopted March 20, 1973, 38 FR 7794, the Board amended part 298 so as to require the initial registration to precede commencement of operations.

the nature of their operations, and (2) to assure compliance with the liability insurance requirements of the part.

Our experience during the past 4 years indicates that the registration requirement has been an effective tool in accomplishing these purposes. However, it is our present view that such objectives could adequately be achieved if reregistration were required on a biennial, rather than an annual, basis. At the same time, by reducing the frequency of reregistration, the burden imposed on these carriers, as well as on our staff in administering the reregistration procedures, would be proportionately reduced.

Concomitant with our reducing the registration burden of these carriers, we are adding a new provision to part 298, requiring them to advise the Board of any change of name or address, or of any change in type of operations being performed (passenger, cargo, mail, scheduled, etc.), or of any cessation of operations. This information should enable the Board to maintain a record on each carrier which is even more current than has been possible under the annual registration procedure.

Since the amendment does not impose a burden on any affected party[2] and, to the contrary, relieves a restriction, notice and public procedure thereon are not required and the rule may be made effective upon less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends part 298 of the economic regulations (14 CFR part 298) effective May 4, 1973, as follows:

1. Amend the table of contents to read in part as follows:

Sec.
298.51 Processing by the Board.
298.52 Notification to the Board of Change in operations.

2. Amend § 298.3(a)(5) to read as follows:

§ 298.3 Classification.

(a) There is hereby * * *

(5) Have registered with the Board initially, and reregistered thereafter in accordance with subpart E of this part.

* * * * *

3. Amend paragraph (b) of § 298.50 to read as follows:

§ 298.50 Filing for registration by air taxi operators.

* * * * *

(b) Every air taxi operator (whether or not he is also a commuter air carrier as defined in this part) shall reregister with the Board on or before July 1, 1973, and every 2 years thereafter, commencing on or before July 1, 1975.

* * * * *

4. Add a new § 298.52 to read as follows:

[2] The requirement of reporting to the Board any change in operations (§ 298.52, infra) is not considered to be a substantial burden on any affected party.

§ 298.52 Notification to the Board of change in operations.

Each air taxi operator (whether or not he has on file with the Board a currently effective registration for exemption) shall notify the Board's Bureau of Operating Rights, Washington, D.C. 20428, in writing, of any change in his name or address, or of any change in his type of operations (passenger, cargo, mail, scheduled, etc.) or of his temporary or permanent cessation of operations. Such notification shall be mailed, or otherwise delivered, so as to be received by the Board no later than 30 days after the reported event has occurred.

(Sec. 204(a), 407, 416, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 766, 771; 49 U.S.C. 1324, 1377, 1386.)

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.73-8851 Filed 5-3-73;8:45 am]

Title 15—Commerce and Foreign Trade

CHAPTER III—DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

PART 302—FOREIGN EXCESS PROPERTY REGULATIONS

On December 19, 1972, there was published in the FEDERAL REGISTER (37 FR 27631) a notice of proposed rulemaking wherein the Department of Commerce indicated its intention to revise in its entirety the regulations contained in present part 401, chapter IV, of Title 44, Code of Federal Regulations, and substitute in lieu thereof, a new part 702, chapter VII, of Title 15, Code of Federal Regulations. However, in lieu of designating these regulations as part 702, chapter VII of title 15, they will be redesignated as new part 302, chapter III of Title 15, Code of Federal Regulations.

Both the present part 401 and the new part 302 relate to the importation into the United States of foreign excess property implementing sections 402, 404(b), and 601 of the Federal Property and Administrative Services Act of 1949, as amended. These provisions of law provide, in substance, that foreign excess property (other than any agricultural commodity, food, or cotton or woolen goods which are under the jurisdiction of the Secretary of Agriculture) may be imported into the United States only if the Secretary of Commerce determines that the importation of such property would relieve domestic shortages or otherwise be beneficial to the economy of this country.

Interested persons were invited to submit written comments concerning the proposed regulations. The written comments so submitted were carefully considered in the formulation of the final regulations.

The final regulations reflect clarification and modification of substantive and procedural requirements concerning the importation of foreign excess property into the United States. The principal changes in the old regulations made by the regulations set forth below are:

1. Change the geographical basis for determinations of shortages from fixed geographical areas (i.e., Alaska, Hawaii, Puerto Rico, the Virgin Islands, and the continental United States) to parts of these fixed areas, or combinations thereof, depending on the established market boundary for the property involved in an application.

2. Change the method for making, withdrawing and amending general determinations of shortages and benefit.

3. Abolish the special procedures for small lot importations, importations for public and quasi-public use, and importation of metal scrap because the original basis for the procedures no longer exists.

4. Require applicants, who have purchased foreign excess property from an intermediary, to submit a photocopy of the U.S. Government Notice of Award or bill of sale for such property to the original purchaser, or to provide other evidence satisfactory to the Foreign Excess Property Officer that the property was disposed of by Federal agency sale.

5. Revise the definitions of "used" property and "unused" property to be consistent with the definitions in the Federal property management regulations applicable to all Federal agencies (see instructions for preparing standard form 120, Report of Excess Personal Property).

6. Establish as appendix A to the FEP regulations, a general policy statement relating to procedures for importation of property sold by foreign governments not acting as agents for the U.S. Government. This statement supersedes the general policy statement that appeared in the FEDERAL REGISTER on January 26, 1966 (31 FR 1007), relating to such property.

PART 302—FOREIGN EXCESS PROPERTY REGULATIONS

Sec.
302.1 General provisions.
302.2 Definitions.
302.3 Criteria.
302.4 General determinations of shortage or benefit.
302.5 Entries in bond for reexport.
302.6 Entries in bond other than for reexport.
302.7 Applications.
302.8 Issuance of FEP Import Determinations.
302.9 Issuance of FEP Import Authorizations.
302.10 Transfer of FEP Import Authorizations.
302.11 Time extensions.
302.12 Appeals.
302.13 Exemptions.
302.14 Violations and penalties.
302.15 Communications.
302.16 Transitional provisions.
302.17 Revocation of previous order.
Appendix A

AUTHORITY.—Secs. 402, 404(b), 601 of the Federal Property and Administrative Services Act of 1949, as amended (63 Stat. 398, 399, 64 Stat. 583; 40 U.S.C. 512, 514(b) and 473); Foreign Liquidation Commissioner's Reg. 8 (44 CFR 308.15); Commerce Department Organization Orders No. 10-3, as amended, and 40-1; and Domestic and International Business Administration Organization and Function Orders 44-1 and 44-2.

§ 302.1 General provisions.

This part prescribes regulations for making applications for determinations as to whether importation of foreign excess property, as defined in this part, would relieve domestic shortages or otherwise be beneficial to the economy of this country. This part also prescribes: (a) Procedures for the issuance of FEP Import Determinations and FEP Import Authorizations, as defined in § 302.2(g) and (h); (b) detailed criteria to be applied in determining whether importation of foreign excess property would relieve domestic shortages or otherwise be beneficial to the economy of this country; and (c) procedures for the making of general determinations and amendments and withdrawals thereof by the Deputy Assistant Secretary with respect to the importation of particular foreign excess property. It should be noted that foreign excess property may, in whole or in part, also be subject to the import permit requirements of the Department of the Treasury under the Mutual Security Act of 1954, as amended. (See 26 CFR part 180.) In such instances, issuance of an FEP Import Authorization in no way affects those import permit requirements.

§ 302.2 Definitions.

For the purposes of the regulations in this part and the forms issued to implement them:

(a) "Foreign excess property" (FEP) means any property (except any agricultural commodity, food, or cotton or woolen goods) located outside the United States, under the control of any Federal agency which is not required for its needs and the discharge of its responsibilities as determined by the head thereof. It includes any such property after it has been disposed of by such Federal agency, notwithstanding any subsequent change of ownership. The importation of surplus property sold by the U.S. Government or any agency thereof in foreign areas before July 1, 1949, is governed by foreign Liquidation Commissioner's regulation 8, which delegates to the Secretary of Commerce jurisdiction over some but not all of such property. To the extent that jurisdiction over such property is delegated to the Secretary of Commerce, such property shall be deeemd to be foreign excess property, and is governed by the provisions of this part.

(b) "Deputy Assistant Secretary" means the Deputy Assistant Secretary for Resources and Trade Assistance, Domestic and International Business Administration, Department of Commerce.

(c) "Foreign Excess Property Officer (FEPO)" means the officer appointed by the Deputy Assistant Secretary to administer the regulations of this part.

(d) "Appeals Board" means the Appeals Board for the U.S. Department of Commerce.

(e) "Person" means any individual, corporation, partnership, firm, association, trust, estate, or other entity.

(f) "United States" means the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands.

(g) "FEP Import Determination" (Form DIB–305, formerly Form FEPF–4) means the document issued by the FEPO stating that the importation of specified and identified foreign excess property would, or would not, relieve domestic shortages or otherwise be beneficial to the economy of this country. An FEP Import Determination is not an authorization to import foreign excess property.

(h) "FEP Import Authorization" (Form DIB–305, formerly Form FEPF–4) means the document issued by the FEPO to the owner of specified and identified foreign excess property authorizing such person to import such foreign excess property in the United States within the period stated therein.

(i) "Used" property means property which at the time of disposal by a Federal agency is classified as such in the product description and condition in the invitation for bid.

(j) "Unused" property means property which at the time of disposal by a Federal agency is classified as such in the product description and condition in the invitation for bid.

§ 302.3 Criteria.

(a) *Basic criteria.*—The basic criteria governing the importation of foreign excess property contained in the Federal Property and Administrative Services Act of 1949, as amended, are whether "* * * the importation of such property would relieve domestic shortages or otherwise be beneficial to the economy of this country * * *." These basic criteria require particularization in their application. More detailed criteria are set forth below.

(b) *Detailed criteria.*—(1) *Shortages.*—A shortage in the market for any particular type or class of goods or materials exists when the demand is greater than the supply. Shortages may be temporary or seasonal in nature and may also be chronic or of long duration. Shortages may be caused by inadequate productive capacity to supply the market; by insufficient raw materials or component parts; by inadequate labor force or work stoppage; or by lack of sufficient demand to support economic production. Shortages are to be determined as of the date of receipt of an application for FEP Import Determination. Normal commercial practices applicable to the production and delivery of particular goods and materials shall be considered in determining whether shortages exist.

(i) *Competitive products.*—In determining shortages, a product of specific grade, quality, capacity or dimension, or having particular performance characteristics, shall be considered competitive with domestically produced products of like or equivalent grade, quality, capacity, dimension or performance characteristics.

(ii) *Outstanding FEP Import Determinations.*—FEP Import Determinations issued for the importation of a given product will be included in the domestic supply for the purpose of determining whether shortages exist.

(iii) *Unused versus used property.*—Unless the facts and circumstances dictate to the contrary, unused foreign excess property will be regarded as competitive with unused property of domestic manufacture, and used foreign excess property will be regarded as competitive with used property of domestic manufacture.

(iv) *Geographic basis for determination.*—The market area for particular foreign excess property shall be the entire United States, or parts thereof, depending on established market boundaries for such property. A determination that importation of particular foreign excess property would or would not relieve domestic shortages shall take into consideration the economic accessibility of available competitive products to the market area in which it is proposed to sell or use the particular foreign excess property.

(2) *Beneficial to the economy of this country.*—The importation of foreign excess property must have special benefits over and beyond any benefits to be derived in the marketplace solely by an added supply of goods and materials through imports.

(i) *Unique items.*—Articles of historical value for use as museum or collection pieces and the like may be considered beneficial to the economy.

(ii) *Expenditures accruing from the importation.*—A need for expenditures for labor, materials, parts, storage, transportation, and the like, together with other relevant factors, subsequent to importation, may be considered beneficial to the economy.

§ 302.4 General determinations of shortage or benefit.

(a) Upon application of any interested person or on his own motion, the Deputy Assistant Secretary may make a general determination that the importation of particular foreign excess property would relieve domestic shortages or otherwise be beneficial to the economy of this country and may amend or withdraw any general determination he may issue. The Deputy Assistant Secretary may make such general determination, subject to such conditions as he may deem appropriate, and shall publish notice thereof in the FEDERAL REGISTER.

(b) Upon publication in the FEDERAL REGISTER of a notice of general determination that the importation of particular foreign excess property would relieve domestic shortages or would otherwise be beneficial to the economy of this country, and until such general determination is amended or withdrawn by notice published in the FEDERAL REGISTER, the FEPO will issue FEP Import Authorizations for such property upon the receipt of applications for FEP Import Determinations provided: (1) Each such application is complete in all material respects as prescribed in the instructions contained in form DIB–302P (formerly form FEPF–1); (2) the following statement is entered in part I, box 8 of form DIB–302P in lieu of the information called for the heading thereof:

This application is filed in accordance with and subject to the provisions of § 302.4 *General determinations of shortage or benefit.*

(3) proof of ownership of the property is attached to the application; and (4) the application otherwise complies with the regulations of this part.

§ 302.5 Entries in bond for reexport.

(a) Applications for importation of foreign excess property in bond for reexport will not be entertained by the FEPO. The procedures set forth in this section shall be applicable to such applications and importations.

(b) The Bureau of Customs, Department of the Treasury, shall have authority to permit the entry into the United States of foreign excess property in bond for reexport. Bonds accepted for this purpose by the Bureau of Customs shall conform to Bureau of Customs Form 7551 or 7555, with the added condition:

There is incorporated in and made a part of the bond No. ------ dated ---------- in the amount of ----------, executed by ----------, as principal, and ----------, as surety, the following added condition:

Whereas, the principal named in the said bond has been permitted to enter merchandise subject to the provisions of section 402 of the Federal Property and Administrative Services Act of 1949, as amended, which has been imported for reexport:

The obligors named in the above-mentioned bond stipulate and agree that there shall be delivered to the District Director of Customs for the port of entry named in this bond or to the District Director at another port of entry in accordance with the provisions of law and regulations pertaining to the entry and exportation of merchandise, all the above-described merchandise for customs inspection and identification prior to exportation; and if such merchandise shall not be used for any gainful purpose in the United States; and if all the merchandise shall be actually so exported within 2 years from the date of importation, or within any lawful extension of such period, and if the said merchandise shall not be relanded in the United States; or, in default thereof, the obligors shall pay to the District Director of Customs such amounts as liquidated damages as may be demanded by him in accordance with the law and regulations, not exceeding the amount of this obligation. Then this added condition shall be void, otherwise to remain in full force and effect.

(c) Requests for extension of time for reexportation shall be made to the appropriate District Director of Customs.

(d) The Commissioner of Customs may promulgate such regulations not inconsistent herewith as he deems appropriate with respect to applications for importation of foreign excess property in bond for reexport, and procedures of the Bureau of Customs in respect to such applications.

(e) Persons making applications to import foreign excess property in bond for reexport shall comply with regulations promulgated by the Commissioner of Customs. The provisions of § 302.7 of this part shall not apply thereto.

§ 302.6 Entries in bond other than for reexport.

(a) If an applicant for an FEP Import Determination or FEP Import Authorization elects to do so, he may specify in his application that the foreign excess property which he proposes to import will be processed, reprocessed, disposed of, or otherwise dealt with in a stated manner. If the FEPO determines that importation of the property under the specified conditions would relieve domestic shortages or otherwise be beneficial to the economy of this country, he may authorize importation of such property upon condition that the applicant, prior to or concurrently with entry of the property, furnish a bond to assure compliance with the conditions of the FEP Import Authorization with sufficient surety to the District Director of Customs for the port of entry of such property. Such bond shall conform to Bureau of Customs form 7551 or 7555, and shall contain such added special condition or conditions as may be appropriate. The penal sum of any such bond shall be three times the value of the property to be imported as determined by the District Director of Customs.

(b) The special condition or conditions of each different type bond proposed to be authorized under paragraph (a) of this section shall be submitted by the FEPO to the Commissioner of Customs for his concurrence. No conditional FEP Import Determination or conditional FEP Import Authorization shall be issued with respect to any property unless and until the concurrence of the Commissioner of Customs with respect to the special condition or conditions of the bond applicable thereto shall have been received by the FEPO.

(c) Upon receipt of concurrrence of the Commissioner of Customs in the special condition or conditions of a proposed bond, the FEPO may issue a conditional FEP Import Determination or conditional FEP Import Authorization as provided in this section. Such conditional FEP Import Determination or conditional FEP Import Authorization shall specify the condition or conditions under which the foreign excess property described therein may be imported into the United States, and shall set forth the special condition or conditions of the bond provided for in this section. The property described therein may thereupon be imported only upon presentation of a conditional FEP Import Authorization in due form, accompanied by an appropriate surety bond, to the District Director of Customs for the port of entry of such property.

(d) The Bureau of Customs shall retain custody of bonds furnished under this section and may take appropriate measures to secure compliance with the conditions and obligations of such bonds, and for the enforcement thereof.

§ 302.7 Applications.

(a) Any person proposing to import foreign excess property (other than that exempted from the requirement of an FEP Import Authorization pursuant to § 302.5 shall make application in duplicate to the FEPO for an FEP Import Determination. Such application shall be made on form DIB–302P (or reproduction thereof) which may be obtained from the FEPO, the field offices of the Department of Commerce, and the offices of the District Directors of the Bureau of Customs, Department of the Treasury. The applicant should answer all applicable questions appearing on form DIB–302P in accordance with the regulations of this part and the instructions set forth in the form. Terms used in the form have the meanings defined in § 302.2.

(b) Where the applicant is the owner of the foreign excess property which is the subject of the application, and submits proof of ownership thereof as prescribed in § 302.9, the application shall also be treated as a request for an FEP Import Authorization.

(c) An application which is incomplete in any material respect, or which is not executed in accordance with the instructions set forth in form DIB–302P, and the applicable provisions of the regulations of this part, or which does not lie within the jurisdiction of the FEPO, shall be returned without action of the applicant.

(d) From the time of receipt of a completed form DIB–302P, processing of an application to import unused foreign excess property by the FEPO will generally be limited to 15 days, and 20 days for used foreign excess property.

§ 302.8 Issuance of FEP Import Determinations.

(a) The determination made by the FEPO that importation of foreign excess property would or would not relieve domestic shortages or otherwise be beneficial to the economy of this country shall be issued on form DIB–303. An FEP Import Determination is not an authorization to import foreign excess property.

(b) FEP Import Determinations shall be serially numbered, and shall be dated and signed by the FEPO. Affirmative FEP Import Determinations shall remain in effect for a period not to exceed 6 months from the date of issuance. Negative FEP Import Determinations shall remain in effect for a period of 30 days from the date of issuance.

(c) A copy of each FEP Import Determination shall be transmitted to the applicant, to a person acting on the applicant's behalf, or to any other person upon request.

§ 302.9 Issuance of FEP Import Authorizations.

(a) Upon presentation to the FEPO of request for FEP Import Authorization (Form DIB–304P (formerly Form FEPF–3)), or of application for FEP Import Determination (Form DIB–302P), completely executed including part II thereof, and proof of ownership of foreign excess property described therein, concerning which the FEPO has made a determination that its importation would relieve domestic shortages or otherwise be beneficial to the economy of this country, the FEPO shall issue an FEP Import Authorization (Form DIB–305). The original of the FEP Import Authorization shall be transmitted to the applicant and two copies of each FEP Import Authorization shall be furnished to the District Director of Customs at the proposed port of entry.

(b) Proof of ownership shall consist of a photocopy of the notice of award (bill of sale) of the property involved or other evidence of title satisfactory to the FEPO. If the person, submitting a request for FEP Import Authorization or Application for FEP Import Determination executed as described in paragraph (a) of this section, did not purchase the foreign excess property directly from the Federal agency which disposed of such property, a photocopy of the notice of award (bill of sale) for such property to the original purchaser, or other evidence satisfactory to the FEPO that such property was disposed of by Federal agency sale, shall be provided to the FEPO together with the proof of ownership.

(c) FEP Import Authorizations shall expire upon the expiration date of the FEP Import Determinations with respect to the same property, and shall constitute the sole authority for the importation thereof into the United States within such period pursuant to the regulations of this part.

(d) Each original FEP Import Authorization shall be presented to the District Director of Customs for his endorsement at the time of entry of any property described therein.

§ 302.10 Transfer of FEP Import Authorizations.

(a) The holder of an FEP Import Authorization may transfer it to a transferee of the foreign excess property specified therein. If such transfer shall be of all the foreign excess property specified in the FEP Import Authorization, the FEP Import Authorization may be transferred by assignment to the transferee of the property. If such transfer shall be of a part of the foreign excess property specified in the FEP Import Authorization, the holder of the FEP Import Authorization shall return the original FEP Import Authorization to the FEPO together with a photocopy of the bill of sale of the property transferred and Request for FEP Import Authorization (Form DIB–304P) executed by the transferee. The FEPO shall thereupon cancel the original FEP Import Authorization and issue new FEP Import Authorizations to the original holder and the transferee as their respective interests appear.

(b) The FEPO shall notify the District Director of Customs at the proposed port of entry of any such cancellation of an FEP Import Authorization, and shall furnish to such District Director copies of new FEP Import Authorizations issued as a result of any such transfer and request.

§ 302.11 Time extensions.

A person who has received from the FEPO an FEP Import Authorization may file with the FEPO, prior to the expiration date thereof, a request for an extension of time. Such request shall state the reasons why the extension is needed, and the duration of the extension requested. The FEPO may allow the request in whole or in part, if he determines that unusual circumstances, beyond the control of the applicant, prevented the applicant from importing the foreign excess property prior to the expiration date of the FEP Importation Authorization. The FEPO shall promptly notify the applicant of his decision, and, if he grants an extension of time, he shall promptly inform the District Director of Customs at the proposed port of entry.

§ 302.12 Appeals.

(a) The Appeals Board of the Department of Commerce shall consider appeals by persons affected by the regulations of this part that fall within the limits of the jurisdiction specified in subparagraphs (1) to (5) of this paragraph.

(1) FEP Import Determinations that the importation of specified and identified foreign excess property would not relieve domestic shortages or otherwise be beneficial to the economy of this country;

(2) Applications returned without action where the FEPO found that such applications do not lie within the jurisdiction of the FEPO;

(3) Terminations under § 302.14(a) of any person's rights to submit applications to the FEPO;

(4) Cancellations under § 302.14(a) of FEP Import Determinations and FEP Import Authorizations issued to any person; and

(5) Determinations that a request for a time extension under § 302.11 should not be granted.

(b) Appeals from actions of the FEPO must be filed within 30 days of the date of such action. Appeals shall be made by letter (in triplicate) addressed to the Appeals Board, Department of Commerce, Washington, D.C. 20230, reference: FEP Appeal. If the applicant so requests, the Appeals Board shall grant him a hearing at the office of the Board at the Department of Commerce, in Washington, D.C.

(c) Decisions of the Appeals Board shall be communicated in writing to the FEPO and to appellant and shall be carried out by an appropriate action of the FEPO.

§ 302.13 Exemptions.

(a) Nothing in the regulations of this part shall be construed as limiting the authority of any Federal agency to import Government owned property into the United States.

(b) The regulations of this part are not applicable to the importation of personal property into the United States sold by a foreign government not acting as an agent of the U.S. Government. (See appendix A to this part.)

§ 302.14 Violations and penalties.

(a) Any person who imports, or attempts to import, foreign excess property into the United States and who fails to comply, both before or after such importation or attempted importation, with the regulations of this part is subject to administrative action by the FEPO terminating his right to submit applications to the FEPO and/or canceling any FEP Import Determinations and FEP Import Authorizations issued to such person.

(b) Any person who fraudulently or knowingly imports or brings into the United States any foreign excess property contrary to the Federal Property and Administrative Services Act of 1949, as amended, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such property after importation, knowing the same to have been imported or brought into the United States contrary to law, shall upon conviction, be fined not more than $10,000 or imprisoned not more than 5 years, or both. Foreign excess property introduced into the United States in violation of this provision, or the value thereof, to be recovered from any person described in this subsection, shall be forfeited to the United States. (18 U.S.C. 545.)

(c) Any person who knowingly and willfully makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing the same to contain false, fictitious, or fraudulent statement or entry, to an employee of the Department of Commerce, or of the Bureau of Customs, Department of the Treasury, in any matter concerning the importation of foreign excess property shall, upon conviction, be fined not more than $10,000 or imprisoned not more than 5 years, or both (18 U.S.C. 1001).

§ 302.15 Communications.

All communications concerning the regulations of this part shall, unless otherwise set forth, be addressed to the Foreign Excess Property Officer, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

§ 302.16 Transitional provisions.

(a) All FEP Import Determinations and FEP Import Authorizations issued prior to the effective date of the regulations of this part, are hereby ratified, adopted, and confirmed by the Deputy Assistant Secretary, and shall remain in effect in accordance with their terms.

(b) All applications pending before the FEPO prior to the effective date of the regulations of this part shall be considered in accordance with the provisions hereof.

§ 302.17 Revocation of previous order.

The regulations of this part supersede Foreign Excess Property Order No. 1 (44 CFR part 401), as amended.

Effective date.—June 4, 1973.

Issued at Washington, D.C., this 27th day of April 1973.

SETH M. BODNER,
Deputy Assistant Secretary for Resources and Trade Assistance.

APPENDIX A

PROPERTY NOT SUBJECT TO THE REGULATIONS OF THIS PART

A. Personal property sold by a foreign government not acting as an agent for the U.S. Government, provided there is no evidence that the property is foreign excess, may be imported into the United States without

presentation of an FEP Import Authorization. This includes (i) property of lend-lease origin, (ii) Military assistance program (MAP) transfers, and (iii) other Government transfers of property not deemed to be surplus to the needs of the Federal agency at the time of transfer to the foreign government, unless the property described in (i), (ii), or (iii) above has been reacquired or transferred back to a Federal agency and subsequently disposed of under section 402 of the Federal Property and Administrative Services Act of 1949, as amended.

B. A person attempting to import property claimed to fall within categories (i), (ii), and (iii) above shall be asked to provide to the District Director of Customs evidence that the property is not foreign excess property. Such evidence may include:

1. A copy of the sales brochure issued by the foreign government which identifies the property presented for importation;

2. A copy of the notice of award or contract of sale issued by the foreign government to the purchaser of the property which identifies the property being presented for entry as being the same as that listed in the sales brochure;

3. An affidavit by the importer of record that to the best of his knowledge and belief the property was never sold as foreign excess property by the U.S. Government or an agency thereof; and

4. The chain of ownership from the importer to the foreign government (if importer of record does not procure the property directly from the foreign government).

[FR Doc.73-8784 Filed 5-3-73;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2375]

PART 13—PROHIBITED TRADE PRACTICES

Holderbank Financiere Glaris S.A. et al.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock or assets:* 13.5–20 Federal Trade Commission Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18) [Cease and desist order, Holderbank Financiere Glaris S.A. et al., Holderbank, Canton of Aargau, Switzerland, docket No. C-2375, Apr. 4, 1973.]

In the Matter of Holderbank Financiere Glaris S.A., a Corporation; St. Lawrence Cement Co., a Corporation; Dundee Cement Co., a Corporation; and Wyandotte Cement Inc., a Corporation

Consent order requiring a holding company with its principal office in Holderbank, Canton of Aargau, Switzerland, and its subsidiary headquartered in Montreal, Canada, among other things to divest itself of an acquired portland cement producer; approving a proposal to sell the acquired company to an individual "as one acceptable but not exclusive method" of compliance with the divestiture provision; and dismissing the complaint as to one of the respondents.

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

I. *It is ordered,* That respondents, Holderbank Financiere Glaris S.A., (Holderbank), St. Lawrence Cement Co. (St. Lawrence) and Wyandotte Cement Inc. (Wyandotte), corporations, their successors and assigns, and their officers, directors, agents, representatives and employees, shall, on or before December 31, 1973, divest themselves absolutely, in good faith, and as a unit, of all right, title and interest in all assets, properties, rights and privileges, tangible and intangible, including but not limited to, all properties, plants, machinery, equipment, raw material reserves, trade names, contract rights, trademarks, and good will, acquired by respondent as a result of their acquistion of the assets of the Cement Division of BASF Wyandotte Corp., and now operated as Wyandotte Cement Inc., together with all plants, machinery, buildings, storage terminals, land, raw material reserves, improvements, equipment and other property of whatever description that have been added to the former Cement Division of BASF Wyandotte as may be necessary to restore the former Cement Division of BASF Wyandotte, as a going concern and an effective competitor in the manufacture and sale of portland cement.

II. *It is further ordered,* That divestiture in a ccordance with the agreement annexed hereto dated November 1, 1972, by and between St. Lawrence, Wyandotte and Edward H. Bovich together with exhibit A (Promissory Note) and exhibit B (Agreement For Purchase of Clinker) be and hereby is approved as one acceptable but not exclusive method of compliance with paragraph I requiring divestiture by Holderbank, St. Lawrence, and Wyandotte.

III. *It is further ordered,* That the agreement and exhibits A and B annexed thereto shall not be altered in any material respect without the prior approval of the Federal Trade Commission and that St. Lawrence and Wyandotte shall submit a detailed written report to the Commission within 10 days of: (1) Actual divestiture under the terms of the agreement or, (2) any actual or indicated failure on the part of Edward H. Bovich, St. Lawrence, and Wyandotte to consummate the agreement in accordance with its terms.

IV. *It is further ordered,* That if default by Edward H. Bovich occurs under exhibit A (Promissory Note) to the Agreement annexed hereto, or for any other reason respondents regain direct or indirect ownership or control of any of the divested assets as set forth in paragraph I, said ownership or control shall be redivested, subject to approval of the Federal Trade Commission, within 6 months from the date of reacquisition.

V. *It is further ordered,* That in the event divestiture is not accomplished in accordance with the Agreement and exhibits A and B annexed hereto that respondents within 30 days from the date of notice required by paragraph III of this order and every 60 days thereafter until they have fully complied with the divestiture provision of this order, shall submit in writing to the Commission a report setting forth in detail the manner and form in which it intends to comply with this order. All compliance reports shall include, among other things which may from time to time be required, a summary of all contacts and negotiations with all persons who are contacted by or who express to respondent a possible interest in acquiring ownership or control over the assets, properties, rights or privileges to be divested under this order, the identity of all such persons, copies of any proposed or executed sales contracts, copies of any internal corporate documents discussing such divestiture, and copies of all written communications from and to such potential purchasers.

VI. *It is further ordered,* That pending divestiture neither Holderbank, St. Lawrence nor Wyandotte shall make any changes in any of the plants, machinery, storage terminals, buildings, equipment, or other property of whatever description of the former Cement Division of BASF which shall impair its present rated capacity for the production, sale, and distribution of portland cement, or the market value of such facilities, unless such capacity or value is restored prior to divestiture.

VII. *It is further ordered,* That respondents shall notify the Commission at least 30 days prior to any proposed change which may affect compliance obligations arising out of this order, such as dissolution, assignment, or sale resulting in the emergence of a corporate successor, and that this order shall be binding on any such successor.

VIII. *It is further ordered,* That the complaint is dismissed as to respondent Dundee Cement Co.

Issued April 4, 1973.

By the Commission.

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

AGREEMENT dated as of November 1, 1972 among ST. LAWRENCE CEMENT CO., a Quebec corporation ("St. Lawrence"), WYANDOTTE CEMENT INCORPORATED, a Michigan corporation ("Wyandotte"), and EDWARD H. BOVICH ("Bovich").

WITNESSETH:

WHEREAS on January 16, 1971 St. Lawrence acquired from BASF Wyandotte Corporation ("BASF") the plant and equipment of the Cement Division of BASF employed in the manufacturing, distributing and selling of Portland cement, all as described in an Agreement dated January 16, 1971 among BASF, St. Lawrence and Wyandotte which was organized by St. Lawrence and is wholly owned by it, a true copy of such Agreement and the several exhibits thereto ("BASF Agreement") having been delivered to Bovich; and

WHEREAS in accordance with the provisions of the BASF Agreement St. Lawrence contemporaneously obtained a lease of the real estate on which the plant and equipment were located at a nominal rental and subject to termination by BASF in the event that the acquired properties were no longer employed in the operation of a Portland cement plant; and

WHEREAS under date of May 10, 1972 the Federal Trade Commission ("FTC") notified St. Lawrence of its determination to institute a formal proceeding looking to the divestiture by St. Lawrence of the above described business, assets and leasehold (herein, together with all subsequent additions and improvements, being called "the Wyandotte Assets"); and

WHEREAS the Wayne County Department of Health notified St. Lawrence and Wyandotte that the continued operation of the clinker grinding facilities would not be permitted after December 31, 1972 unless adequate measures were taken to eliminate air pollution alleged to constitute violations of the Environmental Protection Act of 1970 of the State of Michigan and, in response to such notification, Wyandotte initiated and is in the process of completing the installation of anti-pollution equipment at a cost estimated to be in excess of $700,000; and

WHEREAS by reason of the threatened FTC proceeding St. Lawrence is prepared to effect a divestiture of the Wyandotte Assets to Bovich on the terms and conditions set forth in this Agreement; and

WHEREAS Bovich desires to acquire as at December 31, 1973 the Wyandotte Assets on the terms and conditions of this Agreement provided that the air pollution complaints of the Wayne County Department of Health and any other similar public or private complaint shall have been satisfactorily met prior to such date;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the parties hereto agree as follows:

1. St. Lawrence will sell, assign and transfer as of the close of business on December 31, 1973 ("the Closing Date") to a new corporation ("Purchaser") to be organized by Bovich the plant and equipment included in the Wyandotte Assets by an instrument in substantially the form annexed as Exhibit B to the BASF Agreement, the leasehold and the exclusive right to the use of the name "Wyandotte Cement Incorporated" in consideration of (i) the issuance and delivery by Purchaser to St. Lawrence of a promissory note in the form annexed hereto as Exhibit A, (ii) the execution and delivery by Purchaser of a recordable mortgage to secure such note covering all buildings and fixtures included in the Wyandotte Assets and all subsequent additions thereto and improvements thereof and (iii) the execution and delivery by Purchaser of an appropriate security agreement and related Financing Statement.

2. St. Lawrence and Wyandotte will sell, assign and transfer to Purchaser all inventories of raw materials, finished goods, spare parts and miscellaneous supplies in the possession of Wyandotte on the Closing Date by an instrument in substantially the form annexed as Exhibit C to the BASF Agreement in consideration of an undertaking on the part of Purchaser to pay to St. Lawrence (i) on May 1, 1974 for the clinker inventory as at December 31, 1973 an amount equal to of the net selling price of Portland cement realized by Wyandotte in the calendar year 1973,[1] (ii) on March 1, 1974 for the Portland cement inventory as at December 31, 1973 an amount equal to the inventory price for clinker as set forth above plus the actual average cost of converting clinker into Portland cement incurred by Wyandotte in 1973 in accordance with present accounting practices of Wyandotte which include all costs of grinding and of materials added in the grinding process and (iii) on March 31, 1974 for the spare parts and miscellaneous supplies an amount equal to the total amount, if any, by which their aggregate book value as at December 31, 1973 exceeds $50,000.

3. St. Lawrence and Wyandotte shall retain all accounts receivable, accounts payable, insurance policies, debts, liabilities or obligations of Wyandotte generated pursuant to its business, all of such being for the account of Wyandotte as of the Closing Date. All accounts receivable and accounts payable generated by Purchaser in operating the Wyandotte Assets or carrying on the business on and after the Closing Date shall be for the account of Purchaser. Accounts payable arising pursuant to open purchase orders issued by St. Lawrence or Wyandotte prior to the Closing Date but where delivery occurs on or after the Closing date shall be for the account of Purchaser. Purchaser shall use its best efforts to collect the accounts receivable retained by Wyandotte on the Closing Date and shall promptly remit to St. Lawrence, P.O. Box 520, Mississauga, Ontario, Canada, all payments in respect of such accounts receivable. Purchaser shall advise Wyandotte of any actual or prospective default on the part of any debtor.

4. St. Lawrence will execute and deliver to Purchaser and Bovich will cause Purchaser to execute and deliver to St. Lawrence an agreement for the sale by St. Lawrence and the purchase by Purchaser of clinker in substantially the form annexed hereto as Exhibit B. Bovich may terminate his obligation hereunder by giving St. Lawrence written notice of such election not later than June 30, 1973.

5. In the event that (i) the anti-pollution equipment installed by Wyandotte is determined by the appropriate authorities to be inadequate to accomplish the intended purpose or (ii) notwithstanding approval by the appropriate authorities of such anti-pollution equipment, court action has been threatened or instituted by a private citizen for declaratory or equitable relief under the Environmental Protection Act of 1970 of the State of Michigan, and neither St. Lawrence nor Bovich is willing to assume the responsibility of defending any such action or incurring any resulting liability or the cost of such additional equipment as would appear to be required to satisfy the appropriate public or any private complainant, St. Lawrence may terminate this Agreement by written notice to Bovich not later than July 31, 1973.

6. Wyandotte shall, until the Closing Date, continue to operate its business in the usual and ordinary course and shall use its best efforts to preserve such business and to preserve for Purchaser the relationships of Wyandotte with suppliers and customers having business with Wyandotte, except for any cause not within the reasonable control of Wyandotte. Prior to the Closing Date neither St. Lawrence nor Wyandotte shall make any changes in any of the plant or equipment which shall substantially impair the present rated capacity for the manufacturing, distributing and selling of Portland cement, or the market value of such facilities, unless such capacity or value shall have been restored prior to the Closing Date.

7. Purchaser shall be entitled to all of the continuing rights and benefits and shall assume all of the continuing obligations of St. Lawrence and Wyandotte under the BASF Agreement except for the promissory notes issued by St. Lawrence to BASF which St. Lawrence agrees to pay on their respective maturity dates.

8. Purchaser shall, until the payment in full of the principal of and interest on its promissory note, continue to operate its business in the usual and ordinary course except for any cause not within the reasonable control of Purchaser.

9. The obligations of St. Lawrence and Wyandotte hereunder shall be subject to the following conditions:

(i) (St. Lawrence shall have obtained the consent of BASF to the proposed transaction as required by the terms of the BASF Agreement.

(ii) St. Lawrence shall have received from Messrs. Tolleson, Burgess, and Mead, counsel for Bovich and Purchaser, an opinion to the effect that Purchaser has been duly organized and exists, in good standing, under the laws of the State of Michigan and that all necessary corporate action to consummate this Agreement has been taken by Purchaser.

10. The obligations of Bovich under this Agreement shall be subject to the following conditions:

(i) The antipollution complaints of the Wayne County Department of Health and any other complaint or complaints under the Environmental Protection Act of 1970 of the State of Michigan shall have been adequately met or St. Lawrence shall have assumed responsibility for the satisfaction of any and all of such complaints by a written instrument in form and substance satisfactory to Bovich and his counsel.

(ii) There shall have been no material destruction of or damage to the plant or equipment which shall not have been remedied prior to the Closing Date, whether or not any resulting loss shall be insured.

(iii) All convenants on the part of St. Lawrence and Wyandotte to be performed on and prior to the Closing Date shall have been duly fulfilled.

(iv) Bovich shall have received an opinion of Messrs. Milbank, Tweed, Hadley & McCloy, counsel for St. Lawrence and Wyandotte, to the effect that St. Lawrence is a corporation duly organized and validly existing, in good standing, under the laws of Canada, Wyandotte is a corporation duly organized and validly existing, in good standing, under the laws of the State of Michigan and all necessary corporate action on the part of St. Lawrence and Wyandotte to consummate this Agreement has been duly taken.

11. St. Lawrence and Wyandotte will at any time and from time to time after the Closing Date, at the request of Purchaser, execute and deliver all such further deeds, assignments and assurances as may be required for the better assigning, transferring and confirming to Purchaser any or all of the assets or property to be sold, assigned and transferred to Purchaser as provided herein. Bovich will and will cause Purchaser to, at any time and from time to time after the closing date at the request of St. Lawrence, execute and deliver all such further instruments as may be required for the better assuring of the security for Purchaser's promissory note.

12. This Agreement shall not be assignable by Purchaser without the prior written consent of St. Lawrence.

13. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Michigan.

IN WITNESS WHEREOF Bovich has executed this Agreement and St. Lawrence and Wyandotte have caused this Agreement to be executed by their respective officers thereunto duly authorized.

ST. LAWRENCE CEMENT CO.

By ----------,
President.

WYANDOTTE CEMENT INCORPORATED,

By ----------,
Vice President.

[1] Plus freight and canal charges from Mississauga, Ontario to Wyandotte, Michigan.

EXHIBIT A

December 31, 1972

PROMISSORY NOTE

$2,500,000

WYANDOTTE CEMENT INCORPORATED, a Michigan corporation (herein called the "*Company*"), for value received, hereby promises to pay to the order of ST. LAWRENCE CEMENT CO., a Quebec corporation (herein called the "*Payee*"), at P.O. Box 520, Mississauga, Ontario, Canada, the principal sum of Two Million Five Hundred Thousand United States Dollars ($2,500,000), in five consecutive annual installments whereof each of the first four installments shall be in the amount of Two Hundred Fifty Thousand Dollars ($250,000) and payable on the 31st day of December commencing December 31, 1974 and whereof the fifth and final installment shall be in the amount of One Million Five Hundred Thousand Dollars ($1,500,000) and payable on December 31, 1978, and to pay interest on the unpaid amount of each installment from the date hereof, in like money on the last day of each March, June, September and December, commencing March 31, 1974, at the rate of eight and one-half percent (8½%) per annum (computed on the basis of a year of 365 days).

The Company shall have the right, on not less than five days' prior written notice to the Payee, to prepay without penalty or premium at any time all or, from time to time, part of the principal of this Note. On each prepayment, the Company shall pay interest accrued on the principal amount so prepaid to the date of such prepayment.

If any payment to be made hereunder shall become due on a Saturday, Sunday or business holiday under the laws of the State of Michigan, such payment shall be made on the next succeeding business day and such extension of time shall be included in computing any interest in respect of such payment.

If any of the following events of default shall occur and shall not have been remedied:

A. the Company shall default in the payment of the principal hereof when due and payable or in the payment for 30 days of any installment of interest hereon; or

B. the Company shall (1) apply for or consent to the appointment of a receiver, trustee or liquidator of the Company or of all or a substantial part of the assets of the Company, (2) be adjudicated a bankrupt or insolvent or (3) file a voluntary petition in bankruptcy or a petition or an answer seeking reorganization or an arrangement with creditors or to take advantage of any insolvency law or an answer admitting the material allegations of a petition filed against the Company in any bankruptcy, reorganization or insolvency proceeding, or corporate action shall be taken by the Company for the purpose of effecting and of the foregoing; or

C. an order, judgment or decree shall be entered, without the application, approval or consent of the Company, by any court of competent jurisdiction, approving a petition seeking reorganization of the Company or appointing a receiver, trustee or liquidator of the Company or of all or a substantial part of its assets, and such order, judgment or decree shall continue unstayed and in effect for any period of 60 consecutive days;

the Payee or other holder of this Note may, by written notice to the Company, declare the principal of and accrued interest on this Note to be forthwith due and payable.

This Note shall be governed by, and construed in accordance with, the laws of the State of Michigan.

WYANDOTTE CEMENT INCORPORATED,

By ----------
President.

EXHIBIT B

AGREEMENT dated December 31, 1973 between ST. LAWRENCE CEMENT CO., a Quebec corporation ("St. Lawrence"), and WYANDOTTE CEMENT INCORPORATED, a Michigan corporation ("Purchaser").

WITNESSETH:

In consideration of the mutual covenants of the parties hereto, St. Lawrence agrees to sell and Purchaser agrees to purchase Portland cement clinker ("clinker") in accordance with the following terms and conditions:

1. *Product, Quantity and Quality*

A. The product is to be produced and sold by St. Lawrence and purchased by Purchaser is clinker produced in strict compliance with ASTM Specification C-150 and which shall have the following additional characteristics:

C_3S	58.0%	minimum
Total alkali as Na_2O	0.85%	maximum
Free lime	1.0%	maximum
Ignition loss	0.75%	maximum
Fe_2O_3	3.0%	maximum

Purchaser may upon not less than 30 days written notice to St. Lawrence specify that the alkali content of the clinker to be shipped by St. Lawrence in not more than two lake freighters in any calendar year shall not be greater than a percentage less than 0.85 but not less than 0.60, in which event the base and minimum prices per ton specified in Paragraph 5 hereof shall be increased by 3.6¢ for each 0.01% of alkali content below 0.85%.

The clinker sold by St. Lawrence to Purchaser hereunder shall be guaranteed by St. Lawrence to be in compliance with the foregoing specifications at point of loading on a lake freighter at Mississauga, Ontario.

B. The maximum annual quantity of clinker that St. Lawrence shall be obligated to sell and deliver to Purchaser by water transportation only shall be 300,000 tons (of 2,000 lbs. each) and Purchaser shall be obligated to purchase all of its requirements for clinker up to such amount. At Purchaser's request and with St. Lawrence's consent, the maximum annual quantity of clinker may be increased.

C. Purchaser shall furnish an estimate of its annual requirements for clinker to be filled by St. Lawrence each year on or before the 30th day of September prior to the year to which the estimate pertains. The estimate shall state the annual requirements in monthly amounts during the Great Lakes navigation season (normally April 1 to December 10). The quantity estimated for delivery monthly may be adjusted, provided that St. Lawrence is notified in writing by Purchaser at least 15 days prior to the beginning of the month for which an adjustment is desired.

D. Measurement of the quantity of clinker delivered shall be made by Government approved belt scale at Mississauga, Ontario, or, in exceptional cases only, by boat draft subject to verification by Purchaser.

E. To assure steady deliveries adequate to meet Purchaser's requirements hereunder, St. Lawrence shall maintain an adequate supply of clinker.

2. *Analysis and Certification*

A. Representative samples of clinker produced by St. Lawrence shall be taken and analyzed either daily or in lots of 1,000 tons or less to determine whether the clinker meets the specifications set out above. St. Lawrence shall submit the analysis to Purchaser so that the analysis is received by the superintendent of Purchaser's plant prior to unloading each of St. Lawrence's shipments. Each submission of analyses shall be certified in a written statement by St. Lawrence that the clinker meets all of the specifications set out above.

B. Quality control procedures and test methods to determine whether the clinker meets the specifications shall be mutually agreed upon and set forth in a manual for use by the quality control laboratories of each of the parties hereto. In the event of a dispute between the parties as to whether or not any analysis reflects that the clinker is compliance with the specifications, the matter shall be referred to an impartial professional testing laboratory for resolution, and the parties hereto will share equally the expense of any such testing laboratory work. The decision of such testing laboratory shall be binding on the parties hereto for the purposes of this agreement. St. Lawrence and Purchaser shall each be afforded access to the clinker to which a dispute in analytical results pertains at the time that any such impartial professional testing laboratory takes samples for resolution of the dispute.

3. *Demurrage*

Should St. Lawrence order or cause a delay in the loading of a lake freighter made available by Purchaser, the resultant demurrage shall be paid by St. Lawrence.

4. *Pollution Control*

With regard to dust emission attendant upon the loading operation, St. Lawrence and Purchaser will each take due precautions in order to comply with the requirements of the Ontario Air Pollution Act in those phases under their respective control (or in Purchaser's case, under the control of the lake freighters furnished by it).

5. *Base and Minimum Prices*

The price for clinker f.o.b. shiphold at Mississauga, Ontario, net of any sales or use or other taxes imposed by any authority shall be of the net selling price of Portland cement realized by Purchaser. Net selling price shall be defined as invoiced price to customer net of any sales or use or other taxes imposed by any taxing authority and less cash and competitive discounts and freight to customer; provided, however, that St. Lawrence shall not be obligated to make any sales to Purchaser at a price of less than f.o.b. shipload at Mississauga, Ontario.

6. *Terms of Payment*

Invoices submitted by St. Lawrence to Purchaser shall be expressed in United States dollars per ton and payments by Purchaser shall be made to St. Lawrence, P.O. Box 520, Mississauga, Ontario, Canada, within 30 days after the date of the invoice.

7. *Term of Agreement*

The term of this Agreement shall be three years commencing January 1, 1974 and ending December 31, 1976; provided, however, that Purchaser may extend the term of this Agreement for an additional two years ending December 31, 1978 by giving St. Lawrence written notice of such election not later than January 1, 1975.

8. *Inventory*

St. Lawrence shall upon Purchaser's request exert every reasonable effort to deliver a sufficient quantity of clinker over and above Purchaser's current requirements to maintain an inventory of not less than 15,000 tons as a safeguard against the possibility of interruption or delay in regular shipments by St. Lawrence to Purchaser.

9. *Force Majeure*

Failure of St. Lawrence to make or Purchaser to take any one or more deliveries when due if caused by fire, storms, floods,

strikes, lockouts, accidents, war, riots, or civil commotions, inability to obtain ships or raw materials, embargoes, any federal, provincial, or state regulation, law restriction or order, seizure or requisition of the product specified in this Agreement by either the governments of Canada or the United States or of any Province or State thereof or of any agency thereof, or by reason of any compliance with a demand or request for such product for any purpose for national defence or any other cause or contingency beyond the reasonable control of the party affected (whether or not of the same kind or nature as the foregoing causes or contingencies), shall not subject the party so failing to any liability to the other.

10. *Assignability*

This Agreement shall bind and enure to the benefit of the successors and assigns of the respective parties hereto. This Agreement shall not be assignable by either party without the prior written consent of the other party; provided, however, that this Agreement may be assigned or transferred by either party without the prior written consent of the other party in the event of the merger or consolidation of such party with or into a corporation that shall agree in writing to assume all of the responsibilities and obligations imposed by this Agreement.

11. This Agreement shall be interpreted according to the laws of the Province of Ontario; should any dispute of any kind arise in connection with this Agreement, including but not restricting the generality of the foregoing, any question in respect to the interpretation, validity, termination or non-termination of this Agreement, the parties agree to submit to the jurisdiction of the courts of the Province of Ontario exclusively.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by their respective officers thereunto duly authorized.

ST. LAWRENCE CEMENT CO.

By ----------, *President.*

WYANDOTTE CEMENT INCORPORATED,

By ----------, *President.*

[FR Doc.73-8825 Filed 5-3-73;8:45 am]

[Docket No. C-2374]

PART 13—PROHIBITED TRADE PRACTICES

Taylor Mobile Homes, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.73, Formal regulatory and statutory requirements: § 13.73-92, Truth in Lending Act; § 13.75, Free goods or services; § 13.155 Prices: § 13.155-5, Additional charges unmentioned; § 13.155-80, Retail as cost, wholesale, discounted, etc.; § 13.155-95, Terms and conditions; § 13.155-95(a), Truth in Lending Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1623, Formal regulatory and statutory requirements: § 13.1623-95, Truth in Lending Act; § 13.1625, Free goods or services; —Prices: § 13.1778, Additional costs unmentioned; § 13.1820, Retail as cost, etc., or discounted; § 13.1823, Terms and conditions: § 13.1823-20, Truth in Lending Act. Subpart—Neglecting, unfairly or deceptively to make material disclosure: § 13.1852, Formal regulatory and statutory requirements: § 13.1852-75, Truth in Lending Act; § 13.1882, Prices; § 13.1905, Terms and conditions: § 13.1905-60, Truth in Lending Act. Subpart—Offering unfair, improper, and deceptive inducements to purchase or deal: § 13.1955, Free goods; § 13.1960, Free services.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 82 Stat. 146, 147; 15 U.S.C. 45, 1601-1605.) [Cease and desist order, Taylor Mobile Homes, Inc., et al., Alcoa, Tenn., docket No. C-2374, Apr. 2, 1973.]

In the Matter of Taylor Mobile Homes, Inc., Taylor Mobile Homes of Knoxville, Inc., Pioneer Mobile Homes, Inc., Corporations, and Magic Castle Homes, Inc., a Corporation Doing Business as Taylor Mobile Homes, Jr., of Alcoa, Taylor Mobile Homes, Jr., of Knoxville, and Big Orange Trading Center, and L. Eugene Taylor, and Larry J. Taylor, Individually and as Officers of Said Corporations

Consent order requiring an Alcoa, Tenn., mobile home dealer to cease, among other things, misrepresenting selling prices, markups, or wholesale costs; failing to disclose additional charges added to the advertised price; representing free service or products unless such are provided free of extra charges; and to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of credit, such information as required by regulation Z of said act.

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

I.—*It is ordered,* That respondents Taylor Mobile Homes, Inc., Taylor Mobile Homes of Knoxville, Inc., Pioneer Mobile Homes, Inc., corporations, and Magic Castle Homes, Inc., a corporation doing business as Taylor Mobile Homes Jr. of Alcoa, Taylor Mobile Homes Jr. of Knoxville, and Big Orange Trading Center, and their successors and assigns, and their officers, and L. Eugene Taylor and Larry J. Taylor, individually and as officers of said corporations, and respondents' agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the advertising, offering for sale, sale and delivery of mobile homes or any other products or services in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that any product or service may be purchased for any dollar amount or percentage over wholesale cost unless substantial sales are made at the stated markup over respondents' actual wholesale cost, or misrepresenting in any manner respondents' selling prices or markups.

2. Representing, directly or by implication, that any price or amount for any product or service is respondents' wholesale cost unless such price or amount accurately represents respondents' actual wholesale cost, or misrepresenting in any manner respondents' wholesale costs.

3. Failing to disclose any additional amounts, fees or charges that will be added to the price or amount advertised as the total cost of any product or service.

4. Representing, directly or by implication, that respondents provide free service or products unless such services or products are provided free of extra charges.

It is further ordered, That for a period of 5 years respondents maintain records which disclose the factual basis for any representation of respondents' cost or special prices for any products or services or any representation of free goods or services.

II.—*It is further ordered,* That respondents Taylor Mobile Homes, Inc., Taylor Mobile Homes of Knoxville, Inc., Pioneer Mobile Homes, Inc., corporations, and Magic Castle Homes, Inc., a corporation doing business as Taylor Mobile Homes Jr. of Alcoa, Taylor Mobile Homes Jr. of Knoxville, and Big Orange Trading Center, their successors and assigns, and their officers, and L. Eugene Taylor and Larry J. Taylor, individually and as officers of said corporations, and respondents' agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with any extension of consumer credit or any advertisement of consumer credit, as "consumer credit" and "advertisement" are defined in regulation Z (12 CFR 226) of the Truth in Lending Act (Public Law 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Failing to use the term "total downpayment" to describe the sum of the "cash downpayment" and the "trade-in", made in connection with any credit sale, as required by § 226.8(c)(2) of regulation Z.

2. Failing in any credit sale to include the amount of premiums for credit life insurance in the finance charge, as required by § 226.8(c)(8)(i) of regulation Z, unless respondents disclose that credit life insurance is not required and obtain a separately signed and specifically dated signature requesting the insurance in accordance with § 226.4(a)(5) of regulation Z.

3. Failing in any credit sale to disclose the sum of the cash price, all charges which are included in the amount financed but which are not part of the finance charge, and the finance charge, and to describe that sum as the "deferred payment price," as required by § 226.8(c)(8)(ii) of regulation Z.

4. Failing in any credit sale to disclose the amount, or method of computing the amount, of any default, delinquency, or similar charges payable in event of late payments, as required by § 226.8(b)(4) of regulation Z.

5. Failing in any credit sale to identify the method of computing any unearned portion of the finance charge in the event of prepayment of the obligation, or failing to state the amount or method of computation of any charge that may be

deducted from the amount of any rebate of such finance charge that will be credited to the obligation or refunded to the customer, whether by failing to state that such charge will be deducted before or after computation of the unearned portion or otherwise, as required by § 226.8(b)(7) of regulation Z.

6. Failing in any credit sale to make all the disclosures specified in § 226.8 of regulation Z on a single side of a document or statement identifying the transaction, as required by § 226.8(a) of regu all disclosures required by § 226.8 of reg-

7. Failing in any credit sale to make all disclosures required by § 226.8 of Regulation Z, in the manner and form prescribed therein.

8. Stating in any advertisement the amount of the down payment required or the amount of monthly installment payments which can be arranged in connection with a consumer credit transaction, without also stating all of the following items, in terminology prescribed under § 226.8 of regulation Z, as required by § 226.10(d)(2) thereof:

(i) The cash price;

(ii) The amount of the downpayment required or that no downpayment is required, as applicable;

(iii) The number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit is extended;

(iv) The amount of the finance charge expressed as an annual percentage rate; and

(v) The deferred payment price.

9. Failing in any consumer credit transaction or advertisement to make all disclosures, determined in accordance with §§ 226.4 and 226.5 of regulation Z, in the manner, form, and amount required by §§ 226.6, 226.8, 226.9, and 226.10 of regulation Z.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all present and future personnel of respondents engaged in the consummation of any sale or extension of consumer credit or in any aspect of preparation, creation, or placing of advertising, and that respondents secure a signed statement acknowledging receipt of said order form each such person.

It is further ordered, That respondents notify the Commission at least 30 days prior to any 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 which may affect compliance obligations arising out of this order.

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

It is further ordered, That respondents shall, within 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 the order to cease and desist contained herein.

Issued April 2, 1973.

By the Commission.

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

[FR Doc.73-8827 Filed 5-3-73;8:45 am]

[Docket No. C-2373]

PART 13—PROHIBITED TRADE PRACTICES

Western Storecasting, Ltd., and William R. Schieman

Subpart—Dealing on exclusive and tying basis: 13.670 *Dealing on exlusive and tying basis:* 13.670-20 Federal Trade Commission Act. Subpart—Discriminating between customers: § 13.685 Discriminating between customers. Subpart—Discriminating in price under section 5, Federal Trade Commission Act: § 13.982 *Knowingly inducing or receiving discriminating payments.*

(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 Storecasting, Ltd., et al., Vancouver, British Columbia, Canada, docket No. C-2373, April 2, 1973.]

In the Matter of Western Storecasting, Ltd., a Corporation, and William R. Schieman, Individually and as an Officer of Said Corporation

Consent order requiring a Canadian corporation in Vancouver, British Columbia, operating in-store broadcasting promotional plans, among other things to cease knowingly inducing and receiving discriminatory promotional allowances from suppliers, and participating in advertising arrangements resulting in unlawful discrimination among American retailers.

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

It is ordered, That respondents Western Storecasting, Ltd., a corporation, its successors and assigns, and its officers, and William R. Schieman, individually and as an officer, and respondents' agents, representatives and employees, in connection with their business in commerce, as "commerce" is defined in the Federal Trade Commission Act, when doing business within the United States of America, do forthwith cease and desist from:

1. Inducing and receiving, receiving or contracting for the receipt of anything of value from any supplier for the benefit of such supplier's customer, for the purpose of compensating said supplier's customer for display and promotional services or facilities furnished by or through said supplier's customers, or for the purpose of furnishing display or promotional services and facilities, including background music and promotional announcements to said supplier's customers, in connection with the processing, handling, sale or offering for sale of such supplier's products by such customer, when respondents know or should know that such compensation, consideration, services, or facilities are not affirmatively offered, accorded, and otherwise made available by such supplier or respondents on proportionally equal terms to all the supplier's retail customers, including those who do not purchase directly from such supplier and who compete with the favored retail customers in the sale and distribution of such supplier's products.

2. Paying or contracting for the payment of anything of value to or for the benefit of any retail customer of a supplier, or arranging for a supplier to pay anything of value to its retail customers, as compensation or in consideration for any services or facilities furnished by or through such retail customer, or furnishing, contracting to furnish, or contributing to the furnishing of any service or facility, including background music and promotional announcements, to any retail customer of such supplier, in connection with the processing, handling, sale or offering for sale of any of such supplier's products, unless such payment, compensation, consideration, services or facilities are affirmatively offered, accorded, and otherwise made available to all of such supplier's retail customers, including those who do not purchase directly from such supplier and who compete with the favored retail customers in the sale and distribution of such supplier's products.

3. Acting as an intermediary in transactions between suppliers and their retail customers as described in the complaint unless respondents affirmatively inform all such suppliers of such supplier's primary responsibility for seeing that the allowances they grant, or the services or facilities they furnish directly or indirectly in connection with the promotion of their products, to or for the benefit of some of their customers, are made available to all other customers, including those buying indirectly, who compete with the favored retail customers.

4. Requiring that a retail customer purchase or promote products of other participating suppliers, or all of the products of any one participating supplier, or all the products of all participating suppliers as a precondition for the direct or indirect receipt of promotional allowances and services from any participating supplier.

It is further ordered, That respondents shall not organize, sponsor, or initiate any in-store promotional program in the United States of America except under the following terms and conditions:

1. A copy of this order shall be delivered to each supplier who is invited to participate or who initiates any in-store promotional program before any contract or agreement, whether written or oral, is entered into.

2. A copy of this order shall be delivered to any person or organization other than a supplier or retail store who participates in, organizes or sponsors the respondents' program.

3. Respondents will not perform the obligations required of any supplier as

expressed in the "Guides for Advertising Allowances and Other Merchandising Payments and Services," promulgated by the Federal Trade Commission on May 29, 1969, or as subsequently amended or revised, unless the supplier is furnished with written procedures detailing respondents' duties and methods in assisting the supplier to comply with said guides, and respondents obtain a written receipt from the supplier acknowledging receipt of said procedures.

It is further ordered, That the respondents herein shall, 60 days before engaging in any promotional program within the United States, file with the Commission a report in writing setting forth in detail the manner and form in which they will comply with this order.

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

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 involves a corporation doing business in the United States of America, and which may affect compliance obligations arising out of the order.

It is further ordered, That the respondents herein shall within 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 April 2, 1973.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.73-8826 Filed 5-3-73;8:45 am]

Title 19—Customs Duties

CHAPTER I—BUREAU OF CUSTOMS, DEPARTMENT OF THE TREASURY

[T.D. 73-123]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Tonnage Tax and Light Money, El Salvador

APRIL 25, 1973.

Section 4.22, Customs Regulations (19 CFR 4.22), lists El Salvador as a nation whose vessels are exempted from the payment of any higher tonnage duties than are applicable to vessels of the United States and whose vessels are also exempted from the payment of light money. El Salvador was so listed pursuant to a treaty between the United States and that nation which, according to advice received from the Department of State, terminated on February 8, 1958. Pursuant to section 4228 of the Revised Statutes, as amended (46 U.S.C. 141), which authorizes the President of the United States to extend the described exemptions to nations only for the duration of reciprocal privileges granted by those nations, it is necessary to delete El Salvador from the list of nations found in § 4.22, Customs Regulations (19 CFR 4.22). Accordingly, § 4.22 is so amended.

(R.S. 4228, as amended; 46 U.S.C. 141. E.O. 10882, July 18, 1960, 25 FR 6869; 3 CFR, 1959-1963 Comp.)

Since the exemption terminated by operation of law when the treaty expired, this amendment merely confirms the Customs Regulations to the law. Therefore, good cause is found to waive notice and public procedure, as unnecessary under 5 U.S.C. 553, and to make the amendment effective at the earliest possible date.

Effective date.—This amendment shall become effective on May 4, 1973.

[SEAL] EDWARD L. MORGAN,
Assistant Secretary of the Treasury.

[FR Doc.73-8870 Filed 5-3-73;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER A—GENERAL

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Use of Chemical Sanitizing Agents in Food-Manufacturing Establishments; Revocation

A policy statement published in the FEDERAL REGISTER of November 30, 1957 (22 FR 9544) classified quaternary ammonium compounds as poisonous and deleterious substances and declared that food bearing or containing these substances would be considered adulterated. A great deal of confusion resulted from this policy statement about the views of the Food and Drug Administration on the use of quaternary ammonium compounds. To clarify this situation the statement of policy was replaced with another entitled "Use of chemical sanitizing agents in food-manufacturing establishments" published in the FEDERAL REGISTER of May 30, 1958 (23 FR 3774). The present statement of policy (21 CFR 3.203) declares that the FDA does not object to the use of chemical sanitizing agents on food handling equipment, provided precautions are taken to prevent adulteration of food coming in contact with the treated equipment.

Section 3.203 has resulted in contradictory interpretations. It has recently come to the attention of the FDA that sanitizing agents are improperly being used on food-processing equipment on the erroneous assumption that this is permitted under § 3.203 (21 CFR 3.203) if their use is followed by a potable water rinse. Section 3.203 does not permit residues of sanitizing agents in food. Some sanitizing agents by their nature are not hydrophilic and cannot be expected to be completely removed by a water rinse.

Section 121.2547 (21 CFR 121.2547) provides for the use of sanitizing solutions on food-processing equipment, provided that such use is followed by adequate draining before contact with food. In this case it is expected that a residue will remain on the equipment. Sanitizers that are food additives intended for residue use on food-contact surfaces must comply with § 121.2547.

The FDA recognizes the need for, and does not object to the use of, effective sanitizing agents on food-processing equipment, provided the sanitizing agent is properly employed so that it does not leave residues in food; or if it is a food additive, within the meaning of section 201(s) of the Federal Food, Drug, and Cosmetic Act, it is used only in conformity with a food additive regulation. Since the use of sanitizing solutions is effectively regulated under § 121.2547, the Commissioner of Food and Drugs concludes that § 3.203 is now obsolete and should be revoked.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 402, 701(a), 52 Stat. 1046, 1055, as amended; 21 U.S.C. 342, 371(a)), and under the authority delegated to him (21 CFR 2.120), the Commissioner hereby revokes § 3.203 of part 3 of chapter 1 of title 21 of the Code of Federal Regulations.

Effective date.—This order shall be effective on May 4, 1973.

(Sec. 402, 701(a), 52 Stat. 1046, 1055, as amended; 21 U.S.C. 342, 371(a).)

Dated April 30, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-8874 Filed 5-3-73;8:45 am]

SUBCHAPTER C—DRUGS

PART 130—NEW DRUGS

Procedural and Interpretive Regulations; Clarification of Exportation Provisions Regarding Investigational Drugs

In the FEDERAL REGISTER of September 13, 1972 (37 FR 18562), the Commissioner of Food and Drugs proposed to revise the provision at the end of subparagraph (2) of 21 CFR 130.3(a) to make it clearly applicable only to the exportation of an unapproved new drug for use in a bona fide clinical investigation, and not to the exportation of an unapproved new drug for commercial marketing or for routine medical practice.

The Food and Drug Administration (FDA) received two responses to the proposal. The first response objected to the policy of denying products to a foreign country based on drug status decisions made in the United States. This policy is based on the statute and any change would require legislation.

The second response urged the FDA to allow for the exportation of investigational drugs to certain selected foreign countries for investigational use without the submission of a "Notice of Claimed Investigation Exemption for a New Drug" (IND) (Form FD 1571) and without the

complexity of clearing foreign requests through the Department of State. The respondent suggested that the United States recognize selected ministries of health of foreign countries and exempt such ministries from complying with the current regulations if certain other basic conditions were met. In addition the respondent suggested that the proposal allow for more than one shipment of an investigational drug. The FDA finds that it would not be prudent to exempt select foreign countries from the procedures of the investigational new drug regulations or to establish separate regulations for these countries. Also, the submission of a request through the Department of State is not regarded as a complex procedure. With regard to the comment that more than one shipment be provided for in the regulation, no change is necessary in the regulation as it is not intended that there be a limitation in the number of such shipments.

The comments received in response to the proposal have given rise to consideration as to the practical aspects of the not feasible statement as a basis for exemption from the submission of an IND. The intention of the exempting provision is to provide reasonable assurance that an unapproved new drug offered for export without the submission of an IND will be used only for investigational purposes and the foreign government has adequate information about the drug and its proposed use. Whether or not an IND submission is feasible is not relevant to this intent; feasibility of an IND submission would not preclude exportation of the drug through an agreement with a foreign government. Accordingly, the regulation is being revised to provide that the FDA, in lieu of receiving an IND submission, will authorize the shipment of an unapproved new drug for investigational use upon receipt of a formal request through the foreign government and the Department of State.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(b), 505, 507, 701(a); 52 Stat. 1040, 1052–1053, as amended, 1055; 21 U.S.C. 321(b), 355, 357, 371(a)), and under authority delegated to the Commissioner (21 CFR 2.120), part 130 (21 CFR 130) is amended in § 130.3 by revising the proviso at the end of subparagraph (2) as follows:

§ 130.3 New drugs for investigational use in human beings; exemptions from section 505(a).

(a) * * *

(2) * * * *Provided, however,* That where a new drug limited to investigational use is proposed for shipment to a foreign country for clinical investigation, in lieu of the filing of a "Notice of Claimed Investigational Exemption for a New Drug" (Form FD 1571), the Commissioner will authorize the shipment of the drug if he receives, through the Department of State, a formal request to allow such shipment, from the government of the country to which the drug is proposed to be shipped. This request shall specify that said government has adequate information about the drug and the proposed investigational use, and is satisfied that the drug may legally be used by the intended consignee in that country. This provision is applicable only where the drug is to be used for purposes of clinical investigation and does not apply where it is intended for commercial marketing or use in routine medical practice.

This order shall become effective on May 4, 1973.

(Secs. 201(b), 505, 507, 701(a); 52 Stat. 1040, 1052–1053, as amended, 1055; 21 U.S.C. 321(b), 355, 357, 371(a).)

Dated April 30, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-8876 Filed 5-3-73;8:45 am]

PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Pyrantel Tartrate

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (43-290V) filed by Pfizer, Inc., 235 East 42d St., New York, N.Y. 10017, proposing revisions in the present regulation providing for use of pyrantel tartrate in animal feed to limit the feeding of feed containing 800 grams of pyrantel tartrate per ton to feeding at the rate of 1 pound of feed per 40 pounds of body weight. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135e.64 is amended in the table in paragraph (e) by revising the text in "Limitations" column for item 3, as follows:

§ 135e.64 Pyrantel tartrate.

* * * * *

(e) *Conditions of use.* * * *

Principal ingredient	Grams per ton	Limitations	Indications for use
*	*	*	*
3. Pyrantel tartrate....	800 (0.0881%)	For swine; as a single therapeutic treatment in complete feed; feed at the rate of 1 pound of feed per 40 pounds of body weight; withdraw 24 hours prior to slaughter.	* * *

Effective date.—This order shall be effective on May 4, 1973.

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

Dated April 27, 1973.

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

[FR Doc.73-8875 Filed 5-3-73;8:45 am]

SUBCHAPTER E—HAZARDOUS SUBSTANCES

PART 191—HAZARDOUS SUBSTANCES: DEFINITIONS AND PROCEDURAL AND INTERPRETATIVE REGULATIONS

Federal Preemption of State and Local Labeling Requirements

In the FEDERAL REGISTER of September 14, 1972 (37 FR 18628), the Commissioner of Food and Drugs proposed to add to the hazardous substances regulations a new section (21 CFR 191.4) regarding Federal preemption of State and local labeling requirements. In response to the proposal, 24 comments were received from State and local governments, environmental and consumer groups, manufacturers whose products are subject to the Federal Hazardous Substances Act, manufacturer's trade associations, and the general public. Eight of the comments favor the regulation as proposed. The principal issues raised in the remainder and the Commissioner's conclusions are as follows.

A. *Applicability.*—A local government commented that the class of household products covered by preemption in § 191.4(b) is too broad. Another local government and a consumer group commented that preemption should not apply when the Food and Drug Administration has not acted or where FDA regulations are silent concerning imposing labeling requirements or providing specific exemptions from labeling requirements.

The Commissioner concludes that § 191.4(b) is a proper interpretation of the class of household products covered by Federal preemption, as well as of its scope. Section 18(b) of the act, and the legislative history thereof, establish that preemption applies not only to household substances and articles that are subject to the act because they are hazardous substances within the meaning of section 2(f), but also to household substances and articles:

* * * where the alleged hazard is of the general character dealt with by the Federal act but is not of sufficient degree to require cautionary labeling as a hazardous substance under the Federal act; for example, since under the Federal act a substance is not deemed hazardous on account of flammability unless it has a flashpoint of 80° F. or below, substances with a higher flashpoint could not be made subject to State or local warning requirements relating to flammability. On the other hand, if the hazard involved is of a kind not dealt with by the Federal

act, e.g., the hazards involved in power lawnmowers, the States and localities would continue to be free to impose warning requirements though there is no such Federal requirement.

(H. Rept. No. 2166, 89th Cong., 2d sess. 3 (1966).)

Further, Federal preemption applies whether or not FDA has acted or promulgated particular labeling requirements or exemptions. Since Congress intended nationwide uniformity in labeling, not diverse or inconsistent requirements, any State or local labeling requirement that varies from Federal requirements is null and void.

Since the Commissioner recognizes that State and local governments play an important role in protecting consumers and the environment, and that some have adopted, and others may want to adopt, additional or different precautionary labeling requirements than those required by the act, § 191.4(e) provides adequate opportunity to petition the Commissioner to promulgate appropriate regulations.

B. *Ingredient statements.*—Some State and local governments, environmental and consumer groups, and individuals commented that "ingredient statements" should not be included in § 191.4(c) as an example of precautionary labeling. They state that some localities now require that the label of certain household products, particularly detergents, disclose the content of the product beyond that required by Federal law; that such labeling provides necessary information to the consumer; and that preemption will interfere with local efforts to protect human health and preserve the environment. Comments from other States endorse the regulation as proposed.

The Commissioner concludes that the inclusion of ingredient statements in § 191.4(c) is proper and that it is supported by the statute, its legislative history, and the appellate decision referred to in the preamble to the proposal. Since section 2(p)1)(B) of the act requires that a hazardous substance bear a label containing certain information concerning the composition of the product (the common or usual name or the chemical name (if there be no common or usual name) of the hazardous substance or of each component which contributes substantially to its hazard), and since section 18(b) of the act is intended to preempt any labeling law imposed by a State or its political subdivisions (unless it is identical to the Federal requirement), it necessarily follows that ingredient statements are labeling that is preempted.

C. *State or local ban.*—A manufacturer and a trade association commented that the provision concerning a State or local band on a household product, § 191.4(d), should be deleted because the provision is irrelevant to Federal preemption, raises constitutional issues, is an incorrect interpretation of the law, and invites, or at least encourages, indiscriminate banning of products. Another trade association also questioned the relevance of this provision in a regulation dealing with labeling, but commented that it is consistent with the legislative history.

The Commissioner concludes that it is appropriate and relevant in a regulation interpreting the applicability of section 18(b) of the act to delineate what is and is not included by this preemption provision. Both the Senate and House reports accompanying the legislation clearly indicate the extent of Federal preemption. The Senate report states: "The provision applies solely to labeling requirements. It would not preclude States from banning the sale of articles covered by the Federal act which State and local authorities consider too dangerous." (S. Rept. No. 1551, 89th Cong., 2d sess. 4 (1966).) The language in the House report is similar: "Moreover, the limited preemption amendment relates only to labeling and would not preclude States or localities from prohibiting altogether an article, such as fireworks, which would not be banned under the Federal act if properly labeled." (H. Rept. No. 2166, 89th Cong., 2d sess. 3 (1966).)

In addition, there is no reason to believe that State or local governments will indiscriminately ban household products. Any constitutional issues concerning State or local bans will be resolved by the courts.

D. *Existing nonuniform labeling.*—A manufacturer commented that the Commissioner may want to establish a technique for handling existing State and local labeling irregularities, and proposed a provision for any person affected by an existing nonuniform labeling requirement to petition the Commissioner to investigate the nonuniform requirement and make certain findings.

The Commissioner concludes that the act does not provide for enforcing Federal preemption at the administrative level. Therefore, all conflicts with State or local nonuniform labeling requirements will be resolved by the courts.

E. *Petition provision.*—With respect to the petition provision, § 191.4(e), a State government commented that the regulation must provide a method whereby new regulations can be readily promulgated when needed. Another government commented that this requirement would result in mass confusion. The Commissioner agrees that prompt consideration of petitions from State or local governments is warranted, and the regulation so provides. The Commissioner does not expect any confusion to result from this petition requirement, which is an appropriate procedure to initiate new regulations.

A manufacturer and a trade association commented that § 191.4(e) should be revised to provide that additional or different labeling regulations may be promulgated only after finding that such regulations are required by compelling local conditions and do not unduly burden interstate commerce. These comments misinterpret this provision. Section 191.4(e) is not intended to enable State or local jurisdictions to petition the Commissioner to promulgate precautionary labeling requirements for particular jurisdictions. Since the statute provides for uniformity in labeling, any regulation initiated pursuant to this section will be applicable nationwide. This section has therefore been revised for clarification.

F. *Miscellaneous.*—A manufacturer commented that the regulation should proscribe any rulemaking body, including other Federal agencies, from establishing nonuniform labeling requirements at any time. This comment is rejected because section 18(b) of the act expressly provides that preemption applies only to "the States and political subdivisions thereof." In order to avoid misunderstanding, § 191.4(a) has been appropriately revised.

A State government commented that although the regulation would insure labeling uniformity, it would eliminate the ability of a State to solve its own problems unique to the State and not necessarily applicable to the entire Nation. The Commissioner concludes that Congress thoroughly considered this issue before enacting section 18(b) of the act, and that it decided that nationwide uniformity of labeling was preferable.

A local government commented that "registration or identification numbers" should be deleted from § 191.4(c) and that its inclusion is a reversal and contradiction of a previous opinion given by FDA. It is correct that the agency has changed its opinion with respect to this type of labeling statement, but this change is consistent with the purpose of Federal preemption and the appellate opinion referred to in the proposal.

Therefore, having evaluated the comments received and other relevant material, the Commissioner concludes that the proposal should be adopted as set forth below.

Accordingly, pursuant to provisions of the Federal Hazardous Substances Act (secs. 10(a), 18(b), 74 Stat. 378, 381, as amended, 80 Stat. 1305; 15 U.S.C. 1269, note under 1261) and under authority delegated to the Commissioner (21 CFR 2.120), part 191 is amended by adding the following new section:

§ 191.4 Federal preemption of State and local labeling requirements.

(a) Section 18(b) of the act provides that any law, regulation, or ordinance of the States and political subdivisions thereof purporting to establish a precautionary labeling requirement for any substance or article intended or suitable for household use which differs from the requirements or exemptions of the act or the regulations or interpretations promulgated pursuant thereto shall be null and void. The legislative history reveals that Congress intended by this provision to prevent a proliferation of differing labeling requirements for household products.

(b) Federal preemption applies both to household substances and articles required to be labeled in accordance with the act, and to household substances and articles not required to be labeled in accordance with the act because they are not "hazardous substances" as de-

fined in section 2(f) of the act or because they have been exempt from labeling pursuant to a regulation promulgated by the Commissioner. Federal preemption applies to any nonuniform labeling requirement, regardless of whether it conflicts with or is incompatible with the Federal requirement.

(c) Federal preemption applies to any labeling requirement that is intended to serve as or be a part of, or is the nature of, precautionary labeling. Precautionary labeling includes such information as warnings, registration or identification numbers, disclosure of hazards, antidote information, ingredient statements, and other similar labeling requirements.

(d) Federal preemption does not apply to a State or local ban on a household product.

(e) Whenever a State or local jurisdiction has reason to believe that additional or different precautionary labeling should be required for household substances and articles, it should petition the Commissioner of Food and Drugs to promulgate an appropriate nationwide regulation. The Commissioner will expedite consideration of any such petition.

Effective date.—This order shall be effective May 4, 1973.

(Secs. 10(a), 18(b), 74 Stat. 378, 381, as amended 80 Stat. 1305; 15 U.S.C. 1269, note under 1261.)

Dated April 30, 1973.

SHERWIN GARDNER,
Acting Commissioner of Food and Drugs.

[FR Doc.73-8937 Filed 5-3-73;8:45 am]

PART 273—BIOLOGICAL PRODUCTS

Certain Viral Vaccines Containing Unavoidable Bacteriophage

Vaccines and other biological products produced or used in the United States are licensed and regulated by the Food and Drug Administration under the authority of the provisions of the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act. This Federal control of biologics includes, among other features, a continuing scientific review to determine that products are effective, pure, potent, safe, and not misbranded, and an active research program designed to provide data pertinent to product regulation.

As part of this program of review and research, the Bureau of Biologics has continuously participated in the development of new assay techniques and the new application of existing methodology to search for extraneous microbial agents and other extraneous materials in biological products.

As a result of recent research, the Bureau of Biologics has discovered small amounts of bacteriophages (a category of viruses unique in that they grow in bacterial cells rather than in human, animal or plant cells) in a number of lots of live virus vaccines produced in cell cultures (polio, measles, mumps, and rubella vaccines). Scientific studies have been undertaken to identify the exact types of bacteriophages involved and the frequency of their presence in virus vaccines and other biological products. In due course data will be available from which it can be determined if the bacteriophages can be eliminated without adversely affecting the safety and effectiveness of the biological products involved.

In the interim, the Commissioner has concluded, with the concurrence of an ad hoc group of distinguished scientists convened to consider this matter, that virus vaccines and other biological products should continue to be manufactured, released by the Food and Drug Administration, and used by the public, even though certain of these products may contain bacteriophages. No harm is known to result from such bacteriophages, and the benefits from these vaccines are well-documented. Accordingly, the Commissioner is amending all pertinent regulations, effective immediately, to reflect this new conclusion. The usual procedure of publishing a proposal, with time for comment, has been dispensed with, as permitted by the Administrative Procedure Act, in light of the Commissioner's finding of the necessity to continue releasing lots of these products in order to best protect the public health. Comments are nevertheless requested within the next 30 days, and may justify further modification of the regulations.

While freedom from extraneous materials is clearly a desirable goal for biological products, it should be recognized that such freedom is relative rather than absolute. Biologicals are prepared from living mocro-organisms or from the tissues and fluids of animals and man. Complete freedom from extraneous materials is considered beyond existing production capabilities. For example, all virus vaccines contain some extraneous material derived from the tissues or cells and nutrient media in which the viruses are grown.

Present technology necessitates the use of animal serum (a component of blood) to promote growth of cells in culture. Thus, cell cultures used to produce virs vaccines are, during an early phase of production, maintained in a nutrient medium containing small amounts of animal serum, commonly of bovine origin. Commercially-produced bovine serum often contains bovine bacteria that must be removed by filtration before the serum can be used to support the growth of cell cultures. The new data indicate that, although the bacteria are eliminated, bacteriophages introduced with the bacteria may remain in the sera, be carried over to cell cultures nourished with serum-containing medium, persist in the cell cultures, and be present in the final product (vaccine).

The presence of bacteriophages in biological products does not raise a substantial issue of safety insofar as can be ascertained from existing medical and scientific data. There is no evidence that adverse reactions related to the presence of bacteriophages have occurred in any of the hundreds of millions of persons who have received live virus vaccines for polio, measles, mumps, and rubella. Yet, it appears that these vaccines have frequently contained bacteriophages. Man has an enormous environmental contact with bacteriophages. The human intestinal tract harbors bacteriophages and, under certain conditions, bacteriophages can be expected to be present in human blood and tissues. Massive doses of bacteriophages have, in the past, been administered to humans in an attempt to treat certain bacterial diseases or for experimental purposes. In no instance is there evidence that administration of bacteriophages to man or animals has been harmful.

Any substantial changes in biologics production methods can be made only with great care, and on the basis of sound scientific data, since such changes could adversely alter the safety and effectiveness of the products. The Commissioner is, therefore, convinced that the only responsible course of action is to continue to make these needed products available for their proven protection against such diseases as polio, measles, mumps, and rubella. The Food and Drug Administration has informed the manufacturers of live virus vaccines produced in cell cultures of their responsibility immediately to initiate scientific work to define the nature and extent of the distribution of bacteriophages in these products, and to determine whether bacteriophages can be eliminated without detracting from the safety and effectiveness of the products. If further research provides information indicating that changes in production methods and testing to remove all bacteriophages are feasible, those changes will promptly be implemented.

Therefore, pursuant to provisions of the Public Health Service Act (sec. 351, 58 Stat. 702, as amended; 42 U.S.C. 262), and under authority delegated to the Commissioner (21 CFR 2.120), 21 CFR part 273 is amended as follows:

1. Section 273.740 is amended by revising the first sentence thereof to read as follows:

§ 273.740 Purity.

Products shall be free from extraneous material except for unavoidable bacteriophage. * * *

* * * * *

2. Section 273.1020 is amended by revising subparagraph (3) of paragraph (b) to read as follows:

§ 273.1020 The product.

* * * * *

(b) * * *

* * * * *

(3) Each seed virus used in manufacture shall be demonstrated to be free of extraneous microbial agents except for unavoidable bacteriophage.

* * * * *

3. Section 273.1024 is amended by revising paragraph (a) to read as follows:

§ 273.1024 Test for safety.

(a) *Tests prior to filtration.*—Monovalent virus pools shall contain no demonstrable viable microbial agent other than the attenuated live poliovirus intended except for unavoidable bacteriophage. The vaccine shall be tested for the absence of adventitious and other infectious agents including polioviruses

of other types or strains, simian agents, Mycobacterium tuberculosis, pox virus, lymphocytic choriomeningitis virus, Echo viruses, Coxsackie viruses, and B virus. Testing of each monovalent pool shall include the following procedures:

* * * * *

4. Section 273.1060 is amended by revising paragraph (b) to read as follows:

§ 273.1060 The product.

* * * * *

(b) *Criteria for acceptable strains of attenuated measles virus.*—Strains of attenuated measles virus used in the manufacture of vaccine shall be identified by (1) historical records including origin and manipulation during attenuation, (2) antigenic specificity as measles virus as demonstrated by tissue culture neutralization tests. Strains used for the manufacture of Measles Virus Vaccine, Live, Attenuated, shall have been shown to be safe and potent in man by field studies with experimental vaccines. Vaccine prepared from measles virus strains propagated in chick embryo or canine renal tissue cultures shall have been demonstrated as safe and potent in at least 10,000 susceptible persons. Susceptibility shall be shown by the absence of neutralizing or other antibodies against measles virus, or by other appropriate methods. Vaccine prepared from measles virus strains propagated in canine renal tissue cultures shall also have been demonstrated to be free from harmful effects in not less than 100,000 persons. Seed virus used for vaccine manufacture shall be free of all demonstrable extraneous viable microbial agents except for unavoidable bacteriophage.

* * * * *

5. Section 273.1100 is amended by revising paragraph (b) to read as follows:

§ 273.1100 The product.

* * * * *

(b) *Criteria for acceptable strains of attenuated mumps virus.*—Strains of attenuated mumps virus used in the manufacture of vaccine shall be identified by (1) historical records including origin and manipulation during attenuation, (2) antigenic specificity as mumps virus as demonstrated by tissue culture neutralization tests. Strains used for the manufacture of Mumps Virus Vaccine, Live, shall have been shown to be safe and potent in at least 5,000 susceptible individuals by field studies with experimental vaccines. Susceptibility shall be shown by the absence of neutralizing or other antibodies against mumps virus, or by other appropriate methods. Seed virus used for vaccine manufacture shall be free of all demonstrable extraneous viable microbial agents except for unavoidable bacteriophage.

* * * * *

6. Section 273.1120 is amended by revising paragraph (c) to read as follows:

§ 273.1120 The product.

* * * * *

(c) *Extraneous agents.*—Seed virus used for vaccine manufacture shall be free of all demonstrable extraneous viable microbial agents except for unavoidable bacteriophage.

* * * * *

Effective date.—These amendments shall become effective May 4, 1973. Continued availability of the products affected by these amendments is necessary to protect the public health. The Commissioner therefore finds that notice, time for public comment, and delayed effective date are impracticable, unnecessary, and contrary to the public interest. Comments on these amendments may be submitted to the Hearing Clerk, Food and Drug Administration, room 6–88, 5600 Fishers Lane, Rockville, Md. 20852, on or before June 4, 1973. Comments received may be seen in the above office during working hours, Monday through Friday, and may result in further modification of these amendments.

Dated May 2, 1973.

SHERWIN GARDNER,
Acting Commissioner of Food and Drugs.

[FR Doc.73–8936 Filed 5–3–73;8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI–113]

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
*	*	*	*	*	*	*
California	Yuba	Marysville, city of.				May 2, 1973, Emergency.
Do	Ventura	Oxnard, city of				Do.
Illinois	Dupage	Unincorporated areas.				Do.
Louisiana	Catahoula Parish.	Unincorporated areas.				Apr. 26, 1973, Emergency.
Do	do	Harrisonburg, village of.				Do.
Do	do	Jonesville, town of.				Do.
Do	Pointe Coupee Parish.	Fordoche, village of.				Do.
Do	do	Livonia, village of.,				Do.
Do	St. Martin Parish.	Unincorporated areas.				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 April 25, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73–8696 Filed 5–3–73;8:45 am]

[Docket No. FI-114]

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
*	*	*	*	*	*	*
Connecticut	New Haven	Hamden, city of				May 3, 1973, Emergency.
Louisiana	Iberia Parish	Unincorporated areas.				Apr. 27, 1973, Emergency.
Do	do	New Iberia, city of.				Do.
Do	Jefferson Parish	Westwego, city of				Do.
Missouri	St. Louis	Ferguson, city of				May 3, 1973, Emergency.
New York	Cattaraugus	Olean, town of				Do.
South Dakota	Butte	Belle Fourche, 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 April 26, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-8697 Filed 5-3-73;8:45 am]

[Docket No. FI-115]

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
*	*	*	*	*	*	*
Florida	Pinellas	Belleair Bluffs, city of.				May 1, 1973, Emergency.
Illinois	St. Clair	East St. Louis, city of.				Do.
Kansas	Leavenworth	Leavenworth, city of.				Do.
Louisiana	Ascension Parish	Unincorporated areas.				Apr. 26, 1973, Emergency.
Do	do	Donaldsonville, city of.				Apr. 26, 1973, Emergency.
Do	Avoyelles Parish	Unincorporated areas.				Apr. 24, 1973, Emergency.
Maryland	Carroll	Sykesville, town of.				May 1, 1973, Emergency.
Michigan	Iosco	East Tawas, city of.				Do.
Do	Menominee	Menominee, city of.				Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
* * *	* * *	* * *	* * *	* * *	* * *	* * *
Minnesota	Polk	East Grand Forks, city of.	I 27 119 1970 01 I 27 119 1970 02	Division of Waters, Soils, and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	City Building Official, Box 453, East Grans Forks, Minn. 56721.	Jan. 19, 1973. Emergency. May 11, 1973. Regular.
New Jersey	Warren	White, township of.	----------	----------	----------	May 1, 1973. Emergency.
New York	Steuben	Pulteney, town of.	----------	----------	----------	Do.
North Dakota	Grand Forks	Grand Forks, city of.	I 38 035 1280 01 through I 38 035 1280 05	State Water Commission, State Office Bldg., 900 East Blvd., Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	City Auditor's Office, City Hall, Box 1518, Grand Forks, N. Dak. 58201.	Mar. 19, 1971. Emergency. May 11, 1973. Regular.
Ohio	Lorain	Sheffield Lake, city of.	----------	----------	----------	May 1, 1973. Emergency.
Pennsylvania	Berks	Hamburg, borough of.	----------	----------	----------	Do.
Do	Luzerne	Courtdale, borough of.	----------	----------	----------	Do.
Do	do	Yatesville, borough of.	----------	----------	----------	Do.
Do	Lycoming	Nippenose, township of.	----------	----------	----------	Do.
Do	Mifflin	Brown, Township of.	----------	----------	----------	Do.
Wisconsin	Marathon	Rothschild, village of.	I 55 073 4230 01	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, Wis. 53703.	Rothschild Village Hall, Rothschild, Wis. 54474.	Apr. 2, 1971. Emergency. May 11, 1973. Regular.

(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 April 24, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73–8698 Filed 5–3–73;8:45 am]

[Docket No. FI–117]

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
*	*	*	*	*	*	*
Illinois	Cook	Schiller Park, village of.	----------	----------	----------	May 4, 1973. Emergency.
Louisiana	Concordia Parish.	Ferriday, town of.	----------	----------	----------	Apr. 28, 1973. Emergency.
Massachusetts	Worcester	Millbury, town of.	----------	----------	----------	May 4, 1973. Emergency.
New York	Monroe	Ogden, town of	----------	----------	----------	Do.
Do	do	Pittsford, town of.	----------	----------	----------	Do.
Pennsylvania	Fayette	Uniontown, city of.	----------	----------	----------	Do.
Do	Franklin	Waynesboro, borough of.	----------	----------	----------	Do.
Do	Lycoming	Lycoming, township of.	----------	----------	----------	Do.
Do	do	Watson, township of.	----------	----------	----------	Do.
Do	Montgomery	West Conshohocken, borough 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 April 27, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73–8700 Filed 5–3–73;8:45 am]

[Docket No. FI-118]

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
*	*	*	*	*	*	*
Louisiana	W. Feliciana Parish.	St. Francisville, town of.	.....	.....	.....	Apr. 30, 1973, Emergency.
Do.	do	Unincorporated areas.	.....	.....	.....	Do.
Michigan	Arenac	Sims, township of.	.....	.....	.....	May 7, 1973, Emergency.
New York	Chemung	Horseheads, village of.	.....	.....	.....	Do.
Pennsylvania	Dauphin	East Hanover, township of.	.....	.....	.....	Do.
South Dakota	Sanborn	Hot Springs, 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 April 27, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-8699 Filed 5-3-73;8:45 am]

[Docket No. FI-116]

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
*	*	*	*	*	*	*
Connecticut	Hartford	Wethersfield, town of.	H 09 003 0838 01 through H 09 003 0838 05	Department of Environmental Protection, Director of Water and Related Resources, room 207 State Office Bldg., Hartford, Conn. 06115. Connecticut Insurance Department, State Capitol Bldg., 165 Capitol Ave., Hartford, Conn. 06115.	Town Hall, 505 Silas Deane Highway, Wethersfield, Conn. 06109.	May 11, 1973.
Minnesota	Polk	East Grand Forks, city of.	H 27 119 1970 01 H 27 119 1970 02	Division of Waters, Soils, and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	City Building Official, Box 483, East Grand Forks, Minn. 56721.	Do.
New Jersey	Bergen	Westwood, borough of.	H 34 003 3640 01 H 34 003 3640 02	Bureau of Water Control, Department of Environmental Protection, P.O. Box 1390, Trenton, N.J. 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Administration Bldg., 81 Jefferson Ave., Westwood, N.J. 07675.	Do.
* * *	* * *	* * *	* * *	* * *	* * *	*
Do.	Burlington	Cinnaminson, township of.	H 34 005 0613 01 through H 34 005 0613 03	do	Township Municipal Bldg., 1621 Riverton Rd., Cinnaminson, N.J. 08077.	Do.
Do.	Hunterdon	West Amwell, township of.	H 34 019 3462 01 through H 34 019 3462 04	do	Township Office, Municipal Bldg., Mount Airy, Rural Delivery, Lambertville, N.J. 08530.	Do.
Do.	Monmouth	Oceanport, borough of.	H 34 025 2400 01 H 34 025 2400 02	do	Office of the Borough Clerk, Municipal Bldg., Monmouth Blvd., Oceanport, N.J. 07757.	Do.
Do.	Union	Union, township of.	H 34 039 3395 01 through H 34 039 3395 07	do	Office of the Township Engineer, 1034 Salem Rd., Union, N.J. 07083.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
North Dakota	Grand Forks	Grand Forks, city of.	H 38 035 1280 01 through H 38 035 1280 06	State Water Commission, State Office Bldg., 900 East Blvd., Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	City Auditor's Office, City Hall, Box 1518, Grand Forks, N. Dak. 58201.	Do.
Oklahoma	Creek	Sapulpa, city of	H 40 037 4190 01 through H 40 037 4190 05	Oklahoma Water Resources Board, 2241 Northwest Fortieth St., Oklahoma City, Okla. 73112. Oklahoma Insurance Department, room 408, Will Rogers, Memorial Bldg., Oklahoma City, Okla. 73105.	Municipal Bldg., 116 East Dewey, Sapulpa, Okla. 74066.	Do.
Pennsylvania	Cumberland	Upper Allen, township of.	H 42 041 5010 01 through H 42 041 5010 04	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120. Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Township Municipal Bldg., 52 Gettysburg Pike, Mechanicsburg, Pa. 17055.	Do.
Do.	Dauphin	Derry, township of.	H 42 043 3620 01 through H 42 043 3620 04	do	Derry Township, 749 Chocolate Ave., Hershey, Pa. 17033.	Do.
Rhode Island	Providence	Woonsocket, city of.	H 44 004 0260 09 through H 44 004 0260 17	Rhode Island Statewide Planning Program, 265 Melrose St., Providence, R.I. 02907. Rhode Island Insurance Division, 169 Weybosset St., Providence, R.I. 02903.	City Engineer, City Hall, 160 Main St., Woonsocket, R.I. 02895.	Oct. 13, 1973.
Wisconsin	Marathon	Rothschild, village of.	H 55 073 4230 01	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, Wis. 53703.	Rothschild Village Hall, Rothschild, Wis. 54474.	May 11, 1973.

(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 April 24, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-8701 Filed 5-3-73;8:45 am]

Title 25—Indians

CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

SUBCHAPTER F—ENROLLMENT

PART 41—PREPARATION OF ROLLS OF INDIANS

Qualifications for Enrollment and the Deadline for Filing Applications

Correction

In FR Doc. 73-7447 appearing at page 9588 in the issue of Wednesday, April 18, 1973, the date in the first line of the first sentence of the third paragraph should read "July 31, 1970". Also the first word in the third sentence in § 41.3(q)(4) should read "Applications".

SUBCHAPTER G—TRIBAL GOVERNMENT

PART 52—TRIBES ORGANIZED UNDER SECTION 16 OF THE INDIAN REORGANIZATION ACT

Voting by Tribal Members

Correction

In FR Doc. 73-7742 appearing at page 9999 in the issue of Monday, April 23, 1973, the date in the last sentence of the last paragraph in the preamble should be "April 23, 1973".

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 17—MEDICAL

State Home Facilities for Furnishing Nursing Home Care

Appendix A is revised to establish the maximum number of beds allowed by 38 U.S.C. 5034(1) to provide adequate nursing home care to war veterans residing in each State.

Compliance with the provisions of § 1.12, Title 38, Code of Federal Regulations, as to notice of proposed regulatory development and delayed effective date, is unnecessary in this instance and would serve no useful purpose. This amendment merely adjusts the bed quotas in each State to reflect the current war veteran population.

Immediately following § 17.176, appendix A is revised to read as follows:

APPENDIX A

(See § 17.171)

STATE HOME FACILITIES FOR FURNISHING NURSING HOME CARE

The maximum number of beds, as required by 38 U.S.C. 5034(1), to provide adequate nursing home care to war veterans residing in each State is established as follows:

State	War veteran population [1]	Number of beds
Alabama	372,000	558
Alaska	36,000	54
Arizona	241,000	361
Arkansas	222,000	333
California	2,846,000	4,269
Colorado	294,000	441
Connecticut	411,000	616
Delaware	70,000	105
District of Columbia	98,000	147
Florida	988,000	1,482
Georgia	517,000	775
Hawaii	79,000	118
Idaho	86,000	129
Illinois	1,393,000	2,089
Indiana	634,000	951
Iowa	329,000	493
Kansas	275,000	412
Kentucky	353,000	529
Louisiana	395,000	592
Maine	125,000	187
Maryland	526,000	789
Massachusetts	777,000	1,166

See footnote at end of table.

State	War veteran population [1]	Number of beds
Michigan	1,052,000	1,578
Minnesota	478,000	717
Mississippi	214,000	321
Missouri	604,000	906
Montana	89,000	133
Nebraska	171,000	256
Nevada	77,000	115
New Hampshire	104,000	156
New Jersey	976,000	1,464
New Mexico	120,000	180
New York	2,258,000	3,387
North Carolina	532,000	798
North Dakota	58,000	87
Ohio	1,347,000	2,020
Oklahoma	334,000	501
Oregon	307,000	460
Pennsylvania	1,573,000	2,359
Rhode Island	130,000	195
South Carolina	271,000	406
South Dakota	71,000	106
Tennessee	456,000	684
Texas	1,362,000	2,043
Utah	125,000	187
Vermont	54,000	81
Virginia	556,000	834
Washington	488,000	732
West Virginia	209,000	313
Wisconsin	510,000	765
Wyoming	44,000	66
Puerto Rico (Commonwealth)	130,000	195

[1] Data as of Dec. 31, 1972.

SOURCE: Reports and Statistics Service, Office of the VA Controller.

(Based on last available Bureau of the Census data.)

(72 Stat. 1114; 38 U.S.C. 210.)

This VA regulation is effective April 26, 1973.

Approved April 26, 1973.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

[FR Doc.73-8685 Filed 5-3-73;8:45 am]

Title 44—Public Property and Works

CHAPTER IV—BUREAU OF DOMESTIC COMMERCE, DEPARTMENT OF COMMERCE

PART 401—FOREIGN EXCESS PROPERTY

CROSS REFERENCE.—For a document affecting 44 CFR part 401, see FR Doc. 73-8784, 15 CFR part 302, *supra*.

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19547; FCC 73-169]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Space Telecommunications

Correction

In FR Doc. 73-3567 appearing at page 5562 of the issue for Tuesday, March 1, 1973, and corrected on page 9228 of the issue for Thursday, April 12, 1973, in the description of the Pennsylvania State University Radio Astronomy Observatory in the third line immediately following "40°00′ N." insert "and 41°40′ N.".

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 1—ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS

Delegation of Authority

To conform 23 CFR 1.37, Delegation of authority, with the "Delegation to Federal Highway Administrator" in 49 CFR 1.48, the first paragraph in § 1.37 is hereby amended to read as follows:

§ 1.37 Delegation of authority.

The Administrator has been delegated authority to perform the functions vested in the Secretary under Federal law.

* * * * *

Since this amendment merely eliminates obsolete material, notice and public procedure thereon are not required and the amendment may be made effective immediately.

Dated May 2, 1973.

R. R. BARTELSMEYER,
Acting Federal Highway Administrator.

[FR Doc.73-8970 Filed 5-3-73;8:45 am]

Proposed Rules

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 rulemaking prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Limitation of Tax Attributable to Certain Total Distributions From Qualified Plans

Notice is hereby given that the regulations with respect to the limitation on tax attributable to certain total distributions from qualified plans which were published in tentative form with a notice of proposed rulemaking in the FEDERAL REGISTER for February 27, 1971 (36 FR 3822) are withdrawn and that the regulations set forth below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by June 4, 1973. Written comments or suggestions which are not exempt from disclosure by the Internal Revenue Service may be inspected by any person upon compliance with 26 CFR 601.702(d)(9). The provisions of 26 CFR 601.601(b) shall apply with respect to the designation of portions of comments or suggestions as exempt from disclosure. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner by June 4, 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) in order to conform such regulations to section 72(n)(4) of the Internal Revenue Code of 1954 (relating to treatment of total distributions with respect to common-law employees) as added by section 515(b)(2) of the Tax Reform Act of 1969 (Public Law 91-172, 83 Stat. 645).

By a notice of proposed rulemaking appearing in the FEDERAL REGISTER for Saturday, February 27, 1971 (36 FR 3822), amendments to the Income Tax regulations (26 CFR part 1) were proposed to conform such regulations to such section. On June 2, 1971, a public hearing was held with respect to such proposed regulations. The proposed amendments contained in this document supersede the proposed amendments published on February 27, 1971.

Section 515(a)(1) of the Tax Reform Act of 1969 amended section 402(a) of the code (relating to taxability of beneficiary of exempt trust) by adding a new paragraph (5). Paragraph (5) provides that, generally, a portion of the total distributions payable from a qualified pension, profit-sharing, or stock bonus plan is to be treated as ordinary income. Section 515(a)(2) of the act made a comparable amendment to section 403(a)(2) of the code (relating to taxability of beneficiary under a qualified annuity plan), by adding a new subparagraph (C). Under prior law, the entire taxable portion of the total distributions or amounts payable with respect to an employee (other than a self-employed individual) made within 1 taxable year of the distributee, on account of death or other separation from the service, was treated as long-term capital gain.

Section 515(b)(1) of the act amended section 72(n)(1) of the code (relating to treatment of total distributions) to provide that the ordinary income portion of the total distributions or amounts payable is taxed under section 72(n). Section 515(b)(2) of the act added section 72(n)(4) of the code (relating to special rule for employees other than self-employed individuals) to provide that the ordinary income portion of the total distributions or amounts payable is accorded special 7-year income averaging treatment.

Under section 72(n)(4), the provisions of section 72(n)(2), applicable under prior law only to total distributions or amounts payable with respect to self-employed individuals, are to apply with certain modifications to total distributions or amounts payable with respect to employees other than self-employed individuals.

Under section 72(n)(4)(A), the 5-year income averaging provided by section 72(n)(2) is to be 7-year income averaging for the purpose of determining the limitation on the tax attributable to the ordinary income portion of the total distributions or amounts payable made with respect to an individual who is not self-employed. Under section 72(n)(4)(B), for purposes of determining such limitation, gross income does not include the amount received by an employee during the taxable year as compensation for personal services performed for the employer from whom he received the total distributions or amounts payable if the employer has attained age 59½, has died, or is disabled. Section 72(n)(4)(C) provides that the capital gains portion of the total distributions or amounts payable is also excluded for such purposes.

The notice of proposed rulemaking published on February 27, 1971, proposed that the provisions of new section 72(n)(4) be reflected in the regulations by the addition of a new § 1.72-19. Proposed § 1.72-19(a)(2) would have provided that the employee's or distributee's total tax for a taxable year in which an averageable distribution is included in gross income is the basic tax imposed by section 1 or 3 reduced by the excess (if any) of the portion of such basic tax attributable to the ordinary income element of the averageable distribution over the limitation on the tax on the ordinary income element of the averageable distribution. Proposed § 1.72-19(a)(3) would have provided definitions for the terms (i) averageable distribution, (ii) ordinary income element, and (iii) basic tax.

Paragraph (b) of proposed § 1.72-19 would have set forth the method for computation of the tax attributable to the ordinary income element. Under paragraph (b), the tax attributable was to be determined on the basis of the average rate of tax to which the taxpayer's income would be subject if section 72(n) were not enacted. The modifications to gross income provided in section 72(n)(4)(B) and (C) were not to be made for purposes of computing the tax attributable but were to be made only for purposes of computing the limitation on such tax under section 72(n)(2)(A) and paragraph (c) of proposed § 1.72-19.

The notice of proposed rulemaking published on February 27, 1971 (36 FR 3822), is hereby withdrawn. The revised amendments to the income tax regulations (26 CFR part 1) contained in this document reflect a different method of computing the tax on the portion of a total distribution to which section 72(n)(4) applies. These revised regulations adopt the method in § 1.72-18 of the income tax regulations (26 CFR part 1) dealing with the treatment of certain total distributions with respect to self-employed individuals, but with the modifications of section 72(n)(4).

Accordingly, paragraph (c)(1) of proposed § 1.72–19 provides that the tax on the ordinary income element of a total distribution is in general the greater of: (1) 7 times the increase in tax which would result from including in gross income one-seventh of such ordinary income element, or (2) 7 times the tax that would be imposed if taxable income were one-seventh of the excess of such ordinary income element over the deductions allowed by section 151 of the Internal Revenue Code of 1954 (relating to deduction for personal exemptions).

Paragraph (c)(2) of proposed § 1.72–19 reflects the provisions of section 72(n)(4) (B) and (C) of the code, which provide for modification of gross income with respect to compensation for personal services received by an employee during the taxable year in which he receives total distributions or amounts payable, and with respect to the capital gain element of the total distributions or amounts payable, respectively.

Paragraph (d) of proposed § 1.72–19 provides rules where amounts received are subject to the averaging provisions of § 1.72–18 as well as § 1.72–19.

In order to conform the Income Tax regulations (26 CFR part 1) to section 72(n)(4) of the Internal Revenue Code of 1954 (relating to treatment of total distributions), as added by section 515(b)(2) of the Tax Reform Act of 1969 (Public Law 91–172, 83 Stat. 643), such regulations are hereby amended as follows:

PARAGRAPH 1. Section 1.72 is amended by revising so much of section 72(n) as precedes paragraph (2) thereof, by adding a new paragraph (4) to section 72(n), and by revising the historical note. These revised and added provisions read as follows:

§ 1.72 Statutory provisions; annuities; certain proceeds of endowment and life insurance contracts.

SEC. 72. *Annuities; certain proceeds of endowment and life insurance contracts* * * *

(n) *Treatment of total distributions.*—(1) *Application of subsection.*—(A) *General rule.*—This subsection shall apply to amounts—

(i) Distributed to a distributee, in the case of an employees' trust described in section 401(a) which is exempt from tax under section 501(a), or

(ii) Paid to a payee, in the case of an annuity plan described in section 403(a), if the total distributions or amounts payable to the distributee or payee with respect to an employee (including an individual who is an employee within the meaning of section 401(c)(1)) are paid to the distributee or payee within 1 taxable year of the distributee or payee, but only to the extent that section 402(a)(2) or 403(a)(2)(A) does not apply to such amounts.

(B) *Distributions to which applicable.*—This subsection shall apply only to distributions or amounts paid—

(i) On account of the employee's death,

(ii) With respect to an individual who is an employee without regard to section 401(c)(1), on account of his separation from the service,

(iii) With respect to an employee within the meaning of section 401(c)(1), after he has attained the age of 59½ years, or

(iv) With respect to an employee within the meaning of section 401(c)(1), after he has become disabled (within the meaning of subsection (m)(7)).

(C) *Minimum period of service.*—This subsection shall apply to amounts distributed or paid to an employee from or under a plan only if he has been a participant in the plan for 5 or more taxable years prior to the taxable year in which such amounts are distributed or paid.

(D) *Amounts subject to penalty.*—This subsection shall not apply to amounts described in clauses (ii) and (iii) of subparagraph (A) of subsection (m)(5) (but, in the case of amounts described in clause (ii) of such subparagraph, only to the extent that subsection (m)(5) applies to such amounts).

* * * * *

(4) *Special rule for employees without regard to section 401(c)(1).*—In the case of amounts to which this subsection applies which are distributed or paid with respect to an individual who is an employee without regard to section 401(c)(1), paragraph (2) shall be applied with the following modifications:

(A) "7 times" shall be substituted for "5 times", and "14⅔ percent" shall be substituted for "20 percent".

(B) Any amount which is received during the taxable year by the employee as compensation (other than as deferred compensation within the meaning of section 404) for personal services performed for the employer in respect of whom the amounts distributed or paid are received shall not be taken into account.

(C) No portion of the total distributions or amounts payable (of which the amounts distributed or paid are a part) to which section 402(a)(2) or 403(a)(2)(A) applies shall be taken into account.

Subparagraph (B) shall not apply if the employee has not attained the age of 59½ years, unless he has died or become disabled (within the meaning of subsection (m)(7)).

* * * * *

[Sec. 72 as amended by sec. 4 (a), (b), Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 821); sec. 11(b), rev. act 1962 (76 Stat. 1005); sec. 232(b), rev. act 1964 (78 Stat. 110); sec. 809(d)(2), Excise Tax Reduction Act 1965 (79 Stat. 167); sec. 106(d)(2), Social Security Amendments 1965 (79 Stat. 337); sec. 1(b), act of Mar. 8, 1966 (Public Law 89–365, 80 Stat. 32); sec. 515(b), Tax Reform Act 1969 (83 Stat. 644).]

PAR. 2. Section 1.72–18 is amended by revising paragraph (a) to read as follows:

§ 1.72–18 Treatment of certain total distributions with respect to self-employed individuals.

(a) *In general.*—The Self-Employed Individuals Tax Retirement Act of 1962 permits self-employed individuals to be treated as employees for purposes of participation in pension, profit-sharing, and annuity plans described in sections 401(a) and 403(a). In general, amounts received by a distributee or payee which are attributable to contributions made on behalf of a participant while he was self-employed are taxed in the same manner as amounts which are attributable to contributions made on behalf of a common-law employee. However, such amounts which are paid in 1 taxable year representing the total distributions payable to a distributee or payee with respect to an employee, are not eligible for the capital gains treatment of section 402(a)(2) or 403(a)(2). This section sets forth the treatment of such distributions, except where such a distribution is subject to the penalties of section 72(m)(5) and paragraph (e) of § 1.72–17. If a distributee or payee receives, in a taxable year ending after December 31, 1969, a distribution to which § 1.72–19 (relating to treatment of certain total distributions with respect to common-law employees) applies and a distribution to which this section applies, see paragraph (d) of § 1.72–19.

* * * * *

PAR. 3. The following new section is added immediately after § 1.72–18:

§ 1.72–19 Treatment of certain total distributions with respect to common-law employees.

(a) *In general.*—Sections 402(a)(5) and 403(a)(2)(C) limit the extent to which a total distribution or amount payable may be treated as long-term capital gain under sections 402(a)(2) and 403(a)(2)(A), respectively, in the case of a distribution or payment with respect to an individual who is an employee without regard to section 401(c)(1). Section 72(n)(2), subject to the modifications of section 72(n)(4), provides a limitation on the tax attributable to the portion of a distribution or payment which, by reason of section 402(a)(5) or 403(a)(2)(C), is income which is not treated as long-term capital gain. This section provides rules for determining that limitation. This section applies for taxable years ending after December 31, 1969.

(b) *Distributions to which this section applies.*—(1) Except as provided in subparagraph (2), this section shall apply to the ordinary income element of the total distributions or amounts payable determined under section 402(a)(2) and (5), or 403(a)(2)(A) and (C), and the regulations thereunder.

(2) This section shall apply to amounts distributed or paid to an employee from or under a plan only if he has been a participant in the plan for 5 or more taxable years prior to the taxable year in which such amounts are distributed or paid.

(c) *Computation of tax.*—(1) *In general.*—For a taxable year, the tax on an ordinary income element to which this section applies is the greater of—

(i) Seven times the increase in tax which would result from the inclusion in gross income (determined in accordance with section 72(n)(4)(B) and (C) and subparagraph (2) of this paragraph) of the recipient of one-seventh of such element, or

(ii) Seven times the increase in tax which would result if the taxable income of the recipient for such taxable year equaled one-seventh of the excess of such element over the deductions allowed the recipient for such taxable year under section 151 (relating to deduction for personal exemptions).

In any case in which the application of paragraph (c)(2)(ii) of this section results in an increase in taxable income for

any taxable year, the resulting increase in taxes imposed by section 1 or 3 (or section 1201, if applicable) for such taxable year shall be reduced by the credit against tax provided by section 31 (relating to tax withheld on wages) and section 39 (relating to certain uses of gasoline, special fuels, and lubricating oil), but shall not be reduced by any other credits against tax.

(2) *Exclusions from gross income.*—For purposes of paragraph (c)(1)(i) of this section, gross income does not include—

(i) The capital gain element of the total distributions or amounts payable (determined under section 402(a)(2) and (5) or 403(a)(2)(A) and (C) and the regulations thereunder), and

(ii) If the employee with respect to whom such total distributions or amounts payable are made died or became disabled (within the meaning of section 72(m)(7) and paragraph (f) of § 1.72–17) or has attained the age of 59½ years before any portion of such distributions or payments is distributed or paid, any compensation (other than deferred compensation within the meaning of section 404 and the regulations thereunder) received during the taxable year by such employee for personal services performed as an employee for the employer who maintains the plan under which such distributions or payments are made.

(3) *Example.*—(i) On June 25, 1973, A, an employee of B corporation, retires at age 67 and receives a total distribution from an employees' trust described in section 401(a) which is exempt from tax under section 501(a). A, a cash basis taxpayer, files a joint return with his wife, age 66, for the calendar year 1973. A has the following items of gross income and deduction for the year:

Total distribution:		
Ordinary income element	$14,000	
Capital gain element	30,000	
		$44,000
Salary (described in section 72(n)(4)(B))		8,000
Interest income		10,000
Charitable contribution		700
Real property taxes on personal residence		600

(ii) The limitation on the tax on the ordinary income element is $2,261, determined in the following manner:

(*a*) *Computation under paragraph (c)(1)(i) of this section.*

Gross income without regard to total distribution and salary		$10,000
Deductions:		
Standard deduction	$1,500	
Personal exemptions	3,000	
		4,500
Taxable income		5,500
Tax under section 1 on $5,500		905
Gross income without regard to total distribution and salary	10,000	
One-seventh ordinary income element	2,000	
Gross income		12,000
Deductions:		
Standard deduction	1,800	
Personal exemptions	3,000	
		4,800
Taxable income		7,200
Tax under section 1 on $7,200		1,228

Accordingly, the increase in the tax imposed by section 1 resulting from including one-seventh of the ordinary income element in gross income without regard to the total distribution and salary is $323 ($1,228 minus $905). Thus, the limitation under paragraph (c)(1)(i) of this section is 7 times such increase, or $2,261.

(*b*) *Computation under paragraph (c)(1)(ii) of this section.*

Excess of ordinary income element over personal exemptions	$11,000
One-seventh of excess	1,571
Tax under section 1 on one-seventh of excess	226

Accordingly, the limitation under paragraph (c)(1)(ii) of this section is 7 times such tax, or $1,582. Because the amount determined under paragraph (c)(1)(i) of this section exceeds the amount determined under paragraph (c)(1)(ii) of this section, the limitation provided in paragraph (c) of this section on the tax attributable to the ordinary income element is $2,261.

(iii) A's tax liability for the taxable year without regard to the ordinary income element of the total distribution is $7,100, determined in the following manner:

One-half of portion of total distribution treated as capital gain under section 402(a)(2)		$15,000
Salary		8,000
Interest income		10,000
Adjusted gross income		33,000
Deductions:		
Standard deduction	$2,000	
Personal exemptions	3,000	
		5,000
Taxable income		28,000
Tax under section 1 on $28,000		7,100

(iv) A's total tax liability for the taxable year 1973 is $9,361 which is the sum of the tax computed without regard to the ordinary income element of the total distribution ($7,100), and the limitation on the tax on the ordinary income element of the total distribution ($2,261).

(d) *Self-employed individuals.*—The total tax for a taxable year in which a distributee or payee receives a distribution or payment which includes an ordinary income element to which this section applies, and a distribution or payment to which § 1.72–18 (relating to the treatment of certain total distributions with respect to self-employed individuals) applies is the sum of—

(1) The tax on the amount to which § 1.72–18 applies, determined under paragraph (d) of § 1.72–18 by excluding from gross income the ordinary income element to which this section applies,

(2) The tax on the ordinary income element to which this section applies, determined under paragraph (c) of this section by excluding from gross income the amount to which § 1.72–18 applies, and

(3) The tax imposed by section 1 or 3 (or section 1201, if applicable) determined by excluding from gross income the ordinary income element to which this section applies and the amount to which § 1.72–18 applies.

[FR Doc.73-8771 Filed 5-3-73;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority

[17 CFR Part 1]

PROHIBITED TRADING IN "PUTS" AND "CALLS" IN NONREGULATED COMMODITIES

General Regulations Under the Commodity Exchange Act; Public Hearing

On March 7, 1973, the following notice appeared in the FEDERAL REGISTER (38 FR 6190):

Notice is hereby given in accordance with administrative procedure provisions of 5 U.S.C. section 553 that the Secretary of Agriculture, pursuant to the authority of sections 3, 4f, and 8a of the Commodity Exchange Act (7 U.S.C. 5, 6f and 12a), is considering adding a new § 1.19 to part 1 of the regulations under the Commodity Exchange Act (17 CFR part 1) to read as set forth below. The purpose of the proposed regulation is to protect regulated commodity markets and the funds of persons trading in regulated commodities through registered futures commission merchants. A growing list of firms is reportedly selling "puts" and "calls," commonly referred to as commodity options, on a large and expanding scale. It appears that the vast majority of the option business is being done in the so-called naked options in which the option firm takes the opposite side of its customers' "puts" and "calls." In a situation of this type, the potential liability of the option firm, as a result of adverse price movements, is virtually unlimited.

Trading in "puts" and "calls" has been a concern of the Federal and State Governments and of the exchanges for many years. As early as 1874, the State of Illinois prohibited trading in options. Later, the Illinois law was changed to permit such trading. In 1921, the directors of the Chicago Board of Trade recommended that trading in "puts" and "calls" be prohibited, stating that its advantages were outweighed by its disadvantages. That same year, the U.S. Congress passed the Futures Trading Act which, by levying a 20-cent-per-bushel tax, effectively prohibited options in grains. This act was declared unconstitutional in 1926 and trading was resumed.

Following a sensational price collapse in the grain futures markets on July 19 and 20, 1933, the Chicago Board of Trade suspended all trading in "puts" and "calls." At that time, exchange representatives asserted that the elimination of such trading "has removed one of the prime causes of excessive price movements." The permanent elimination of trading in "puts" and "calls" was one of the "reforms" which a committee representing the grain exchanges pledged to recommend to the respective exchanges. In 1936, the Commodity Exchange Act was amended to make illegal all trading in "puts" and "calls" in regulated commodities. Such trading has been outlawed continuously since that time.

Option trading could become a threat to the financial stability of registered futures commission merchants. If such firms should underwrite, issue, or otherwise assume financial responsibility for the fulfillment of commodity options and suffer major financial reverses, the possibility of which is inherent in the present option system, the firm's customers trading in regulated commodities could suffer. With a sudden demand for funds to pay option holders or to secure the futures contracts called for by the options, a futures commission merchant might become insolvent and be sorely tempted to dip into the funds of customers dealing in regulated commodities to meet its obligations to option holders.

In addition, a collapse of the option business with substantial losses to option holders would seriously damage public confidence in the entire brokerage industry and the whole system of futures trading which is so essential in the orderly production and marketing of commodities.

Section 1.19 *Prohibited trading in "puts" and "calls" in nonregulated commodities.*—No futures commission merchant shall make, underwrite, issue, or otherwise assume any financial responsibility for the fulfillment of, any transaction which is, is of the character of, or is commonly known to the trade as, a "privilege," "indemnity," "bid," "offer," "put," "call," "advanced guarantee," or "decline guarantee" in any commodity regardless of whether such commodity is included in the term "commodity" as such term is defined in §1.3(e).

If any interested person desires a hearing with reference to this proposed regulation, he should make a request to that effect stating the reasons therefor, addressed to the Administrator, Commodity Exchange Authority, U.S. Department of Agriculture, Washington, D.C. 20250, on or before April 9, 1973.

Written statements with reference to the subject matter of this proposal may be submitted by any interested person. Such statements should be mailed to the Administrator of the Commodity Exchange Authority prior to April 9, 1973.

The transcript of the proceedings at any hearing which may be held and all written submissions made pursuant to this notice will be made available for public inspection in the office of the Administrator, Commodity Exchange Authority, during regular business hours.

Issued March 2, 1973.

ALEX C. CALDWELL,
Administrator,
Commodity Exchange Authority.

Pursuant to the above notice, several interested persons have requested a hearing.

Notice is hereby given that an oral public hearing on this proposed regulation will be held commencing at 10 a.m., local time, on May 23, 1973, in room 6451 of the South Building, U.S. Department of Agriculture, 14th Street and Independence Avenue SW., Washington, D.C., at which all interested persons will be given adequate opportunity to express their views. The presiding officer at the hearing will be the Administrator of the Commodity Exchange Authority.

The purpose of the hearing is to determine whether by making, underwriting, issuing, or otherwise assuming any financial responsibility for the fulfillment of transactions commonly known as "privileges," "indemnities," "bids," "offers," "puts," "calls," "advance guarantees" or "decline guarantees" in any commodity, a futures commission merchant registered under the Commodity Exchange Act could subject himself to financial risks which could result in losses to his customers trading in regulated commodities or in his failure to meet minimum financial requirements established under the act and the regulations issued thereunder or minimum financial requirements of an exchange of which he is a member.

The proposed regulation would not bar the solicitation or acceptance of orders for "puts" or "calls" or similar transactions by futures commission merchants or any other person in commodities not regulated under the Commodity Exchange Act so long as such futures commission merchants do not make, underwrite, or issue such transactions or otherwise assume any financial responsibility for the fulfullment thereof, and would not otherwise prohibit exchanges from conducting trading in such transactions. This hearing is, therefore, not designed to explore the economic justification, if any, of "puts" and "calls," the advantages or disadvantages of such transactions, or the need, if any, for the regulation or banning of transactions of this type.

Any interested person may present any views, data, or arguments he wishes to offer at the hearing. It will facilitate the hearing if persons who wish to testify at it will notify the Administrator of the Commodity Exchange Authority as soon as possible to that effect, stating how much time they would like to have to present their testimony. However, any person who wishes to testify at the hearing will be afforded an opportunity to do so, whether he has given such advance notice or not. The hearing will be open to the public. A stenographic transcript will be made of the hearing.

Any person who wishes, in addition to or in lieu of testimony at the oral hearing, to submit written data, views, or arguments on the proposed regulation may do so by filing them with the Administrator, Commodity Exchange Authority, U.S. Department of Agriculture, Washington, D.C. 20250, on or before the date of the hearing. Comments already filed need not be resubmitted. All written submissions made pursuant to this notice, and the transcript of the above-noticed hearing, will be available for public inspection in the office of the Administrator, Commodity Exchange Authority, U.S. Department of Agriculture, Washington, D.C. 20250, between the hours of 8:30 a.m. and 5 p.m. on any business day.

After the hearing, the Department will evaluate all revelant material presented at the hearing, submitted in writing, or otherwise in its possession, and will determine what actions should be taken on the proposed regulation.

Issued April 30, 1973.

ALEX C. CALDWELL,
Administrator,
Commodity Exchange Authority.

[FR Doc.73-8872 Filed 5-3-73;8:45 am]

Animal and Plant Health Inspection Service

[9 CFR Parts 301, 316, 317, 319]

TEXTURED VEGETABLE PRODUCTS IN MEAT PRODUCTS

Proposed Definitions

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553 that the Department of Agriculture, pursuant to the authority conferred by sections 7 and 21 of the Federal Meat Inspection Act, as amended (21 U.S.C. 607 and 621) proposes to amend the Federal meat inspection regulations (9 CFR, chapter III, subchapter A) to define "Textured Vegetable Product," and to provide standards, marking and labeling requirements for certain meat food products containing textured vegetable products.

Statement of considerations.—Textured vegetable products are produced in a wide range of shapes, colors, and particle sizes. These products are frequently used as ingredients of many different kinds of meat food products prepared by federally inspected plants. Because of their structural and physical properties, the textured vegetable product ingredients retain conformation integrity during and following the usual processing of the meat food products by hydration, cooking, and retort processing. The individual pieces of such textured vegetable products, when hydrated, closely resemble meat particles. This similarity in appearance is accentuated when the textured vegetable products absorb fat and gravies, sauces, or other liquids of the meat products in which they are components. Under these circumstances, the particles of meat and textured vegetable product are indistinguishable, and if the textured vegetable product is present in a certain form and a significant amount, the meat food products may appear to contain more meat than they actually do. Therefore the names for these products would appear to be misleading unless they included references to these principal characterizing ingredients. However the particles can be reduced in size by chopping, grinding or similar processing so that they would not be evident in the finished meat food products and therefore the appearance of the product would not seem to be misleading to consumers. Special product names for such products do not appear to be necessary to avoid misleading labeling.

The proposed amendments would provide for the use of textured vegetable products in meat food products prepared at federally inspected plants, and provide for marking and labeling to insure the accurate and descriptive identification of the products to consumers.

PART 301—DEFINITIONS

Part 301 would be amended by adding new paragraphs to § 301.2 to read:

§ 301.2 Definitions.

* * * * *

(000)–(qqq) [Reserved]

(rrr) *Textured vegetable products.*—Any formed units of fabricated food products that are made from processed plant protein fit for human food and that are characterized by having structural integrity and identifiable texture so that the individual formed units will not be reduced in size by hydration, cooking, or retort processing.

(sss) *Large particle (in relation to textured vegetable product).*—A particle that will not pass through a number 16 screen mesh (i.e. one having 16 frames per linear inch).

(ttt) *Small particle (in relation to textured vegetable product).*—Any particle other than a large particle.

PART 316—MARKING PRODUCTS AND THEIR CONTAINERS

Part 316 would be amended by adding a new paragraph (h) to § 316.11 to read:

§ 316.11 Special markings for certain meat food products.

* * * * *

(h) When any large particle textured vegetable product is used as an ingredient of any meat food product in casings as permitted in § 319.900 of this subchapter but exceeds the percentage limitations set forth in § 319.900(c) and the textured vegetable product remains in large particle form in the finished meat food product, the common name of the textured vegetable product ingredient shall be declared in the name of the meat food product which shall be marked on the casings, as for example: "Chili with Textured Vegetable Product." If such textured vegetable product ingredients are artificially colored, the meat food product name shall state that fact. The specific ingredient(s) of any textured vegetable product used as an ingredient in any meat food product in casings shall be declared in the ingredients statement applied to the product, as for example: "Textured Vegetable Product" (soy flour, salt, caramel coloring).

PART 317—LABELING, MARKING DEVICES, AND CONTAINERS

Part 317 would be amended by adding a new subparagraph (31) to paragraph (b) of § 317.8 to read:

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

* * * * *

(b) * * *

(30) [Reserved]

(31) When any large particle textured vegetable product is used as an ingredient of any meat food product as permitted in § 319.900 of this subchapter but exceeds the percentage limitations set forth in § 319.900(c) and the textured vegetable product remains in large particle form in the finished meat food product, the common or usual name of the textured vegetable product ingredient shall be declared in the name of the meat food product which shall be shown in accordance with § 317.2 of this subchapter on the labels of the meat food product, as for example: "Beef Stew with Textured Vegetable Product." If such textured vegetable product ingredients are artificially colored, the meat food product name shall state that fact. The specific ingredient(s) of any textured vegetable product used as an ingredient in any meat food product shall be declared in the ingredients statement on the label of the meat food product, as for example: "Textured Vegetable Product" (soy flour, salt, caramel coloring).

PART 319—DEFINITIONS AND STANDARDS OF IDENTITY OR COMPOSITION

Part 319 would be amended by adding thereto a new subpart V heading and a new § 319.900 to read, respectively:

Subpart V—Meat Food Products Containing Textured Nonmeat Ingredients

§ 319.900 Meat food products containing textured vegetable product.

(a)(1) The standards appearing in any other section of this part, for any products within any of the classes specified in the chart in paragraph (c) of this section, are hereby modified to permit the use of textured vegetable product as an optional ingredient in such products as specified in paragraph (a)(2) of this section.

(2) Colored or uncolored textured vegetable product can replace part or all of the plant-base or dairy-base materials permitted in any product, within any class specified in the chart in paragraph (c) of this section, under a standard for such product appearing in any other section of this part. For example 5 percent of textured vegetable product and 3 percent of starch (or any other combination totaling 8 percent) or 8 percent of textured vegetable product, could replace the total of 8 percent cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk and/or calcium reduced dried skim milk permitted in chili under the standard for chili in § 319.300.

(3) Textured vegetable product may also replace part or all of the plant-base or dairy-base materials that are common or usual in any product within any class specified in the chart in paragraph (c) of this section, for which no standard appears in any other section of this part but which has a common or usual name.

(b) All products containing textured vegetable product as permitted by this section shall be marked and labeled as required by paragraph (c) of this section and shall otherwise be marked, labeled, and prepared as prescribed in § 319.1.

(c) If the formula for a meat food product contains large particle textured vegetable product in excess of the applicable maximum percentage specified in the chart in this paragraph, and the textured vegetable product remains in large particle form in the finished meat food product, the meat food product shall be marked and labeled as required by § 316.11(h) and § 317.8(b)(31) of this subchapter to declare the presence of the textured vegetable product in the product name and in the ingredients statement in the labeling of the meat food product. If the formula contains large particle textured vegetable product but such percentage is not exceeded, or if the formula or the finished meat food product contains only small particle textured vegetable product, a declaration of the textured vegetable product is required only in the ingredients statement in the labeling of the meat food product, as for example: "Textured Vegetable Product" (soy flour, salt, caramel coloring), as provided in § 316.11 (h) and § 317.8(b)(31).

Product type	Examples	Percent of large particle textured vegetable product
High meat product (not including sausage).	Meat loaves for baking or meat loaf mixes for baking, meatballs or meatball mixes, pizza with meat toppings or pizza with meat topping mixes, salisbury steaks.	5
Meat with gravy (or sauce).	Sliced beef and gravy	4
Sauce (or gravy) with meat.	Chili, sauce or gravy with sliced meat, sauce or gravy with ground beef.	3
Meat salads or hashes.	Meat salad or meat salad spread, roast beef hash.	3
Sauce (or gravy), meat and vegetables.	Meat pie, chili with beans, or meat stew.	2
Starch (or beans) with meat in sauce.	Spaghetti with meat in sauce, macaroni with meat in sauce, chili macaroni, beans with ham (or bacon) in sauce.	1
Meat sauce	Spaghetti sauce with meat or chili sauce with meat, hot dog sauce with meat.	½

Any person wishing to submit written data, views, or arguments concerning the proposed amendments may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by July 6, 1973.

Any person desiring opportunity for oral presentation of views should address such requests to the Product Standards Staff, Scientific and Technical Services, Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250, so that arrangements can be made for presentation of such views before the date specified in the preceding paragraph. A record will be made all views orally presented.

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

treatment will be held confidential (7 CFR 1.27(c)).

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

Done at Washington, D.C., on April 27, 1973.

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

[FR Doc.73-8752 Filed 5-3-73;8:45 am]

[Parts 316, 317]

MEAT PRODUCTS LABELING

Proposed Changes to "Imitation" Labeling

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553 that the Animal and Plant Health Inspection Service is considering amending parts 316 and 317 of the meat inspection regulations (9 CFR parts 316, 317), pursuant to the Federal Meat Inspection Act, as amended (21 U.S.C. 601 et seq.), to provide alternative marking and labeling requirements to the term "imitation" for products that do not comply with standards for products they resemble.

Statement of considerations.—During the past decade the food industry has developed new methods of using ingredients that have been available for many years, as well as uses for ingredients which are, themselves, new products. These new manufacturing methods and new ingredients can add greatly to the quality of life of the American consumer through their potential for making more nutritious, appealing, and economical meat food products available. In recognition of this potential, the participants in the White House Conference on Food, Nutrition and Health recommended adjustments in regulatory policies which would enable innovation in food product manufacture while protecting the consumer's right to make a knowledgeable value judgment at the time of purchase.

A labeling system is needed which will fully inform the consumer of the nature and composition of meat food products that are made from ingredients that are either new or are used in a new way. Since there are many alternate ingredients available which may closely resemble each other, and products made from new ingredients or by new uses of previously known ingredients may resemble products for which standards or common or usual names are established, the information on the label of such innovative products must be very explicit.

It appears that the most effective way to provide full consumer information while allowing flexibility in product manufacture is to require such products to be labeled with quantitative statements of each ingredient that occurs in a significant amount, in immediate apposition to fanciful names or descriptive names, or both. This would be provided for in the proposed amendments.

Under the proposal, products which resemble other products for which standards are prescribed or common or usual names are established and which do not bear fanciful or descriptive names and quantitative ingredients statements needed to differentiate them or which do not meet the proposed nutritional requirements, would be required to bear the word "Imitation" in the product name.

The proposed amendments are as follows:

1. Part 301 would be amended by adding a new paragraph to § 301.2 to read:

§ 301.2 Definitions.

* * * * *

(jjj) *Fanciful name.*—The trade name or other coined name for a food, which is nondescriptive and indicates the source (i.e. manufacturer, packer, or distributor) of the food.

* * * * *

2. Section 316.11(a) would be amended to read:

§ 316.11 Special markings for certain meat food products.

(a) (1) Except as provided in this paragraph (a), meat food products prepared in casing or link form (whether or not thereafter subdivided), which resemble sausage but do not conform to the standards for sausage in part 319 of this subchapter, shall bear, on each link or piece, the word "Imitation" prominently displayed.

(2) Imitation sausage in casing or link form, packed in containers labeled as "Imitation" and otherwise in accordance with part 317 of this subchapter and having a capacity of 3 pounds or less and of a kind usually sold at retail intact, need not be marked with the word "Imitation" on each link or piece if no other marking or labeling is applied directly to the product.

(3) Any meat food products in casings or link form that resemble sausage but do not conform to the standards for sausage in part 319 of this subchapter need not be marked with the word "Imitation" if they bear on each link or piece a fanciful name, such as "Lushus Pup" or "Tasty Treat," and/or a descriptive name, such as "meat and isolated soy protein stick" or "beef and soy protein concentrate product," approved by the Administrator under § 317.4 of this subchapter as not false or misleading, and if they otherwise meet the requirements of this subparagraph, or if they are in a container having a capacity of 3 pounds or less and of a kind usually sold at retail intact and such container bears such information and the products otherwise meet the requirements of this subparagraph. Such products shall bear (directly thereon or on their containers as provided in this subparagraph), adjacent to the fanciful and/or descriptive name, a conspicuous ingredient statement that states the percentage of each ingredient except that ingredients of the same class (for example, spices or flavorings) can be grouped together for purposes of such ingredient statement. The quality and quantity of protein and the quantity of minerals and vitamins in such product must be within the range of 90 to 150 percent of each of these nutritional properties in the sausage it resembles. The nutritional values for sausages, specified in USDA Handbook 8,[1] will be used in determining whether a product subject to this subparagraph contains the quantities of protein, minerals, and vitamins required under this subparagraph. The protein quality values for the products to be compared for nutritional equivalency shall be determined on the basis of the protein efficiency ratio (PER) of the finished meat food products as established by use of the AOAC method "Biological Evaluation of Protein Quality."[2]

(4) The following products in casing or link form are not regarded as imitations of sausage or other products and shall not be marked as "Imitation" if they conform to any applicable standard in part 319 of this subchapter or, if there are none, contain only such ingredients as are common or usual to such products: Coppa; capocollo; lachschinken; bacon; pork loins; pork shoulder butts, and similar cuts of meat which are prepared without added substances other than curing materials or condiments; meat rolls, bockwurst, and similar products which do not contain cereal or vegetables; headcheese; souse; sulze; scrapple; blood pudding; liver pudding; chili con carne; meat and cheese products prepared with sufficient cheese to distinguish them in appearance from other meat food products; and loaves containing meat and ingredients such as macaroni, olives, or similar ingredients in sufficient amounts to distinguish them in appearance from other meat food product.

* * * * *

3. Section 317.2(c)(1) would be revised, and paragraph (j)(13) added, to read:

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[1] USDA Handbook 8 is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20202, upon payment therefor and is available for inspection at the Product Standards Staff, Scientific and Technical Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250. A copy of Handbook 8 is filed with the Office of the Federal Register as an attachment to the copy of this document on file with said Office. Copies of the pertinent portions of the handbook may be obtained upon request to the Administrator, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250.

[2] AOAC, 11th ed., 1970, §§ 39.166-39.170, p. 800. Published by the Association of Official Analytical Chemists, P.O. Box 540, Benjamin Franklin Station, Washington, D.C. 20044. A copy of said publication is also available for inspection at the Product Standards Staff (for address, see footnote 1). A copy of the pertinent portions of said publication is filed with the Office of the Federal Register as an attachment to the copy of this document on file with said Office. Copies of such portions may be obtained from the Administrator, Animal and Plant Health Inspection Service (for address, see footnote 1).

§ 317.2 Labels: Definition; required features.

* * * * *

(c) (1) The name of the product, which in the case of a product which purports to be or is represented as a product for which a definition and standard of identity or composition is prescribed in part 319 of this subchapter, shall be the name of the food specified in the standard, and in the case of any other product shall be the common or usual name of the food, if any there be, and if there is none, a truthful descriptive designation, as prescribed in paragraph (e) of this section or a fanciful name and/or descriptive name as prescribed in subparagraph (j) (13) of this section.

* * * * *

(j) (13) A product resembling a product for which there is a common or usual name or a standard set forth in part 319 of this subchapter, but which contains an ingredient or ingredients which differ from the ingredients that are permitted by the standard or if there is no applicable standard, that are common or usual in the product resembled, may be labeled, in lieu of "Imitation," with a fanciful and/or descriptive name adequate to differentiate such product from the product it resembles, for instance "Lushus Pup," "Tasty Treat," "meat and isolated soy protein stick," "beef and soy protein concentrate product," "pork and soy flour chunk," or "beef and nonfat dry milk bits." The label of such a product shall bear a conspicuous ingredients statement, adjacent to the fanciful and/or descriptive name, that states the percentage of each ingredient and shows the other labeling features required by this part. However, ingredients of the same class (for example, spices of flavorings) can be grouped together for purposes of the ingredients statement. The quality and quantity of protein and the quantity of minerals and vitamins in such product must be within the range of 90 to 150 percent of each of these nutritional values of standardized products and products for which there are common and usual names, specified in USDA Handbook 8,[3] will be used in determining whether a product within this subparagraph contains the quantities of protein, minerals, and vitamins required under this subparagraph. The protein quality values for the products to be compared for nutritional equivalency shall be the Protein Efficiency Ratio (PER) AOAC Method "Biological Evaluation of Protein Quality"[4] of the finished meat food products.

* * * * *

[3] USDA Handbook 8 is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20202, upon payment therefor. See also § 316.11, footnote 1.

[4] AOAC, 11th ed., 1970, §§ 39.166–39.170, p. 800. Published by the Association of Official Analytical Chemists, P.O. Box 540, Benjamin Franklin Station, Washington, D.C. 20044. See also § 316.11, footnote 2.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them in duplication with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by July 6, 1973. Comments on the proposal should bear a reference to the date and page number of this issue of the FEDERAL REGISTER.

Persons desiring opportunity for oral presentation of views on this proposal should address such requests to the Product Standards Staff, Scientific and Technical Services, Animal and Plant Health Inspection Service, Washington, D.C. 20250, so that arrangements may be made for presentation of such views by July 6, 1973. A record will be made of all views presented orally.

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

Done at Washington, D.C., on April 27, 1973.

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

[FR Doc.73-8754 Filed 5-3-73;8:45 am]

[9 CFR Part 319]

REQUIREMENTS FOR MEAT PATTIES AND MEAT PATTY MIXES AND SIMILAR ARTICLES

Proposed Standards and Labeling

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553 that the Animal and Plant Health Inspection Service of the Department of Agriculture, pursuant to the authority conferred by sections 7 and 21 of the Federal Meat Inspection Act, as amended (21 U.S.C. 607, 621), proposes to amend § 319.15 of the Federal meat inspection regulations (9 CFR 319.15) and to add a new § 319.70 to the regulations to establish standards and labeling requirements for meat patties and meat patty mixes and similar articles.

Statement of considerations.—On June 17, 1970, there appeared in the FEDERAL REGISTER (35 FR 9931) a notice of proposed rulemaking to amend part 328 of the meat inspection regulations to set standards for meat patties and similar products including products that contain water, extender and binder materials, and meat byproducts.

The Department received 533 comments on the proposed regulation for patty products. Although the comments were varied, two concerns were evident: (1) Consumers and users desire full, descriptive, and informative labeling on patty products; (2) food processors desire to prepare products to meet all market demands.

The comments made during rulemaking did not provide the Department with significant new information about patty products. Most consumers and consumer groups endorsed descriptive labeling and some recommended percentage labeling. There were objections to the addition of any water, extender, or byproduct ingredients to meat patties. The comments from health specialists emphasized the need for informative labeling because of specific food allergies and cited several reasons in support of a recommendation of a maximum fat limit of 30 percent in patty products.

Some comments addressed objections to the limitations on extender and water ingredients at the amounts proposed, 3½ and 3 percent, respectively. There was no consensus, however, on the quantities of such ingredients that should be permitted.

Based on the data, views, and arguments submitted on the notice and other information available, the Department now proposes to amend the regulations to provide standards for two categories of patty products. Under the proposed regulations, products labeled "Meat Patties" would be made from meat and would not contain water, binder and/or extender materials and/or other nonmeat substances, poultry products, or meat byproducts, except a limited amount of fat. Products labeled "Patties with Meat" would be made with at least 60 percent meat and could contain water, binder and/or extender materials, poultry products and meat byproducts and the ingredients statement would be required to show the percentage of each ingredient, except for seasoning and flavoring materials of the same class which could be combined for percentage label declaration purposes. The protein quantity and quality in "Patties with Meat" would be not less than 90 percent equivalent to these nutritional values in a "Meat Patty." As an ingredient of "Patties with Meat" "meat" would mean boneless and skinless meat with fat content of not more than 30 percent.

The proposed 60 percent meat content requirement for "Patties with Meat," and "Patty Mix with Meat" is based on composition information associated with 299 approved formulas for federally inspected products of this type.

Percentage labeling of ingredients in "Patties with Meat" or a "Patty Mix with Meat" would provide consumers and purchasers with specific information about the composition of such patty products consisting of meat and nonmeat ingredients. It would enable school food service units and other institutional users of patties to have information permitting

nutritional calculations for compliance with requirements for the school food program or for other purposes. Percentage labeling would also offer State and local authorities information on patty compositions that would assist in efforts to assure consumers of properly labeled patty products.

The protein quantity and quality equivalency requirements proposed for "Patties with Meat" and "Patty Mix with Meat" are to prevent nutritional deception through these products that contain nonmeat ingredients but are indistinguishable in appearance from "Meat Patties" and "Meat Patty Mixes." The proposed requirements would safeguard the nutritional welfare of the consumers of these products who do not have access to information as to the identity of their ingredients. The 90 percent protein equivalency requirement for "Patties with Meat" as compared to the protein content of "Meat Patties" would provide processors with ample opportunities for innovation in the selection of product ingredients.

The specific proposed amendments to the regulations are as follows:

§ 319.15 [Amended]

Paragraph (c) of § 319.15 would be revoked, and a new § 319.70 added to read as follows:

§ 319.70 Miscellaneous meat products.

(a) *Meat patties or meat patty mixes.*—Products labeled "Meat Patties" and "Meat Patty Mixes" shall be prepared from a raw mix consisting of chopped meat, either fresh or frozen, or both, with or without the addition of meat fat as such, and with or without seasoning, to the exclusion of binders, extenders, or other nonmeat substances, poultry products, meat byproducts, and added water. If the products are labeled with species names, e.g., "Lamb Patties" or "Veal Patty Mix," they shall contain only meat of the specified species and, optionally, added fat and seasonings. The fat content of products subject to this paragraph shall not exceed 30 percent.

(b) *Patties with meat or patty mixes with meat.*—Patties and patty mixes made with meat, combined with binders, extenders, poultry products, meat byproducts, or added water, or any combination thereof, shall be prepared from a raw mix consisting of not less than 60 percent of chopped meat, either fresh or frozen, or both, combined with binders, extenders, poultry products, meat byproducts, or added water, or any combination thereof, and, optionally, seasonings. The products in the form of patties, or patty mixes, that are made with these ingredients shall be labeled "Patties with Meat" or "Patty Mix with Meat," as appropriate. The percentage of each ingredient shall be shown in the ingredients statement except that the percentage of condimental substances in the same class may be declared as a combined percentage.

(1) Products labeled "Patties with Meat" or "Patty Mix with Meat" shall contain not less than 13.5 percent protein with a minimum protein efficiency ratio (PER) that is not less than 90 percent of the PER for "Meat Patties," as determined by the AOAC method "Biological Evaluation of Protein Quality." [1]

(2) The term "meat" as used in this paragraph (b) shall mean "meat" as defined in § 301.2(tt) of this subchapter, which does not contain more than 30 percent fat and does not contain any bone or skin.

(c)(1) Product may be labeled as "Patties with Meat" or "Patty Mix with Meat" only if the establishment operator controls the preparation of the product so that in each batch of the product:

(i) A minimum of 60 percent meat is used in the formulation of the product.

(ii) The maximum fat content of the meat ingredient is 30 percent.

(iii) The finished product contains a minimum of 13.5 percent protein.

(iv) The protein efficiency ratio (PER) is not less than 90 percent of the PER for "Meat Patties," as determined by the AOAC method "Biological Evaluation of Protein Quality." [1]

As used in this paragraph (c), a batch consists of any amount of product which is formulated at one time.

(2) The operator of each official establishment where products within paragraph (b) of this section are to be prepared must obtain from the Administrator prior approval of the procedures to be used in such preparation to insure compliance with the following requirements:

(i) Assure compliance of the products with all labeling requirements under this subchapter.

(ii) Assure that the products otherwise meet the requirements of this section.

(iii) Provide for disposition in accordance with the act of all products not in compliance with this part, unless they are reprocessed to bring them into such compliance.

(iv) Incorporate a system of raw product testing, weighing and identification that permits monitoring by Federal inspectors and establishment employees.

(v) Incorporate in the control procedure, sufficient laboratory analysis of finished product to assure compliance with all requirements of this section.

(d) If the products are cooked or partially cooked, the composition of the raw mix from which they were prepared shall be used in determining whether they meet the requirements of paragraph (a) or (b) of this section.

Any person wishing to submit written data, views, or arguments concerning the proposed amendments may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250 by July 6, 1973.

[1] AOAC, 11th edition, 1970, 39.166–39.170, p. 800. Published by the Association of Official Analytical Chemists, P.O. Box 540, Benjamin Franklin Station, Washington, D.C. 20044.

Any person desiring opportunity for oral presentation of views should address such requests to the Product Standards Staff, Scientific and Technical Services, Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250, so that arrangements may be made for such views to be presented prior to the date specified in the preceding paragraph. A record will be made of all views orally presented.

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

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

Done at Washington, D.C., on April 27, 1973.

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

[FR Doc.73-8753 Filed 5-3-73;8:45 am]

Soil Conservation Service

[7 CFR Ch. VI]

WATERSHED PROTECTION AND FLOOD PREVENTION PROGRAM AND RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM

Proposed Water Quality Management Guidelines

Water quality management measures are authorized for installation in watershed and resource conservation and development projects under authority of section 201(e), title II; and section 301, title III of the Rural Development Act of 1972 (Public Law 92-419). Title II of that act amends Public Law 83-566, the Watershed Protection and Flood Prevention Act (68 Stat. 666) as amended. Title III amends the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011) as amended.

Criteria for providing assistance.

In order that measures for water quality management may be eligible for inclusion in watershed and RC&D projects, the following criteria must be met:

(a) Sponsorship must be by units of government or eligible local nonprofit organizations having legal authority and

financial ability to plan, install, operate, and maintain the measure.

(b) Measures must be planned to solve a community problem or to capitalize on a community opportunity, and their installation must provide community benefits.

(c) When planned in a watershed project, works of improvement for water quality management must be an integral part of a project which includes works of improvement providing substantial benefits for flood prevention, irrigation or drainage, or any combination thereof.

(d) The proposed water supply is adequate in quantity and quality to meet the agreed-upon need.

(e) Water release is not to be used as a substitute for adequate treatment or other methods of controlling waste at the source. This requirement is considered to be met if the storage capacity for making releases is recommended, and benefits are determined, by the Environmental Protection Agency.

(f) Assistance cannot be provided on a single structure, including modification of an existing structure, with a capacity in excess of 12,500 acre-feet for a flood-water-detention purpose, or in excess of 25,000 acre-feet total capacity.

(g) Assistance cannot be provided for reservoirs on streams at locations draining more than 250,000 acres.

(h) Sponsors must present satisfactory evidence that:

(1) Any needed water rights are held or can be obtained for the quantity, period of use, and storage of water to meet project objectives; the owners of water rights are agreeable to such changes, exchanges, waivers, or modifications of their rights as may be required for the effective functioning of the contemplated improvements.

(2) They will obtain land rights and will pay all engineering, legal, or administrative costs they incur for acquisition of needed land rights.

(3) They can and will agree to operate and maintain the measures and bear all related costs for the planned life of the project. An operation and maintenance agreement will be entered into with the Soil Conservation Service.

(4) At least 50 percent of the land needing soil conservation practices above each retention reservoir, or other water storage facility for which assistance is to be provided, shall be covered by conservation plans.

(5) Plans for all structural measures must include sponsors' decisions that (i) not less than 75 percent of the effective land treatment must be installed, or installation provided for, on those sediment source areas which, if uncontrolled, would require a material increase in the cost of construction, operation, or maintenance of the structural measure; and (ii) conservation planning for land on which at least 75 percent of the effective land treatment measures referred to in subdivision (i) of this subparagraph are to be installed must be done prior to the execution of a project agreement for construction. Such planning must schedule the installation of the required land treatment either before or concurrently with the installation of the structural measures covered by each project agreement.

(6) They have obtained all necessary permits and authorizations to comply with procedures and regulations relating to the types of installation or construction involved.

(7) They will provide the necessary relocation assistance advisory services and pay the non-Federal share of relocation payments in accordance with Public Law 91-646.

(i) Improvements must be installed, operated, and maintained in accordance with State law, and State and local health standards must be met.

Works of improvement.

Works of improvement include measures for the enhancement of water quality to improve the environment. They include the storage of water or other facilities to augment, divert, retain, or otherwise regulate streamflow. Works of improvement may also include needed intake, outlet, flow control regulation devices and conveyances from a reservoir or lake to the point of release for streamflow regulation purposes.

Coordination with Federal and State agencies.

The Soil Conservation Service will consult with the Environmental Protection Agency and the State agency responsible for water pollution control and other concerned agencies to determine flow requirements and justification for flow augmentation.

Section 102(b) of the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500) provides:

(3) The need for, the value of, and the impact of, storage for water quality control shall be determined by the Administrator (of EPA), and his views on these matters shall be set forth in any report or presentation to Congress proposing authorization or construction of any reservoir including such storage.

(4) The value of such storage shall be taken into account in determining the economic value of the entire project of which it is a part, and costs shall be allocated to the purpose of regulation of streamflow in a manner which will insure that all project purposes, share equitably in the benefits of multiple-purpose construction.

(5) Costs of regulation of streamflow features incorporated in any Federal reservoir or other impoundment under the provisions of this act shall be determined and the beneficiaries identified and if the benefits are widespread or national in scope, the costs of such features shall be nonreimbursable.

SCS assistance for water quality management.

Assistance under the SCS programs is as follows:

(a) Under the provisions of section 102(b)(5) of Public Law 92-500, when it is determined that benefits are widespread, the entire construction cost allocated to works of improvement for water quality management, will be borne from Federal funds. When benefits are determined to be other than widespread, cost sharing will not exceed 50 percent of the construction cost.

(b) All of the engineering and other technical assistance costs may be borne by Federal funds.

Local responsibilities for water quality management.

Sponsors must bear all costs in connection with acquisition of land rights required for project works of improvement and will be responsible for operation and maintenance. They must also provide for at least 50 percent of the construction cost of measures when benefits are determined to be other than widespread in nature.

Evaluation of benefits.

Under the provisions of section 102(b)(3) the Administrator of EPA will determine the value and impact of all water quality management measures for which SCS will provide assistance.

The Soil Conservation Service invites those who desire to submit written comments or suggestions concerning the preparation of final guidelines to do so addressing them to the Administrator, Soil Conservation Service, U.S. Department of Agriculture, room 5105A, South Building, 14th and Independence Avenue SW., Washington, D.C. 20250.

Such submission should be received by June 15, 1973, to allow time for appropriate consideration and possible inclusion in the final regulations. Copies of the submission will be available for examination by interested persons at the above address upon their receipt.

Dated May 1, 1973.

KENNETH E. GRANT,
Administrator,
Soil Conservation Service.

[FR Doc.73-8873 Filed 5-3-73;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 8, 9]

COLOR ADDITIVE D&C BLUE NO. 9

Proposal To List for Drug Use Subject to Certification

The Commissioner of Food and Drugs, having considered a petition filed by Davis and Geck Division, American Cyanamid Co., Danbury, Conn. 06810 (notice of filing was published March 7, 1964; 29 FR 3175), and other relevant material, proposes to establish the following regulation listing D&C Blue No. 9 as a color additive, subject to certification, for use in coloring cotton and silk surgical sutures for general and ophthalmic surgery.

This change would render obsolete the provisions of § 9.245, which contain the current identity and specifications for D&C Blue No. 9; accordingly, § 9.245 would be revoked. This change would also necessitate deleting the item "D&C Blue No. 9" from the listing of color additives, in § 8.501(b).

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

Act (sec. 706(b), (c)(1), (d), 74 Stat. 399–403; 21 U.S.C. 376 (b), (c)(1), (d)) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend parts 8 and 9 (21 CFR parts 8 and 9) as follows:

1. In part 8:

§ 8.501 [Amended]

(a) By deleting "D&C Blue No. 9" from the listing of color additives in § 8.501(b).

(b) By adding the following new section:

§ 8.4039 D&C Blue No. 9.

(a) *Identity.*—The color additive D&C Blue No. 9 is principally 7,16-dichloro-6,15 - dihydro - 5,9,14,18 - anthrazinetetrone.

(b) *Specifications.*—D&C Blue No. 9 shall conform to the following specifications and shall be free from impurities other than those named to the extent that such impurities may be avoided by good manufacturing practice:

Volatile matter (at 135° C.), not more than 3 percent.
Matter extractable by alcoholic HCl (0.1 ml of concentrated hydrochloric acid per 50 ml of 95 percent ethyl alcohol), not more than 1 percent.
2-Amino anthraquinone, not more than 0.2 percent.
Organically combined chlorine in pure dye, 13.0–14.8 percent.
Lead (as Pb), not more than 20 p/m.
Arsenic (as As), not more than 3 p/m.
Pure color, not less than 97 percent.

(c) *Uses and restrictions.*—D&C Blue No. 9 may be safely used for coloring cotton and silk surgical sutures, including sutures for ophthalmic use, subject to the following restrictions:

(1) The dyed suture shall conform in all respects to the requirements of the U.S.P.

(2) The quantity of the color additive does not exceed 2.5 percent by weight of the suture.

(3) When the sutures are used for the purposes specified in their labeling, the color additive does not migrate to the surrounding tissue.

(4) If the suture is a new drug, a new-drug application approved pursuant to section 505 of the act is in effect for it.

(d) *Labeling.*—The label of the color additive shall conform to the requirements of § 8.32.

(e) *Certification.*—All batches of D&C Blue No. 9 shall be certified in accordance with regulations in subpart A of this part.

§ 9.245 [Reserved]

2. In part 9 by revoking § 9.245 D&C Blue No. 9 and by reserving it for future use.

Interested persons may, on or before July 3, 1973, file with the Hearing Clerk, Department of Health, Education, and Welfare, room 6–88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated April 30, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-8877 Filed 5-3-73;8:45 am]

[21 CFR Part 121]

FOOD ADDITIVES

Use of Salts of Capric Acid et al. as Stabilizers in Polymers

Notice was given in the FEDERAL REGISTER of June 18, 1970 (35 FR 10050) that a petition (FAP OB2549) was filed by Monsanto Co., 1101 17th Street NW., Washington, D.C. 20036, proposing that § 121.2566, Antioxidants and/or stabilizers for polymers (21 CFR 121.2566) be amended to provide for the safe use of the aluminum, calcium, magnesium, potassium, sodium, and zinc salts of capric, caprylic, lauric, myristic, oleis, palmitic, and stearic acids as stabilizers in polymers used in the manufacture of food-contact articles. Subsequently, the petitioner revised the request with respect to the zinc salts.

Having considered the data in the petition, and other relevant material, the Commissioner of Food and Drugs proposes that the food additive regulations be amended, as set forth below, (1) to provide for the safe use of the subject additives as antioxidants and/or stabilizers for polymers used in the manufacture of food-contact articles, and (2) to delete for editorial purposes the items calcium myristate, calcium stearate, zinc palmitate, and zinc stearate as the amendment proposed herein provides for use of the additives as contemplated.

The Commissioner, having also reviewed data relating to fatty acids and their salts, considers such substances containing chickedema factor or more than 2 percent unsaponifiable matter to be of unsuitable purity for use in articles that contact food. Accordingly, the Commissioner also proposes that part 121 be amended by adding a new section to subpart F to prescribe purity specifications for all fatty acids and their salts permitted for use in the manufacture of articles intended to contact food.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that part 121 be amended as follows:

1. In § 121.2566 by alphabetically adding to the "List of substances" in paragraph (b) a group of salts of fatty acids as follows:

§ 121.2566 Antioxidants and/or stabilizers for polymers.

* * * * *

(b) List of substances:

	Limitations
* * *	* * *
Salts of fatty acids as follows:	
(a) Aluminum, calcium, magnesium, potassium, and sodium salts of capric, caprylic, lauric myristic, oleic, palmitic, and stearic acids.	
(b) Zinc salts of myristic, oleic, palmitic, and stearic acids.	
* * *	* * *

2. In § 121.2566 by deleting from the "List of substances" in paragraph (b) the items "calcium myristate", "calcium stearate", "zinc palmitate", and "zinc stearate".

3. By adding a new section to subpart F as follows:

§ 121.____ Fatty acids and salts of fatty acids.

Fatty acids and salts of fatty acids where permitted for use in the manufacture of articles that contact food shall meet the following specifications as determined by methods described in § 121.1070(c):

1. Unsaponifiable matter does not exceed 2 percent.

2. It is free of chick-edema factor.

Interested persons may, on or before July 3, 1973, file with the Hearing Clerk, Department of Health, Education, and Welfare, room 6–88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated April 26, 1973.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.73-8807 Filed 5-3-73;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[24 CFR Parts 1700, 1710, 1720, 1730]

[Docket No. R-73-228]

LAND REGISTRATION, FORMAL PROCEDURES, AND ADVERTISING, SALES PRACTICES, AND POSTING OF NOTICES OF SUSPENSION

Notice of Proposed Rulemaking

Notice is hereby given that pursuant to the Interstate Land Sales Full Disclosure Act (15 U.S.C. 1701 et seq.) it is proposed to amend chapter IX of 24 CFR. Under

this proposal certain technical and substantive changes would be made in parts 1700, 1710, and 1720, and a part 1730 would be added to this chapter.

INTRODUCTION

I. Part 1700 would be changed to add § 1700.100, which is technical in nature and specifies that the regulations in this chapter are to be construed as separable.

LAND REGISTRATION

II. Part 1710 would be changed by revising the following sections: §§ 1710.1, 1710.13, 1710.21, 1710.22, 1710.27, 1710.35, 1710.45, 1710.102, 1710.105, 1710.110, 1710.115, 1710.120, and 1710.130.

The majority of the amendments to this part are necessary to strengthen the required disclosures by providing for more meaningful supporting documentation and to require the developers selling subdivided land to comply with the policies that have been developed by the office in its administration of the Interstate Land Sales Full Disclosure Act. Since the inception of the Office of Interstate Land Sales Registration, it has repeatedly required developers to make additional disclosures of information which it had determined were necessary in the public interest and for the protection of purchasers. These disclosures, which include important matters such as licenses, permits, facility completion data, litigation, investment/resale potential, and financial information have been included in these regulations in order to assure consistency in the preparation of Statements of Record and Property Reports. The above items primarily affect §§ 1710.102 and 1710.105–1710.110. Other sections affected include § 1710.35 in which a paragraph (h) is added to provide for the payment of a $100 fee for the filing of certain preeffective date amendments.

FORMAL PROCEDURES AND RULES OF PRACTICE

III. Part 1720 would be changed by adding two §§ 1720.131 and 1720.134 and by revising the following sections: 1720.130, 1720.170, 1720.155, 1720.160, 1720.165, 1720.230, 1720.235, and 1720.440, plus such other sections as are necessary to redesignate the "hearing examiner" as the "administrative law judge."

Section 1720.130 is revised to delete the provision for a hearing on a suspension order issued under § 1710.45(b)(3) of the regulations since the hearing rights under § 1710.45(a)(1) apply to amendments. Section 1720.131 is added to spell out the procedure for the issuance of a suspension order under § 1710.45(b)(3).

Section 1720.134 is added to set forth the policy of the office that a hearing request is presumed when an answer is promptly filed, but the respondent failed to request a hearing.

The other sections proposed to be amended include a revision of the table of contents, a provision expanding the time in which to file an answer and certain motions, a reduction in the number of copies of documents that must be filed, an express provision for default if the developer fails to appear at a hearing, a provision for oral motions during the course of a hearing and a provision allowing service on the Assistant Deputy Administrator.

ADVERTISING, SALES PRACTICES, POSTING OF NOTICES OF SUSPENSION

IV. Part 1730 is new. Section 1730.5 specifically applies section 1404 of the statute (the fraud and misrepresentation provisions) to advertising. Section 1730.10 would provide for the inclusion of a HUD disclaimer in printed advertising. Section 1730.15 sets forth guidelines that would assist the conscientious developer in avoiding unlawful advertising and sales practices and standards which this office may use in making determinations under § 1730.5.

Section 1730.25 defines sales practices and illustrates the types of practices proscribed by the section, which is another application of section 1404 of the statute.

Section 1730.50 allows the Secretary to require the posting of a notice when the developer's statement of record has been suspended. This proposal results from experiences of OILSR officials who visited subdivisions under suspension and found ongoing sales programs.

Interested persons are invited to participate in the making of the proposed rules by submitting such written comments or suggestions as they deem pertinent. Communications should identify the subject matter by the above title and should be submitted in triplicate to the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban Development, room 10150, 451 Seventh Street SW., Washington, D.C. 20410. All communications received on or before June 15, 1973, will be considered before taking action on the proposal. Also, public hearings may be scheduled to hear comments on the proposed rules. Notice of these hearings will appear in the FEDERAL REGISTER and in various general and special circulation newspapers and periodicals. The proposals contained in this notice may be changed in the light of comments received. A copy of each written submittal will be available for public inspection during business hours at the above address.

Accordingly, the proposed revision of chapter IX reads as follows:

PART 1700—INTRODUCTION

1. Section 1700.100 is added to read:

§ 1700.100 Separability of provisions.

If any clause, sentence, paragraph, or part of these regulations shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined by its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

PART 1710—LAND REGISTRATION

2. Section 1710.1 is amended by:

a. Adding a definition of the term "lot" as paragraph (h) in lieu of the current paragraph.

b. Changing the definition of "sale" in paragraph (m).

c. Redesignating current paragraphs "(h)–(p)" as "(i)–(q)".

The paragraphs read as set forth below.

§ 1710.1 Definitions.

* * * * *

(h) "Lot" means any portion, piece, division, unit, or undivided interest in land, except that this term shall not include lots of less than 1 yd^2 in size.

* * * * *

(m) "Sale" means any obligation for consideration to purchase or lease a lot directly or indirectly. The terms "sale" or "seller" include in their meanings the terms "lease" and "lessor".

* * * * *

3. Section 1710.13 is amended to

a. Change paragraph (a).

b. Add a new paragraph (c).

The paragraphs read as set forth below:

§ 1710.13 Regulatory exemptions.

* * * * *

(a) The sale or lease of lots, each of which will be sold for less than $100, including closing costs, provided that the purchaser will not be required to purchase more than one lot.

* * * * *

(c) The renegotiation of contracts between a developer who has purchased the subdivision at a foreclosure sale and lot purchasers who purchased from the previous developer prior to his default; provided, that each and every lot purchaser from the previous developer is given the opportunity to complete his contract payments, including any deficit payments which he may owe, without any change in the terms of his original contract.

4. Section 1710.21(b) is amended to read:

§ 1710.21 Statement of record, consolidations, amendments—effective date.

* * * * *

(b) *Consolidated filing—effective date.*—The effective date of a consolidated statement of record shall be governed by the provisions of paragraph (a) of this section.

* * * * *

5. Section 1710.22 is amended by adding the following as the second sentence of the paragraph:

§ 1710.22 Consolidated statements of records.

* * * If no additional land is offered for sale, but simply additional lots through replatting the same land, then the filing may be amended; but in such instance the developer must pay for the amendment as per fee schedule (for consolidations) under § 1710.35 (c) or (e).

6. Section 1710.27 is amended by:

a. Deleting "10" in paragraph (a) and substituting therefor "15".

b. Adding subparagraph (5) to paragraph (a) to read as follows:

§ 1710.27 State filings—consolidations and amendments.

(a) * * *

(5) The material filed with and found acceptable by the State authorities as a consolidation or an amendment must be accompanied by the statement required by § 1710.25.

* * * * *

7. Section 1710.35 is amended by adding paragraph (h) to read:

§ 1710.35 Payment of fees.

* * * * *

(h) *Amendments.*—A fee of $100 shall be charged for the filing of the second and subsequent preeffective amendments, unless this requirement is waived by the Secretary. Waiver of this requirement must be in writing. No fee will be charged for the first preeffective amendment or a posteffective amendment.

8. Section 1710.45 is amended by:

a. Changing paragraph (a)(3).

b. Adding paragraph (4) to paragraph (a).

The paragraphs read as set forth below.

§ 1710.45 Suspensions.

(a) * * *

(3) A developer, upon receipt of a suspension notice may request a hearing within 15 days of receipt of such notice. Such hearing shall be held within 20 days of receipt of such request by the Secretary.

(4) Suspension notices issued pursuant to this section shall not be affected by partial compliance.

* * * * *

§1710.102 [Amended]

9. Section 1710.102 is amended by: Changing the first sentence to read:

A statement of reservations, restrictions, taxes, and assessments shall be prepared by the developer in accordance with the following format, instructions, and supporting documentation.

And by adding the following at the end of the section:

Supporting documentation.—In order to support the preceding statement, the developer shall submit the following documentation.

1. A plat of each subdivision identifying the unsold lots which are the subject of this claim of exemption. Each unsold lot shall be clearly delineated on the plat.

2. Evidence of title. This may be a title insurance policy, or an attorney's opinion, providing the attorney is experienced in the examination of titles and a member of the bar in the State in which the property is located.

3. Copy of the sales contract.

§ 1710.105 [Amended]

10. Section 1710.105 of the regulations shall be amended as follows:

Amend the first full paragraph of the "Instructions for Completion of the Statement of Record" to include additional instructions for subparagraph b. and a new subparagraph d.

Subparagraph b. shall read as follows:

b. In addition to the information expressly required to be stated in the statement of record, there shall be added such further material information, documentation, and certifications, if any, as may be necessary in the public interest and for the protection of purchasers or necessary in order to make the statements in the light of the circumstances under which they are made, not misleading.

Subparagraph d. shall read as follows:

d. Amendments, including preeffective and posteffective amendments to the statement of record and property report, shall be prepared and filed in accordance with the procedure set forth in § 1710.23(b).

11. Amend the "Instructions for Completion of Statement of Record" by adding the following language at the end of the second full paragraph thereof:

The developer shall include the date of typing or preparation of the page in the lower right hand corner of each page of the statement of record.

12. The "Instructions for Completion of Statement of Record" shall be amended to include a new requirement immediately before the last paragraph prior to the caption "Part I. Administrative Information." The new requirement shall read as follows:

The developer shall include only proposals in the statement of record and property report which he clearly intends to carry out or complete. Such obligation shall be evidenced by the signatures on the affirmation.

13. Amend the "Instructions for Completion of Statement of Record" by identifying each paragraph by capital letters beginning with A. and following sequentially therefrom to the title for part I.

14. Amend the first sentence of the second full paragraph to the "Instructions for Completion of Statement of Record" to read as follows:

To facilitate proper filings, statements of record shall be bound and filed * * *.

15. Amend the instruction of part I., B., 3., to read as follows:

3. State the number of lots in this offering. This statement shall be accompanied by a reference to supporting documentation which sets forth the total number of the lots and the identity of each of the lots included in the offering. The Secretary must be able to reconcile the number stated in your answer to this item with the statements made in the title evidence, the lots delineated on the plat maps and the disclosure made in item 2. b. of the property report.

16. Amend the instruction to Part I.B.4. to delete the last sentence. "See instruction D.2. of this part."

17. Amend the format to part I.B. to include a new paragraph 7 as follows:

7. _____

18. Amend the instructions to part I.B. to include the following new paragraph 7.

7. State whether any lots have been sold in this subdivision since April 28, 1969, and prior to registering with this office. If they were sold pursuant to an exemption, identify the exemption provision and state whether an exemption advisory opinion, exemption order, or exemption determination was obtained with respect to those lot sales. State the OILSR number of the request for exemption, if any.

19. Amend the format to part I.C. to change the title and to include a provision for new paragraphs 3.–6. as follows:

C. Filings with U.S. Securities and Exchange Commission and State authorities:

3. _____
4. _____
5. _____
6. _____

20. Amend the corresponding instructions for part I.C. to include paragraphs 3.–6. and to read as follows:

C. Filings with U.S. Securities and Exchange Commission and State authorities.

3. List the States in which you plan to offer your subdivision. State whether you have registered or plan to register with each of these States. You are required to submit a copy of your proposed property report to each of these States for review at the time that you file your statement of record. A copy of the property report must be sent to the appropriate real estate commission, land sales regulatory agency, or consumer protection agencies in each of the States in which you plan to sell.

4. State whether the developer has made or intends to make a filing with U.S. Securities and Exchange Commission (SEC), which is related in any way to the subdivision. If a filing has been made with the SEC, give the SEC identification number; identify the prospectus by name; date of filing and state the page number of the prospectus upon which the specific reference to the subdivision is made.

5. State whether any of the persons named in part II. A. or B. of this statement of record other than those listed in C.4. above, have ever filed or been the subject of a filing with the SEC. If so, identify the person and state the date of filing and SEC identification number.

6. State whether any disciplinary action has been taken by the SEC with respect to any person identified with filings mentioned in subparts C.4. or C.5. above. If so, describe the action. Include in your description the names and addresses of the parties involved, the date of the action and the status and disposition thereof.

21. Amend the format to part I.D. to read as follows:

D. Supporting documentation:

1. _____
2. _____
3. _____

22. Amend the instructions to part I.D. to read as follows:

D. Supporting documentation.

1. General plan including a map or plat showing the total land owned or under option or other similar arrangement for acquisition of title to the land. Delineate thereon the land included in this offering, and the land upon which recreational and/or other common facilities will be located.

2. Copy of the property report, subdivision report, offering statement, or similar document filed with the State or States listed in C.1. above.

3. Copy of prospectus identified in C.4. above.

23. Amend the format to part II to include new paragraphs for C. and to redesignate the current paragraph C. as paragraph D.1. and to include a new D.2. as follows:

C. Violations, bankruptcies and litigation:
1. _____
2. _____
3. _____
D. Supporting documentation:
1. _____
2. _____

24. Amend the instructions to part II to include a new paragraph C. and to redesignate the current paragraph C. as paragraph D.1. and to include a new D.2. as follows:

C. Violations, bankruptcies and litigation.

1. State whether any of the persons named in A. or B. have been disciplined, debarred, or suspended by any governmental body or agency or indicted or convicted by any court for violation of a Federal, State, or local law or regulation in connection with activities relating to land sales, land investment, securities sales, construction or sale of homes or home improvements or any other activity for which such official action was charged. If so, describe the action. Include in your description the names and addresses of the parties involved, the type and date of the action, and the status and disposition thereof.

2. State whether any of the persons named in A. or B. above has filed a petition in bankruptcy or has had an involuntary petition in bankruptcy filed against him or been an officer or director of a company which has become insolvent or has voluntarily or involuntarily filed in bankruptcy. If so, describe the action. Include in your description the petition number, names, and addresses of petitioners, trustee and counsel the name and address of any other parties involved, the date of the action, the name and location of the court where the proceeding took place or is being held and the status or disposition thereof.

3. List all current litigation in county courts of record or higher which may have an effect upon the developer or the subdivision. Any case for which a complaint or initial pleading has been filed 7 days or more prior to the mailing of the statement of record or amendment must be included. Describe the action and give the names and addresses of parties and counsel, identification of the court, pertinent dates, gist of the action and the status and or disposition at the time the filing is submitted. A new action or the disposition of any action is a material change and must be reported by filing an amendment as prescribed in § 1710.23 of this part.

D. Supporting documentation:

1. If the developer is a corporation, submit a copy of the articles of incorporation, with all amendments, and a list of the officers and directors of the corporation.

If the developed is a partnership, unincorporated association, joint stock company, or any other form of organization, submit copies of articles of partnership or association and all other documents relating to its organization.

If the holder of any ownership interest in the land being offered is a person or entity other than the developer, submit copies of the above documents for such holder. (For purposes of this subpart D.1., it is not necessary to include the sales agent if the sales agent is a legal entity other than a holder of an ownership interest in the land.)

2. Submit a copy of the documents involved in the litigation or other action listed in paragraph C. above, if any. This includes but is not limited to copies of the following:
1. Complaint.
2. Answer.
3. Decision or other disposition.

25. Amend the instructions to part III. A. to read as follows:

A. Are any of the following directly or indirectly involved in any other subdivision: The holders of an interest in the land; the developer; principals or officers in the holder or developer. If so, identify by subdivision name and location. If registered with OILSR, give the OILSR number or numbers.

26. Amend the format to part III to include a new paragraph B. and to redesignate the current paragraph B. as paragraph C. as follows:

B. Parent company and subsidiaries:
Parent company:
Name: _____
Address: _____
Subdivision: _____
Location: _____
OILSR number: _____
Date of filing: _____
Subsidiaries:
Name: _____
Address: _____
Subdivision: _____
Location: _____
OILSR number: _____
Date of filing: _____
C. Suspension: _____

27. Amend the instruction to part III to include a new paragraph B. and to redesignate and revise the current paragraph B. as paragraph C. as follows:

B. State whether the developer is a subsidiary corporation. If so, identify the parent company by name and address and state whether the parent company or any of its subsidiaries are directly or indirectly involved in any other subdivision which has been filed with the Office of Interstate Land Sales Registration. If so, identify by subdivision name, location, OILSR number or numbers and date of filing. If not applicable, state "None."

C. Has a suspension order been issued by the Office of Interstate Land Sales Registration with respect to any statement of record identified in subpart A or B above? If so, identify the statement of record by its OILSR number. (Do not list suspension notices on preeffective statements of record and amendments.)

28. Amend the format to part IV to delete the current paragraph A. and to redesignate the remaining paragraphs as A.–E. as follows: "Part IV. Topography, Climate, Nuisances, Subdivision Map, Permits and Licenses":

A. Topography and physical characteristics:
1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

B. Climate and temperature:
1. _____
2. _____
3. _____

C. Nuisances:
1. _____
2. _____

D. Subdivision map, permits, and licenses:
1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

E. Supporting documentation:
1. _____
2. _____
3. _____

29. Amend the instructions to part IV by deleting the requirement for legal description from the caption and paragraph A. and redesignating the current paragraphs B.–F. as paragraphs A.–E. part IV, as amended, shall appear as follows:

PART IV. TOPOGRAPHY, CLIMATE, NUISANCES, SUBDIVISION MAP, PERMITS AND LICENSE

A. Topography and physical characteristics.

1. Describe the general topography and physical characteristics of the subdivision; for example, level, hilly, rocky, etc.; loose sand, alkaline soil, etc.

2. State whether any of the lots or portions thereof, in the offering are covered by water at any time during the year or are subject to floods, hurricanes, tornadoes, earthquakes, mudslides, brushfires, forest fires, avalanches, volcanic eruptions, or other natural hazards. The existence severity and frequency of natural hazards should be fully explained. If any of the natural hazards of the type illustrated in this paragraph are present, state whether the area in which the subdivision is located has been formally identified by any Federal, State, or local agency as being in an area subject to a special natural hazard and whether the area is or will be subject to any special land use requirements which will restrict development or entail unusual development or maintenance expense. Include in your answer a statement of whether the subdivision is affected by a flood plain, including a 100 year flood plain, or is in an area designated to be flood prone as identified by the Federal Insurance Administration, U.S. Department of Housing and Urban Development, Washington, D.C. Describe the effect which such a flood plain will have on the lots in the offering. Identify the lots affected. If in an identified area of special flood hazards, state whether flood insurance is available for new construction in the area and if available, the extent to which it may be required by Federal agencies. State the approximate range of the cost of such insurance.

3. Is any part of the subdivision subject to any type of flood control easements?

4. Describe any unstable or expansive soil condition which will necessitate the use of special construction techniques. Identify the lots affected.

5. What percentage of the land will require fill before construction? If any, describe plans for fill, including composition and estimated cost to lot buyer or lessee.

6. With the exception of fill, what percentage of the land in the subdivision will require corrective work before construction of a one-story residential structure? If any, describe type of work and plans for correction, and state the estimated cost to buyer or lessee.

7. State elevation of the highest and lowest lots in the subdivision.

B. Climate and temperature.

1. Describe general weather conditions of the area.

2. State temperature ranges for summer and winter, including high, low, and mean.

3. State annual average rainfall and, if applicable, snowfall, in inches.

C. Nuisances.

1. Describe any on-site and off-site land uses which may affect the subdivision. Any unusual or unpleasant noises, odors, pollutants, or other nuisances should be specifically identified.

Examples of unusual noises which might affect the subdivision include proposed or existing industrial activity, airports or other transportation facilities, animal pens, entertainment centers, or the like. Examples of unpleasant odors include noxious smoke, chemical fumes, stagnant ponds or marshes, slaughterhouses, and sewage treatment facilities. Any such conditions should be accurately described and fully explained identifying their origin and location and whether they are proposed or existing. If they are existing, whether temporary (estimate duration) or permanent.

2. Do you know of any unusual safety factors or of any proposed plans, private or governmental, for construction of any facility which may create a nuisance or adversely affect the use of the land? Examples of unusual safety factors which could affect the subdivision include physical hazards such as dilapidated or abandoned properties, unsafe construction, air or vehicular traffic hazards, danger from fire or explosion, and radiation hazards. Any such conditions should be accurately described identifying their origin and location and whether they are proposed or existing. If they are existing, whether temporary (estimate duration) or permanent.

D. Subdivision map, permits and licenses.

1. State whether a subdivision map has been filed with and accepted for recording by local authorities. If so, give recording data.

2. Has each lot in the subdivision been surveyed?

3. Has each individual lot been staked or marked so that the buyer can identify the boundary lines of his lot? If not, state estimated cost to purchaser or lessee to obtain a survey and to have boundary lines staked or marked.

4. Will all streets shown on the tract map, if any, be public streets?

5. Has legal access been provided to each of the individual lots within the subdivision?

6. State minimum width of legal access to the lots.

7. State whether lot purchasers will be required to obtain a permit or license before they will be able to construct on their lot. If so, identify the agency or entity from which the permit or license must be obtained. Describe the procedure to be followed in the process of obtaining that permit or license.

8. Identify the Federal, State, and local agencies or similar organizations which have the authority to regulate or issue permits or licenses with respect to the proposed division of the land, facilities, proposed facilities, common areas, improvements or proposed improvements to the subdivision. Your answer shall specifically address itself to the areas of Environmental Protection Agencies, environmental impact statements, Corps of Engineers permits to construct, dredge, bulkhead, affect the flow of, or otherwise change or affect bodies of water within or around the subdivision. Also, include any permits or licenses issued or required by Water Resources Boards or Pollution Control Boards, River Basin Commissions, Conservation Agencies, or other similar organizations or entities. If a permit or license is not required but an Environmental Protection Agency, Water Resources Board, Pollution Control Board, or a River Basin Commission, Conservation Agencies and a similar agency or organization has the authority to affect or restrict the use of a lot, identify that agency or organization and state its authority and the manner in which it might affect the use of a lot within the subdivision. Include citations to the applicable Act or regulations. If no agency regulates the proposed division of the land or issues a permit or license with respect to facilities or improvements in the subdivision, so state. If you are exempt from the provisions of a statute which normally requires a permit or license, cite the specific provision of the statute under which you are exempt and state whether you have obtained an advisory opinion or similar document from that agency.

E. *Supporting documentation.* 1. Copy of an accurate map prepared to scale showing the dimensions of the lots and their relation to existing streets and roads. (To comply with this requirement, supply a map or maps which have been submitted to and approved by the local authorities as evidenced by the signatures of those authorities on the plats and which have been filed with the recorder of deeds or similarly constituted officer as evidenced by the notation of the recordation information.) If the plat has not been recorded, include a map prepared to scale, showing the proposed division, lot dimensions, and their relation to proposed and existing streets and roads. The unrecorded plat shall contain sufficient engineering data to enable a surveyor to locate the lots. The unrecorded plat should contain the approval of the local authorities.

a. The lot dimensions must be stated on the map in the standard unit of measure acceptable for such purposes in the political subdivision where the land is located.

b. Each of the lots and any common areas or facilities included or proposed to be included in the offering must be clearly delineated on the map.

c. Each page of the plat or plat map shall state the number of lots included in that page or map in the lower right-hand corner of the page.

d. Any encroachments or rights-of-way, on or over the land, should be shown or noted on the map.

e. If the land is described by metes and bounds, or by lands of adjoining owners, abutting streets, ways, etc., its boundaries should be defined on the map by courses, distances, and monuments, natural or otherwise, and the ownership and contiguous boundaries of adjoining lands and names of abutting streets, ways, etc.

f. If it is necessary to identify the land with U.S. patent or a State grant which is the source of title, a map of the land being offered should be superimposed on a copy of the map of the U.S. survey or State grant.

g. If the land being offered is part of a larger tract described in an abstract, it should, when necessary for its identification, be shown drawn to a common scale on a map showing the larger tract and any successive diminishing tracts.

h. Flood plains and/or any flood control easements which affect the subdivision shall be identified and clearly delineated on the plat map.

i. The map shall be prepared by a licensed surveyor or engineer.

j. The plat or map shall be sufficient to enable the Secretary to locate the lots described in part 1.B.3. of this section, the title evidence, part V of this section and item 2.b. of the property report, as well as any common facilities or recreational areas mentioned or identified in the statement of record and property report.

2. Copy of the current Geological Survey topographic map or maps of the largest scale available from the U.S. Geological Survey, Washington, D.C., with an outline of the subdivision and this offering clearly indicated thereon.

3. Submit a copy of the permits or licenses or advisory opinions or similar documents obtained from the agencies or similar organizations identified in your answer to paragraph D.8. above.

30. Amend the format to part V.A. to include a provision for paragraphs 6.–9. as follows:

PART V. CONDITION OF TITLE, ENCUMBRANCES, DEED RESTRICTIONS, AND COVENANTS

A. 1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____

31. Amend the instructions to part V.A. by revising the first sentence and to include new paragraphs 6.–9. as follows:

a. The introductory sentence shall be amended to read as follows:

A. State condition of the title to the land comprising the lots in this offering and any common areas or facilities related to or included in this offering. The statement shall include all encumbrances * * *

b. Amend A.1. to delete the following words:

* * * or an interim title binder or commitment for title insurance * * *

c. Amend A.1. and include new paragraphs 6. through 9. as follows:

1. An adequate legal description acceptable to the political subdivision for conveyancing of the land included in this offering. The title evidence shall include a separate legal description of the property upon which there is or will be located any common areas or facilities which will be known or advertised as being available for the benefit or use of purchasers of lots. The legal description shall specifically identify as individual parcels each of the lots included in this offering. If the filing is based on a proposed division of the land, the title evidence shall include a legal description of each of the proposed lots. If at the time of recordation or transfer, the legal description furnished herewith is discovered to be in error or is changed, an amendment must be filed correcting the statement of record. The legal description shall reference the plat maps included in the statement of record in answer to part IV.E.1. and specifically state the status of the legal title with respect to the land included within those plats. The reference to the recorded plat maps shall be a sufficient legal description if those plats clearly delineate the lots and any common areas or facilities.

* * * * *

6. The title evidence shall include or be accompanied by a map, plat or plan, exhibit E.1. of the statement of record, based on a survey or a scale map of the proposed lots offering prepared by a licensed surveyor or engineer, sufficient to enable the Secretary to locate the lots described in the title evidence. If the map is proposed, the title evidence shall so state.

7. The title evidence shall include a statement as to whether there is a holder of an ownership interest in land other than the developer. If so, include documentation which evidences the developer's authorization to develop and/or sell the land.

8. State whether the blanket encumbrances, if any, contain release provisions.

State the legal sufficiency of those release provisions with respect to the protection of lot purchasers. State whether those rights are personal in nature and may be cut off by a foreclosure purchaser or whether they run with the land. State whether the release provisions are a matter of public record. If so, list the recordation data. If an escrow or trust arrangement is to be used, include a copy of the escrow or trust agreement and any instructions under which the escrow agent or trustee will proceed.

9. The title evidence shall include a search of all of the public records which may contain documents which would affect the title to the land. The title evidence shall state the public records which were searched. The search shall include anything which would affect the developers ability to deliver marketable title and must include but need not be limited to the following:

a. The records of the recorder of deeds or similar authority.

b. U.S. Internal Revenue liens.

c. The records of the circuit, probate, or other courts including Federal courts and bankruptcy or reorganization proceedings which have jurisdiction to affect the title to the land.

d. The tax records.

e. Financing statements filed pursuant to the Uniform Commercial Code or similar law. If it is held that the financing statements do not affect the title to the land, include a statement of the legal authority for that opinion.

32. Amend the format to part VI.A. to include paragraphs 4.–8. as follows:

4. ----------
5. ----------
6. ----------
7. ----------
8. ----------

33. Amend the instructions to part VI. A. to include new paragraphs 4.–8. as follows:

4. A statement regarding the existence of any qualifications or exchange provision in any contract or agreement by which a seller may withdraw his offer subsequent to acceptance by a purchaser, such as cancellation by a seller as a result of a prior sale, or as a result of a purchaser's failure to qualify with any eligibility requirements established by the developer or any other qualifying body.

5. A statement regarding any provisions by which lots are assigned or designated after purchaser executes the sales contract. State any provisions or practices by which the purchaser may exchange his lot for another lot. State any provisions which offer the purchaser either a full or partial refund or refund which may only be applied toward the purchase of another lot.

6. State the method of sale to be employed, i.e., cash, installment, mortgage, deed of trust, or similar arrangement. State the projected time of closing. If the contract or deed will be recorded at closing, state who will be responsible for recordation. If not recorded at the time of closing, state when and by whom the contract or deed will be recorded. State the term of the installment payments and the interest rate which you expect to receive.

7. State whether any of the instruments used in the process of completing the sale to a lot purchaser will be assigned, pledged, factored, or discounted by the developer.

8. State whether the developer proposes to resell purchasers lots for them or whether purchasers must sell the lots independently.

34. Amend the format to VIB. to delete the word "Proposed" from caption and to provide for paragraphs 1. and 2. as follows:

B. Range of selling prices or rents:
1. ----------
2. ----------

35. Amend the instructions to part VI. B. to delete the word "Proposed" from the caption to designate the current B. as B.1. and to provide a new paragraph 2. as follows:

B. Range of selling price or rents.

1. State the range of selling prices or rents for lots in the subdivision.

2. State the range of the prices or rents for similar lots in the area. Identify the source of this information.

36. The instruction to part VI.C.1. shall be amended to read as follows:

C. Supporting documentation.

1. A copy of all forms of contracts or agreements to be used in selling or leasing lots. The contracts or agreements, including promissory notes, must contain the following language in boldface type on the face or signature page above all signatures:

The purchaser has the option to void the contract or agreement if he does not receive a property report prepared pursuant to the rules and regulations of the U.S. Department of Housing and Urban Development in advance of, or at the time of, his signing the contract, or agreement; and the purchaser has the right to revoke the contract or agreement within 48 hours after signing the contract or agreement if he did not receive the property report at least 48 hours before signing the contract or agreement.

The contracts or agreements may contain the following additional language in a separate and following paragraph from the rights of the purchaser stated above:

The foregoing revocation authority shall not apply in the case of a purchaser who (1) has received the property report and inspected the lot to be purchased or leased in advance of signing the contract or agreement, and (2) who acknowledges by his signature that he has made such inspection and has read and understood such report on the waiver of buyer's rights form attached to this contract.

Purchaser's acknowledgements, if any, shall be prepared in a separate document from those set forth above and shall be in the following form.

WAIVER OF BUYER'S RIGHTS

THE INTERSTATE LAND SALES FULL DISCLOSURE ACT PROVIDES YOU WITH THE FOLLOWING VALUABLE RIGHTS

You are notified that: Unless you received a copy of the property report prepared in accordance with the rules and regulations of the U.S. Department of Housing and Urban Development, Office of Interstate Land Sales Registration, prior to or at the time you enter into your contract, you may void the contract by notice to the seller.

You are further notified that: You have the right to revoke your contract or agreement within 48 hours after signing your contract or agreement if you did not receive the property report at least 48 hours before you signed your contract or agreement. The Interstate Land Sales Full Disclosure Act permits you to waive your rescission and revocation rights if you received your copy of the property report and inspected the lot to be purchased or leased in advance of signing the contract or agreement and if you acknowledge by your signature that you have made an inspection of the lot and that you have read and understood the property report.

You are cautioned that: Your signature below will result in a waiver of your rights as stated above.

You are further cautioned that: You should be sure that you have carefully inspected the lot to be purchased. You should also ascertain that you have read and that you understand the property report. If you have difficulty in understanding any of the provisions stated in the property report, you should consult an attorney or seek other professional assistance.

ACKNOWLEDGMENT BY PURCHASER

I hereby acknowledge by my signature below that I have inspected the lot to be purchased; that I have read and understood the property report and that I understand that I am waiving my right under the Act to rescind or revoke my contract.

---------- ----------
Date Purchaser

Purchaser

The foregoing statement shall be prepared in type of no less than 10 point font. It shall be centered and well proportioned on a sheet of paper no less than 8 by 10 inches in size and shall be attached to the contract or agreement used in the sale or lease of land in the subdivision. One copy of this form shall be given to each purchaser and another copy shall be retained by the developer and filed alphabetically. Upon demand by the Secretary, the developer shall, without delay, file copies of the executed waiver of buyer's rights form and such applicable contracts as the Secretary may specify.

The above revocation and voidability provisions may not be limited or qualified in the contract or other document by requiring a specific type of notice or by requiring that notice be given at a specified place. If the contract contains a blanket provision with regard to notice, the above revocation and voidability provision under the Interstate Land Sales Full Disclosure Act should be exempted from the operation of the notice provision.

37. Amend the format to part VII.C. to include a new paragraph 4. as follows:

4. ----------
a. ----------
b. ----------

38. Amend the instructions to part VII.C. to include the following new paragraph No. 4:

4. Submit a synopsis of the proposed plans, degree of completion of the work, and estimated cost of the proposed road systems. The synopsis shall specifically include but need not be limited to the following:

a. A cross section or cross sections of the streets and curbs, if any, showing the subbase, the base, and the surface materials.

b. State the estimated cost of the street system.

39. Amend the format to part VIII.A. to read as follows:

PART VIII. UTILITIES

A. Water:
1. ----------
2. ----------
a. ----------
b. ----------
c. ----------
d. ----------
3. ----------
4. ----------
5. ----------
6. ----------

PART VIII. UTILITIES—continued

A. Water—Continued

7. Supporting documentation:

a. _____
b. _____
c. _____
d. _____
e. _____
f. _____
g. _____
h. _____
i. _____
ii. _____

40. Amend the instructions to part VIII.A., 2., 7., and 8. to delete the current paragraph 7. to redesignate the current paragraph 8. as paragraph 7., to include part VIII.A.8.c. which has been redesignated as part VIII.A.7.c. as follows:

2. Is the water supplied or to be supplied by a public (municipality) or privately owned entity? State name and address and whether the company is regulated by a public body. If not regulated by a public body, is there any other means of assurance of continuous service and reasonable rates? If the water is to be supplied by a private company, i.e., a company other than a municipality, submit the following information.

a. A statement that the association, organization or other entity has been formed or setting forth the steps to be taken to form such association or organization or other entity. State whether the plans and installation of the system have been approved by the Health Department and/or by the appropriate regulatory agencies of the State.

b. A statement setting forth the requirements for membership in the association, organization, or other entity or describing the method by which a purchaser will secure the services of the company. State whether all lot owners will be members of the association, organization, or other entity and/or whether they will be entitled to service to their lots. State the method by which lot owners will be assessed for the service and state whether nonmember lot owners or nonsubscribers will be liable for assessments levied by that association, organization, or entity.

c. State whether the lot owners will be permitted or required to use the services of the company. If a lot owner has made other provisions for a water supply, state whether he will be required to discontinue the use of his individual system when the utility is provided. Also state whether he will be required to connect to and/or be assessed for the cost of the central system.

d. A statement of the degree and duration of control of the developer in the association, organization, or other entity.

7. Supporting documentation.

* * * * *

c. Submit a copy of an engineer's report or geological report indicating the source and quantity of the waters. The report shall include a statement of whether the water supply is sufficient to serve the anticipated total population of the area based upon the general plan submitted in answer to part I.D.1 of this section.

e. If as indicated in paragraph 2. above, the association, organization, or other entity has been formed as a legal entity, attach as exhibits copies of articles of association and bylaws or similar documents and a statement from the appropriate State authority confirming that the charter is in effect. If not formed, attach proposed articles of association and by laws or similar documents.

f. Copy of membership agreement or similar documents or the contract by which the lot owners will be required to use the services or permitted to use the services of the utility.

g. Financial statements or pro forma financial statements of the entity identified in paragraph 2. above, including a statement of sources and application of funds for the 12-month period ending not earlier than the 180th day prior to the date of the submission of the statement of record and a pro forma statement of sources and application of funds for the period of time that the developer will control the association. If moneys paid by buyers or lessees as assessments, dues, or other payments for the purpose of providing any services or maintenance on any lots or common facilities or areas are received by the developer or any other organization or entity other than a property owners' association, a statement of sources and application of funds and a pro forma statement of sources and application of funds covering funds received for such purposes shall be submitted. A financial statement or pro forma financial statement of the developer or other organization or entity shall also be submitted. In no event shall a pro forma statement of sources and application of funds be required to extend beyond 5 years from the date of submission of the statement of record. If the developer has no control over the property owners' association or other organization or entity and cannot obtain this information, so state. If the entity incurs a deficit, state how that deficit will be recovered.

h. Submit a synopsis of the proposed plans, degree of completion of the work, and estimated cost of the proposed water system. The synopsis shall include but need not be limited to the following:

a. Describe how the water will be obtained from the source, the capacity of the system, storage facilities and method of distribution.

b. State the estimated cost of the water system.

41. Amend the format to part VIII.E. to read as follows:

E. Sewage disposal:

1. _____
2. _____
a. _____
b. _____
c. _____
d. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. Supporting documentation:
a. _____
b. _____
c. _____
d. _____
e. _____
f. _____
i. _____
ii. _____

42. Amend the instructions to part VIII.E. 2. and 10. to include new paragraphs as follows:

2. Is the entity a public (municipality) or privately owned entity? State whether entity is regulated by a public body. If not, are there any other means of assurance of continuous service and reasonable rates? If sewerage disposal is to be supplied by a private company, i.e., a company other than a municipality, submit the following information:

a. A statement that the association, organization, or other entity has been formed or setting forth the steps to be taken to form such association or organization or other entity. State whether the plans and installation of the system have been approved by the health department and/or by the appropriate regulatory agencies of the State.

b. A statement setting forth the requirements for membership in the association, organization, or other entity or describing the method by which a purchaser will secure the services of the company. State whether all lot owners will be members of the association, organization, or other entity and/or whether they will be entitled to service to their lots. State the method by which lot owners will be assessed for the service and state whether nonmember lot owners or nonsubscribers will be liable for assessments levied by that association, organization, or entity.

c. State whether the lot owners will be permitted or required to use the services of the company. If a lot owner has made other provisions for sewage disposal state whether he will be required to discontinue the use of his individual system when the utility is provided. Also, state whether he will be required to connect to and/or be assessed for the cost of the central system.

d. A statement of the degree and duration of control of the developer in the association, organization, or other entity.

10. Supporting documentation.

* * * * *

c. If as indicated in paragraph 2. above, the association, organization, or other entity has been formed as a legal entity, attach as exhibits copies of articles of association and bylaws or similar documents and a statement from the appropriate State authority confirming that the charter is in effect. If not formed, attached proposed articles of association and bylaws or similar documents, if available.

d. Copy of membership agreement or similar documents or contract by which the lot owners will be required to use the services or permitted to use the services of the utility.

e. Financial statements or pro forma financial statement of the entity identified in paragraph 2 above, including a statement of sources and application of funds for the 12-month period ending not earlier than the 180th day prior to the date of the submission of the statement of record and a pro forma statement of sources and application of funds for the period of time that the developer will control the association. If moneys paid by buyers or lessees as assessments, dues, or other payments for the purpose of providing any services or maintenance on any lots or common facilities or areas are received by the developer or any other organization or entity other than a property owners' association, a statement of sources and application of funds and a pro forma statement of sources and application of funds covering funds received for such purposes shall be submitted. A financial statement or pro forma financial statement of the developer or other organization or entity shall also be submitted. In no event shall a pro forma statement of sources and application of funds be required to extend beyond 5 years from the date of submission of the statement of record. If the developer has no control over the property owners' association or other organization or entity and cannot obtain this information, so state. If the entity incurs a deficit, state how that deficit will be recovered.

f. Submit a synopsis of the proposed plans, degree of completion of the work, and estimated cost of the proposed sewerage system. The synopsis shall include but need not be limited to the following:

i. Describe the system of sewage collection and method of disposal (type of plant treatment and outfall).

ii. State the estimated cost of the sewerage disposal system.

43. The format to part VIII.F. shall be amended to redesignate the current paragraph 5. as paragraph 7. and to include new paragraphs 5., 6., 7. c. and d. as follows:

F. Drainage and flood control:
1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. Supporting documentation:
a. _____
b. _____
c. _____
d. _____
i. _____
ii. _____
iii. _____

44. The instructions to part VIII.F. shall be amended to redesignate the current paragraph 5. as paragraph 7. and to include new paragraphs 5., 6., 7. c. and d. as follows:

5. State whether the developer has a comprehensive program to control soil erosion, sedimentation, and flooding throughout the entire subdivision? *Yes* or *No*. Explain.

6. If there is a plan identified in paragraph 5 above, has it been approved by the appropriate officials responsible for the regulation of land development?

7. Supporting documentation:

* * * * *

c. Submit a copy of the local authority's approval of the plan identified in paragraphs 5. and 6. above. A plan which does not obligate the developer to perform, such as a USDA Soil Conservation Service plan, is not acceptable for this purpose.

d. Submit a synopsis of the proposed plans, degree of completion of the work and estimated cost of the proposed facilities or improvement. The synopsis shall include but need not be limited to the following:

i. Describe the system of collection of surface waters and method of disposal (type of facility, storage, and treatment, if any, and outfall).

ii. Describe the steps to be taken to control erosion and sedimentation.

iii. State the estimated cost of drainage and flood control facilities.

45. Amend the format to part IX. to read as follows:

PART IX. RECREATIONAL AND COMMON FACILITIES

A. _____
1. _____
2. _____
3. _____
4. _____
5. Supporting documentation:
a. _____
b. _____
i. _____
ii. _____
iii. _____
iv. _____

46. Amend the instructions to part IX.A.5. to read as follows:

5. Supporting documentation.

a. Include a copy of the contract for construction of the facilities, if any, and describe any bond or escrow arrangements to assure completion of the facilities.

b. Submit a synopsis of the proposed plans, degree of completion of the work, and estimated cost of the proposed facility or improvement.

i. State the dimensions and type of facility.

ii. Describe the type of materials to be used in the construction of the facility.

iii. Describe the type or design of the construction.

iv. State the estimated cost of the proposed facility.

47. The format to "Part X. Municipal Services" shall be amended to include a new paragraph G. as follows:

G. U.S. Postal Service.
1. _____
2. _____
3. _____

48. The instructions to "Part X. Municipal Services" shall be amended to include a new paragraph G. as follows:

G. U.S. Postal Service.

1. State whether the U.S. Postal Service currently delivers mail to each of the lots in the subdivision. If not, state the nearest location where a lot purchaser can pick up his mail and describe that facility.

2. Give the location, including the street address, of the post office responsible for service to the area in which the lot is located.

3. State the distance to the post office identified in 2. above over streets and roads from the center of the subdivision.

49. The instructions to part XI.C.3. shall be amended to include the following sentence at the end thereof:

If the entity incurs a deficit, state how that deficit will be recovered.

50. The instructions to part XIV. shall be amended as follows:

PART XIV. FINANCIAL STATEMENTS

A. Submit a copy of audited financial statements for the last full fiscal year, plus audited or unaudited statements for an interim period up to the most recent practicable date but in no event more than 6 months old. The statements shall include a balance sheet, a statement of profit and loss, and a statement of the sources and uses of cash, and shall be prepared in accordance with generally accepted accounting principles. The financial statements shall be prepared by an independent certified public accountant, and shall include a certified opinion unless the proposed offering is valued at less than $300,000 or contains less than 300 lots.

The developer shall submit new financial statements every 6 months if they are significantly different from the ones on file. If the financial statements submitted by the developer disclose a deficit in retained earnings, or that he has sustained an operating loss, he shall amend his property report as required by § 1710.110, part D., 4. of these regulations.

B. Describe the financing plan or plans that have been or are to be used in financing the onsite and offsite improvements proposed in the statement of record. Also, describe the financing plan that is to be used, and by whom, in the offering of lots for sale in this subdivision. If secondary financing is contemplated, give details. Describe fully any other financing plan, and with whom, which may affect title to the lots, which is not covered above or elsewhere in this statement of record.

51. The format to "Part XV, Affirmation of the Statement of Record" shall be amended to include a new paragraph between the second and third paragraphs. This paragraph shall read as follows:

I understand that I am legally bound to carry out the proposals, promises and obligations set forth in this statement of record and property report.

52. The instructions to part XV. shall be amended to include the following new paragraph:

The affirmation shall be signed by the developer's Chief Executive officer, Chief Financial Officer and a majority of its Board of Directors (or other governing body).

§ 1710.110 [Amended]

53. Section 1710.110 of the regulations shall be amended as follows:

The last sentence of the first paragraph and the notice and disclaimer shall be amended to read as follows:

* * * The developer shall answer the questions directly and completely in accordance with the format (part A.) and the instructions (part B.–D.) as follows:

Part A. Format:

PROPERTY REPORT

NOTICE AND DISCLAIMER BY OFFICE OF INTERSTATE LAND SALES REGISTRATION, U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Interstate Land Sales Full Disclosure Act specifically prohibits any representation to the effect that the Federal Government has in any way passed upon the merits of, or given approval to this subdivision, or passed upon the value of the property as an investment.

It shall be unlawful for anyone to make, or cause to be made to any prospective purchaser, any representation contrary to the foregoing or any representations which differ from the statements in this property report. If any such representations are made, please notify the Office of Interstate Land Sales Registration at the following address:

Office of Interstate Land Sales Registration, HUD Building, 451 Seventh Street SW., Washington, D.C. 20410.

Inspect the property and read all documents. Seek professional advice. Unless you received this property report prior to or at the time you enter into a contract, you may void the contract by notice to the seller.

Unless you acknowledge in writing on a waiver of buyer's rights form that you have read and understood the property report and that you have personally inspected the lot prior to signing your contract, you may revoke your contract within 48 hours from the signing of your contract, if you received the property report less than 48 hours prior to signing such contract.

54. The format for paragraph 4. shall be amended by revising paragraphs b. and c. and to redesignate paragraphs c. and d. as d. and e. The revised paragraph b., the new paragraph c., and the revised and redesignated paragraph d. shall read as follows:

b. In the absence of an immediate recording of the contract or deed, could third parties or creditors of any person having an interest in the land acquire title to the property free of any obligation to deliver a deed? Yes or No? ____ Explain. _____

c. State when the contract or deed will be recorded, and who will record it. State who will bear the costs of recordation, and the amount if those costs are to be borne by the purchaser.

d. What provision, if any, has been made for refunds if buyer defaults? If none, and

the buyers payments are to be retained, state whether his loss will be limited to the amount of his payments to date, or whether he will be responsible to the developer or his assignees for additional damages or for the balance of his contract.

55. The format for paragraph 8. shall be amended to delete the parentheses from paragraphs (a)–(d) and to include periods after each letter in lieu thereof.

Paragraph 8.c. shall then be amended to read as follows:

c. List the permissible uses of the property based upon the restrictive covenants, and which are consistent with local zoning ordinances.

56. The format for paragraph 9.(a) shall be amended to read as follows:

a. List all recreational facilities currently available (e.g., swimming pools, golf courses, ski slopes, etc.). State who owns or will own the facility and any costs or assessments to the buyer or lessee.

57. The format for paragraph 9.(b) shall be amended by deleting the parentheses and inserting a period after the b. and by placing the following language immediately after the end of the current 9.(b).

Description of each facility	Percentage of completion	Estimated completion date

58. The format for paragraph 10. shall be amended to read as follows:

10. State whether or not the following are available in the subdivision:

(a) Roads:

1. Access to the subdivision: Paved ____, unpaved ____, percentage of completion ____, estimated completion date _____.

2. Road system within the subdivision: Paved ____, unpaved ____, percentage of completion ____, estimated completion date _____.

(b) Utilities:
1. Water.
2. Electricity.
3. Gas.
4. Telephone.
5. Sewage disposal.
6. Drainage and Flood Control.
7. Television.

(c) Municipal Services:
1. Fire protection.
2. Police protection.
3. Garbage and trash collection.
4. Public schools:
A. Elementary schools.
B. Junior high school.
C. High school.
5. Medical and dental facilities:
A. Hospital facilities.
B. Physicians and dentists.
6. Public transportation.
7. U.S. Postal Service.

59. Amend the format to paragraph 13. to read as follows:

13. State whether shopping facilities are available in the subdivision; if not, state the distance in miles to such facilities and whether public transportation is available.

60. Amend the format to paragraph 15. to delete the parentheses from (a)–(e) and to insert a period after each letter in lieu thereof.

61. The format to paragraph 17. shall be amended to read as follows:

17. State whether there is physical access (by conventional automobile) over legal rights-of-way to all lots and common facilities in the subdivision. State whether the access will be by public or private roads and streets and whether they will be maintained by public or private funds.

62. The format to paragraph 19. shall be amended to read as follows:

19. Has each individual lot been staked or marked so that the buyer can identify the boundary lines of his lot? If not, state estimated cost to purchaser or lessee to obtain a survey and to have boundary lines staked or marked.

63. The following question 20 shall be added to the format:

20. State whether a comprehensive program is in effect to control soil erosion, sedimentation, and flooding throughout the entire subdivision? Yes or no. If yes, has the plan been approved by officials responsible for the regulation of land development? Yes or No.

64. The following paragraph 21 shall be added to the format.

21. Will the developer represent as a part of his sales program that the lot has investment potential? Yes or No. _____.

If you as a prospective purchaser are considering the purchase of a lot as an investment for future resale you should consider the following potentially adverse factors.

a. A significant percentage of the sales price may have been committed to promotional advertising and sales commission.

b. Significant costs may be incurred in the resale of the lot.

c. Your lot may have to be sold in direct competition with the developer's sales program.

d. Substantial population growth within the subdivision cannot be assured.

e. Promotional sales stimulus such as that used by the developer will not be available to you.

f. No assurance can be given that a real estate broker will agree to list your lot or to show it to prospective purchasers. This is especially important if your lot is located in a remote subdivision.

65. The following paragraph 22 shall be added to the format:

22. State whether the developer offers a resale program for those purchasers who wish to resale their lot. Yes or No. _____. State how the purchaser will resell his lot in the absence of such a program. List any factors which may limit or affect the purchaser's ability to resell his lot.

The purchaser's reference to financial statements and the signature lines should be added to the format, as follows:

PURCHASER SHOULD CAREFULLY REVIEW THE ATTACHED FINANCIAL STATEMENTS OF THE DEVELOPER (SEE EXHIBIT A)

Signatures of the officials of the developer:

_____ President	_____ Date
_____ Vice President (name of developer)	_____ Date
_____ Chief Financial Officer	_____ Date
_____ Chairman Board of Directors	_____ Date

66. The instructions for completing property report and lease addendum shall be designated as "Part B. Technical Instructions for Completing Property Report and Lease Addenum": The first paragraph of the current instructions shall be designated as paragraph No. 1. Subparagraph d. of that paragraph shall be revised to read as follows:

d. The property report shall contain information in addition to that elicited by the questions appearing therein and in addition to that required by this section if at any time such additional information is necessary or appropriate in the public interest or necessary for the protection of purchasers or necessary to make the required statements not misleading in the light of the circumstances under which they are made.

67. The additional requirements for property report shall be incorporated into the technical instructions for completing property report and lease addendum. The current paragraphs a.–f. shall be redesignated as paragraphs 2.–7. of part B. The current paragraph a. shall be amended to delete the words "* * * to 13 * * *" from the first sentence and include the following at the end thereof:

The final printed version of the property report shall be verbatim to that found effective with this Office. Also, it shall have no covers, pictures, emblems, logograms, or identifying insignia. The first page of the property report shall begin with the words "Property Report". It shall include the notice and disclaimer, paragraph 1., and paragraph 2.a. effective date of property report _____ and a receipt as prescribed in the next paragraph. The second page shall begin with paragraph 2.b. The remainder of the property report shall be prepared in a sequential manner as required by this section.

The disclosure on the first page of the property report shall be made in the first 8½ inches of that page. The following shall be overprinted on that page in centered capital letters in light red type of the style used to mark sample documents in letters one-half inch in size with ½-inch spaces between lines.

PURCHASER
SHOULD READ
THIS DOCUMENT
BEFORE SIGNING
ANYTHING

The last 2½ inches of the front page shall be composed of a receipt printed on the front of the property report. The original of the receipt shall be prepared in such a manner that it can be detached and retained by the developer after it is signed by the purchaser. The receipt shall have a carbon affixed so that the last 2½ inches of the first page of the property report will be the purchaser's carbon copy of the receipt and his signature will be evidenced thereon.

The receipt shall be 2½ inches by 8½ inches and trimmed with a red border one-eighth inch in size and it shall contain the following language:

"IMPORTANT READ CAREFULLY

Name of subdivision:

By signing this receipt you acknowledge that you have received a copy of the property report prepared pursuant to the Rules and Regulations of the Office of Interstate Land Sales Registration, U.S. Department of Housing and Urban Development.

Received by _____
Street Address _____
Date _____
City _____ State_____
ZIP _____

Notwithstanding your signature by which you acknowledged that you received the Property Report you still have other important rights under the Interstate Land Sales Registration Act."

The developer shall retain the original receipt for each property report. The receipts shall be filed alphabetically and indexed by purchaser's surname. Upon demand by the Secretary, made at any time during the calendar year, the developer shall, without delay make such files available for inspection by the Secretary, or he shall file copies of such receipts as the Secretary may specify.

68. The current paragraph d. of "Additional Requirements for Property Report" shall be amended by changing the following language at the end thereof:

(Insert identification of subdivision and date of typing for submission to OILSR).

69. A new paragraph shall be added to part B. as follows:

8. Answers to items in the format shall be prepared in such a manner that the introductory information will immediately inform the purchaser of any adverse effects. For example, if the answer to paragraph 5. is that the purchaser can lose his moneys invested, this shall be clearly stated at the beginning of the answer to that paragraph. Additional information may follow introductory information. Refer to the purchaser in the second person. Do not include any statements making reference to the developer's past performance or business reputation. Facilities or proposals may not be listed in the property report unless the developer has signed the affirmation indicating his intention to be bound to carry out the obligation or promise and unless he has clearly stated the estimated completion date for the facility of proposal. The uninformed purchaser should be able to understand the answer information contained in the property report.

70. The heading "SPECIAL INSTRUCTIONS" shall be amended to read as follows:

PART C. INSTRUCTIONS FOR ANSWERS TO PARAGRAPHS IN THE PROPERTY REPORT

71. The instruction to paragraph 2.b. shall be amended to include the following additional information at the end thereof:

The legal description to be included in this paragraph shall include the number or name of the section or unit if any, the block number, if any, and the lot numbers. Any exceptions therefrom shall be listed. For example, unit 1 (or name of unit), block 5, lots 1–40, except lots 8, 15, and 21. Outlots and lots set aside for recreation or common areas should not be listed in your answer to this paragraph.

72. The instruction to paragraph 4. shall be revised to read as follows:

a. Paragraph 4.a. If there is any prohibition or penalty against the buyer recording the sales contract or lease, so state.

b. Paragraph 4.b. Describe any potential adverse effect on the buyer's interest which may arise from not having his contract recorded. ("Potential adverse effect," includes subordination of the buyer's interest to liens recorded against the property after the buyer has signed his contract.) If the contract or a deed is not recorded by the developer at or immediately after the time when the purchaser signs the contract the developer shall include the following language at the beginning of his answer to this paragraph: "Yes. In the absence of an immediate recording of the contract or deed your right to the title of the land may be defeated by such third parties as subsequent purchasers or creditors of any person having an interest in the land."

c. Paragraph 4.d. If the paper is negotiable and is to be assigned, pledged or factored state how this will affect the buyer's rights under the contract. If the buyer will be required to pay after the paper is negotiated and although the developer may have defaulted, the following shall be included as the first sentence of your answer to this paragraph. "(WARNING: You may be required to pay the total amount of your obligation to a third party. This may occur even though the developer defaults on his promises.)"

73. The instruction in paragraph 5. shall be amended to read as follows:

Paragraph 5. If the buyer or lessee is exposed to the risk of losing his investment in the event of the developer's failure or bankruptcy, this fact must be made unmistakably clear in this paragraph. Explanations should include measures designed to protect the buyer's interests, if any, and they must disclose any circumstances under which the buyer would lose his investment. If the buyer is to be protected (regardless of whether the offering includes only cash sales, or installment contracts and leases) explain fully how the buyer or lessee is to be protected against loss of his investment. If a blanket mortgage or other lien is foreclosed against the developer, will the holder of such mortgage or other lien be obligated to perform the agreement with the purchaser or lessee? If not, are the buyer's or lessee's payments and investments in improving the property protected through an escrow or by other means? The buyer or lessee must be told of the possible consequences in the explanation of the answer to this question.

An unrecorded document is not acceptable to assure that the release clauses protect the purchaser since such a document is personal and does not run with the land. The release clause must be included in the liens of record or recorded amendments to the liens filed of record in order for them to protect the lot purchaser. If the release clauses are not included in such a recorded instrument and/or if they do not run with the land the answer to this paragraph must clearly disclose that the purchasers rights may be cut off and that the purchaser may lose his investment.

74. The special instructions to paragraph 7. shall be amended to include the following additional requirements after the current instructions:

a. If the construction of any of the proposed facilities will be financed by a property owners' association, special improvement district, or other similar organization or entity, the following information shall be included at the end of your answer to paragraph 7. of the property report.

"State whether the developer has control of the organization or entity or if any of the developers, officers, and directors or employees are also officers and directors of the organization or entity and if and when the developer's control will be relinquished. State the amount of the loan or debt, the interest and the period of time over which it will be amortized."

b. Also include the following statement:

"(You will be obligated to pay the assessments for the cost of installing certain of the facilities and these costs are in addition to your payments for the lot.)"

c. If the developer's answer to part XI.C. of the statement of record discloses that the association or entity has not been formed and that the developer has not submitted the financial statements and/or pro forma financial statements, the following statement shall be included in his answer to this paragraph.

"(The (state type of association or entity proposed) has not been formed and the developer has not prepared or obtained financial statements for the (state type of association or entity proposed). The developer's proposal lacks definition and that although he has promised to do so he may not be able to carry out his promise.)"

d. If the developer's answer to part XI.C.2. of the statement of record indicates that not all of the lot owners will be required to belong to the association or be levied for assessment, the following statement shall be included in your answer to this paragraph.

"(Membership in the (state the name or type of association or entity proposed) is not mandatory and some of the lot owners may not be required to pay the assessments levied by the (state the name or type of association or entity proposed). Therefore, you may have to pay a disproportionate share of the cost of operating the (state the name or type of association or entity proposed).)"

75. Amend the special instructions to paragraph 8(b) to include the following additional requirement at the end of the current instruction:

The subdivision restrictions are required to be listed in their entirety. If the restrictions are lengthy, they may be attached to the property report and incorporated by reference.

76. Amend the special instruction to include the following new paragraph 8(c):

Paragraph 8(c). The answer to this part shall list the uses consistent with the restrictions on the property. If the zoning regulations are not consistent with the restrictions on the property, so state. If the lot cannot be used for a homesite, include a statement to that effect.

i. If there is an architectural control committee or similar organization, include the following statement in your answer to this paragraph.

"The (name of entity) may alter your plans to build on or to use your lot."

ii. State who has control of the entity. If the developer has control of the entity or if any of the developers, officers, and directors or employees are also officers and directors of the organization or entity, so state. Also state when the developers control will be relinquished and include the following statement in the first paragraph of your answer to this paragraph of the property report. "The developer has a controlling interest in the (state name of entity)."

iii. If your answer to part IV.D.7. of the statement of record indicates that the buyer must obtain a permit or license from a State or local agency or organization before he can construct on his lot, your answer to this paragraph shall identify the agency or organization from which the permit or license must be obtained and state the procedure to be followed in the process of obtaining that permit or license.

77. Amend the special instructions to paragraph 8(d) to provide for an introduction and subparagraph i.–iii. as follows:

Paragraph 8(d). In answering this question the following guidelines shall be followed:

i. If your answer to part IV.B. 2. or 3. of the statement of record discloses that the subdivision is affected by flooding or by a flood plain, the answer to this item shall include a summary statement of the flooding or the possible effect of the flood plain upon the subdivision. The statement shall identify the lots affected by the flood plain.

If the subdivision is located in an identifiable area of special flood hazards, state whether flood insurance is available for new construction in the area and if available the extent to which it may be required by Federal agencies. State the approximate range of the cost of such insurance and include the following statement in the answer to this paragraph of the property report. (The cost of flood insurance will vary in inverse proportion with the elevation of the lot.)

ii. Examples of unusual conditions relating to the location of the subdivision would include whether the subdivision, or any part thereof, is covered by water at any time during the year or is subject to hurricanes, tornadoes, earthquakes, mudslides, brushfires, forest fires, avalanches, volcanic eruptions, or other natural hazards. The existence, severity, and frequency of natural hazards should be fully explained. If any of the natural hazards of the type illustrated in this paragraph are present, state whether insurance against such hazards is available. State whether the area in which the subdivision is located has been formally identified by any Federal, State, or local agency as being in an area subject to a special natural hazard and whether the area is or will be subject to any special land use requirements which will restrict development or entail unusual development or maintenance expense. Examples of unusual noises which might affect the subdivision would include proposed or existing industrial activity, airports or other transportation facilities, animal pens, entertainment centers, and the like.

iii. Unusual safety factors which might affect the subdivision would include any proposed or existing conditions in the area which create physical hazards such as dilapidated or abandoned buildings, unsafe construction, air or vehicular traffic hazards, danger from fire or explosion, radiation hazards, and the like. Examples of other nuisances which might affect the subdivision include noxious odors such as smoke, chemical fumes, stagnant ponds or marshes, slaughterhouses, sewage treatment facilities, and the like. Any such conditions should be fully explained identifying their origins and locations and stating whether they are proposed or existing—if existing, whether temporary (include estimate of duration) or permanent.

78. The special instructions shall be amended to include a new instruction for paragraph 9. as follows:

Paragraph 9.a. If the answer to part IV.D.8. of the statement of record indicates that the developer must obtain a permit or license and if the developer has not submitted the supporting documentation required by part IV.E.3. of the statement of record the answer to this paragraph shall include the following statement:

"The developer has not obtained a (permit or license, identify which) from the (identify the agency or organization which must issue the permit or license) for the construction of or installation of the (identify the facility or improvement affected). Although he has promised to obtain the (identify the necessary license or permit) and to complete the facility he may not be able to carry out his promise."

b. If the facility or improvement has been installed and the required permit or license has not been obtained, the developer shall include the following statement.

"The (identify the permit or license) has not been obtained and there is no assurance other than the promise of the developer that the lot owners will be able to use the (identify the facility or improvement)."

c. If the developer has not obtained the documentation required by Part IX.A.5. of the statement of record, the answer to this item of the property report shall include the following statement:

"The developer has not entered into any bond or escrow agreements or made any other provisions to assure completion of the facilities. Accordingly, there is no assurance, other than the promise of the developer, that these facilities will be completed."

If the developer cannot adhere to his proposed completion schedule, he shall amend his answer to this item in accordance with § 1710.23(a). His amendment shall include a statement of the original proposed completion date as well as the new proposed completion date.

d. If the developer cannot submit the documentation required by part IX.A.5b. of the statement of record, include the following statement in your answer to paragraph 9. of the property report:

"The developers' proposal lacks definition and although he has promised to complete the facility he may not be able to carry out his promise."

79. The special instructions to paragraph 10. shall be amended by deleting the current instruction and inserting the following new instruction in lieu thereof:

Paragraph 10. The answers to each of the items under this paragraph shall be a concise and accurate summary of the information required to be stated in the related portion of the statement of record.

a. Describe arrangements made (contracts supported by completion bonds or escrows, for example) to assure completion of the improvements. If no arrangements have been made, include the following statement:

"The developer has not set aside any money or entered into any bond, escrow or trust arrangement to assure completion of the facilities. Accordingly, there is no assurance, other than the promise of the developer, that the facilities will be completed."

If it later becomes evident that an improvement will not be completed on or before the specified date, amendments to the statement of record and property report are required. An amendment shall include a statement of the original proposed completion date as well as the new proposed completion date.

b. If the answer to part IV.D.8. of the statement of record indicates that the developer must obtain a permit or license and if the developer has not submitted the supporting documentation required by part IV.E.3. of the statement of record, the answer to this paragraph shall include the following statement:

"The developer has not obtained a (permit or license, identify which) from the (identify the agency or organization which must issue the permit or license) for the construction of or installation of the (identify the facility or improvement affected). The developer may not be able to obtain the required permit or license and although he has promised to obtain the (identify the license or permit) and to complete the facility he may not be able to carry out his promise."

c. If the facility or improvement has been installed and the required permit or license has not been obtained, the developer shall include the following statement:

"(Identify the permit or license) has not been obtained and there is no assurance other than the promise of the developer that the lot owners will be able to use the (identify the facility or improvement)."

d. If the developer has not submitted the documentation required by any of the following parts of the statement of record, he shall amend the appropriate subparagraph of paragraph 10. of the property report to include the statement set forth below.

Part of the statement of record:	*Subparagraph of paragraph 10. of the property report*
Part VII C4	a, 1 and 2
Part VIII A8h	b, 1
Part VIII E 10f	b, 5
Part VIII F 7d	b, 6

Statement to be included in the appropriate subparagraph of paragraph 10.

"The developers' proposal lacks definition and although he has promised to complete the proposal he may not be able to carry out his promise."

e. In addition to the above instructions, the following additional instructions shall be followed in preparing the answer to the following subparagraphs:

Subparagraph (a)2.

If the supporting documentation required by part VII.C. of the regulations is not submitted, the answer to this item shall include a statement that the roads have not been accepted by the local authorities and a statement of the alternate plan for maintenance of the roads within the subdivision. Where the developer states that he will maintain the roads and he has not escrowed or set aside any money to assure continued maintenance of the roads, he shall include the following statement in his answer:

"The developer has not set aside any money or entered into any escrow or trust arrangements in order to assure continued maintenance of the roads during the life of the subdivision. You may be required to pay all or part of the cost of maintaining the roads in the subdivision."

Subparagraph (b)1. i. If the developer has not obtained the documentation required by part VIII.A.8.d. of the statement of record, the following statement must be made in the reply to question 10 of the property report:

"The developer has not obtained a letter or report from a cognizant health officer on the quality and purity of water. Accordingly, there is no assurance that the available water will be either pure or of acceptable quality."

ii. If an analysis of the water is submitted, it must include a statement in layman's language of whether the water is drinkable and whether it contains any unsual characteristics. This statement shall be included in the answer to this paragraph of the property report.

iii. If water is to be provided by private well, indicate (1) estimated completion cost and (2) any other data establishing that a sufficient quantity of potable water is available to each buyer or lessee. If water is to be provided by a private utility, describe assurance for continuous service and reasonable rates.

iv. If the developer's answer to part VIII. A.2. of the statement of record indicates that the private entity has not been formed or if the developer has not submitted the supporting documentation required by part VIII.A.8. e. through g. of the statement of record, the following statement shall be included with his answer to this subparagraph:

"The (state the name or type of association or entity proposed) has not been formed. Although the developer has promised to carry out his proposal it lacks definition and he may not be able to carry out his promise."

v. If the developer's answer to part VIII. A.2.b. of the statement of record indicates that not all of the lot owners will be required to use the services of the company or if not all of the lot owners will be assessed for the cost of the service, the following statement shall be included in your answer to this subparagraph:

"Since the use of the service of the (state the name or type of association or entity proposed) is not mandatory, some of the lot owners may not be required to pay the assessments levied by the (state the name or type of association or entity proposed). Therefore, you may have to pay a disproportionate share of the cost of operating the water system."

vi. If the developer's answer to part VIII.A. of the statement of record or the contract or restrictive covenants indicates that: (1) A central water system will be installed in the future; (2) purchasers who wish to construct on their lot prior to the installation of the central system may use their own individual system; and (3) when the central system is installed, the purchaser will be required to connect to and/or be assessed for a portion of the cost of the central system, the developer shall include the following statement in his answer to this subparagraph of the property report:

"If you wish to use your lot prior to the installation of the central water system, you will be required to install your own individual water system and you will be required to connect to and/or will be assessed for the cost of the central water system."

The answer shall include the estimated cost of an individual system as well as the estimated cost of the central system.

vii. If the developer's answer to part VIII.A. of the statement of record indicates that the central water system will be installed in the future and that the purchaser will not be able to use an individual water system prior to the installation of the central system, the developer shall include the following statement in his answer to this subparagraph of the property report:

"You will not be permitted to use individual water systems and water will not be available to your lot until after the central water system has been completed."

Subparagraph (b)5. i. If no central sewage disposal arrangements are contemplated, state whether the land is suitable for the use of septic tanks, describing the results of any percolation tests. State estimated cost to buyer for septic tank.

ii. If the developer has not submitted the documentation required by part VIII.E.10.b. or if such documentation does not clearly indicate that onsite sewerage units have been approved for use of each and every lot in the subdivision, the developer shall include the following statement in his answer to this subparagraph of the property report:

"The developer has not obtained a letter or report from a cognizant health officer approving the use of an onsite sewerage disposal system on each and every lot in the subdivision. There is no assurance that you will be able to obtain a permit or approval from the health officials for the installation and use of an onsite sewerage disposal system."

iii. Where onsite sewage disposal is to be used and the developer has made no provision for the installation of a central sanitary sewerage system, the following statement shall be added:

"The developer has made no provision for the installation of a central sanitary sewerage system, nor has the developer made any provision to set aside any money to fund the installation of such a system."

iv. If the developer's answer to part VIII.E.2. of the statement of record indicates that the developer proposes the use of a private company to provide sewage disposal within the subdivision and that the entity has not been formed and if the developer has not submitted the supporting documentation required by part VIII.E.10. c. through e. of the statement of record, the following statement shall be included in his answer to this subparagraph:

"The (state the name or type of association or entity proposed) has not been formed. Although, the developer has promised to carry out his proposal it lacks definition and he may not be able to carry out his promise."

v. If the developer's answer to part VIII.E.2.b. of the statement of record indicates that not all of the lot owners will be required to use the services of the company or if not all of the lot owners will be assessed for the cost of the service, the following statement shall be included in your answer to this subparagraph:

"Since the use of the services of the (state the name or type of association or entity proposed) is not mandatory, some of the lot owners may not be required to pay the assessments levied by the (state the name or type of association or entity proposed). Therefore, you may have to pay a disproportionate share of the cost of operating the sewerage disposal system."

vi. If the developer's answer to part VIII.E. of the statement of record or the contract or restrictive covenants indicates that: (1) A central sewerage system will be installed in the future; (2) purchasers who wish to construct on their lot prior to private sewerage disposal system the installation of the central system will have to install their own and (3) when the central system is installed the purchaser will be required to connect to and/or will be assessed for the cost of the central system, the developer shall include the following statement in his answer to this subparagraph of the property report.

"If you wish to use your lot prior to the installation of the central sewerage system, you will be required to install your own individual sewerage system and you will be required to connect to and/or will be assessed for the cost of the central sewerage system."

The answer shall include the estimated cost of an individual system as well as the estimated cost of the central system.

vii. If the developer's answer to part VIII.E. of the statement of record indicates that the central sewerage system will be installed in the future and that the purchaser will not be able to use an individual system prior to the installation of the central system the developer shall include the following statement in his answer to this subparagraph of the property report:

"You will not be permitted to use an individual sewerage disposal system; sewage disposal will not be available to your lot until after the central sewerage system has been installed."

80. The instructions to part C. shall be amended to add the following instructions for paragraph 20:

Paragraph 20. If the answer to this paragraph is no and you do not submit the documentation required by part VIII.F.7.3. of the statement of record include the following statement in your answer:

"Erosion and flooding could result in property damage and could create a health and safety hazard."

81. The instructions to part C. shall be amended to include the following instructions to paragraph 21., 22., exhibit A, and signature of the officials of the developer.

a. Paragraph 21. The developer may delete subparagraphs (5) and (6) from this paragraph if he has an active resale program and he makes adequate disclosure of these factors in his answer to paragraph 22.

Paragraph 22.(a) If the developer has or proposed to have a lot resale program and deletes paragraphs 21. (e) and (f) of the property report, the following information must be disclosed:

1. Whether the lots will be sold in competition with the developer's sales program;

2. Whether the developer's salesmen who resell the lots are licensed by the State;

3. The duration of the resale program;

4. The methods of sale available to the purchaser if the program discontinued.

b. If the developer's resale program is to be discontinued the information required in paragraphs 21. (e) and (f) of the property report shall be set forth in this paragraph. In addition, the following information must be disclosed:

1. What restrictions there are against the posting of "For Sale" signs by purchasers;

2. By what means a lot could be located in the absence of "For Sale" signs;

3. Whether the purchaser will have to accompany a prospective buyer for the buyer to enter the subdivision;

4. Whether the developer reserves a right of first refusal;

5. Whether purchaser approval by an organization controlled by the developer is required as a requisite to membership therein or as a requisite to possession or ownership of a lot;

6. What provisions concerning resale there are in the developer's contract of sale;

7. What liens would affect the purchaser's right to sell his lot.

c. Exhibit A. The financial statements submitted in reply to part XIV. of the statement of record shall be attached to the property report as exhibit A.

Signatures of the officials of the developer.

The signatures of the officials who signed the affirmation at the end of the statement of record shall appear at the end of the property report.

82. The special instructions shall be amended by adding the following additional instructions for part D. at the end thereof:

Part D. Additional paragraphs to be added to the property report in special circumstances.

In the interest of consumer protection, special circumstances warrant the inclusion of additional items in the property report. This list of paragraphs shall not be interpreted to in any way limit the authority and responsibilities set forth in part B.1.d. of this section. Paragraphs in addition to those listed here shall be added whenever the circumstances justify the need for such additional paragraphs. If any of the following provisions are applicable to the filing, the applicable question and an appropriate reply shall be added as paragraph 23., et seq., immediately after question 22 of the property report.

If the subdivision plat map has not been recorded, the developer shall add the following additional item and an appropriate reply to the property report:

"State whether the subdivision is based on a proposed rather than a currently approved division of the land. If proposed, state whether the description of each of the lots in the offering is legally adequate for the conveyancing of the land in the political subdivision wherein the land is located."

2. In those instances where the subdivision has not been approved by the local authorities, the developer shall add the following additional item and an appropriate reply to the property report:

"State whether the subdivision must be approved by the local authorities before it is platted of record. If yes, and the subdivision plat has not been approved by the local authorities, or if the subdivision has not been platted of record, you are advised as follows: The local authorities may require significant alterations before they will approve the proposed use of the land. Zoning requirements may prevent the land from being used for the purpose for which it is currently being sold."

3. Where the financial information submitted by the developer to satisfy the requirements of part XIV.A. of the statement of record indicates a deficit in retained earnings or an operating loss during the last fiscal year, the following item shall be added to the property report:

"State whether or not the developer has a deficit in retained earnings or has experienced an operating loss during the last fiscal year. Yes or No. If yes, your attention is directed to those items in the property report wherein the developer may have promised to complete certain facilities or to discharge financial obligations."

4. If the developer is a newly-formed corporation, it shall add the following paragraph and an appropriate reply to its property report.

"State whether the developer is a newly formed corporation. Yes or no. If yes, state the effect which the heavy expenditures necessary to begin a land development sales operation will have on the developer's earnings."

5. If the certified opinion required by part XIV. of the statement of record is qualified, the developer shall add the following paragraph to his property report.

State whether the accountant qualified his opinion on the financial statements. Yes or no. If yes, your attention is called to the copy of that opinion in exhibit A of this property report.

6. If the developer's sales contract has reserved the right to encumber the land subsequent to the signing of the contract, add the following paragraph and an appropriate reply to the property report.

"Does the seller have the right to encumber the purchaser's lot by a mortgage or mortgages during the continuance of the contract of sale? Yes or no. If yes, you may not be able to obtain a clear title to your lot regardless of whether the contract is recorded."

7. If the answer to part II.C. indicates that the subdivision or any of the parties involved in the subdivision have been or are parties to any disciplinary proceedings, bankruptcies or litigation which will materially affect the operation of the subdivision include the following paragraph and an appropriate reply in the property report.

"State whether the subdivision or any of the parties involved in the development of the subdivision have been or are parties to disciplinary proceeding, bankruptcies or litigation which may materially affect lot purchasers in this subdivision."

8. Where there is no fire fighting service offering year-round protection to the individual homes in the subdivision, add the following question and an appropriate reply to the property report.

"State whether or not there is a fire fighting force offering year-round fire protection to the individual homes in the subdivision. Yes or No. If no, your attention is called to the fact that fire protection is not available year-round, and that the availability or cost of obtaining a fire insurance policy may be affected."

9. For all foreign filings, the following questions should be added to the property report and answered appropriately:

a. "State whether or not the owner of the subdivision is a foreign corporation. Yes or No. If yes, you may have to seek legal remedy in the courts of a foreign country should it become necessary to enforce this contract."

b. "State whether the land is located in a foreign country. Yes or No. If yes, the laws and constitution of the United States may not be applicable."

c. "State whether or not it is necessary for an alien to obtain a license granted by the Government of (insert the name of the government wherein the property is located) in order to acquire title to a lot in the subdivision."

d. "State whether or not it is necessary for an alien to obtain a work permit, license to do business, or similar document from the Government of (insert the name of the government wherein the property is located) before he will be able to reside, work, own and/or manage a business in (insert the name of the country wherein the property is located). If so, describe the procedures for obtaining such a document and state the length of time for which it will be effective."

83. Section 1710.115 of the regulations shall be amended to read as follows:

§ 1710.115 State property report disclaimer.

If the developer is filing with the Office of Interstate Land Sales Registration, Department of Housing and Urban Development, pursuant to § 1710.25, the following statement must be delivered to each purchaser simultaneously with the delivery of the State property report:

STATE PROPERTY REPORT DISCLAIMER

NOTICE AND DISCLAIMER BY OFFICE OF INTERSTATE LAND SALES REGISTRATION, U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Office of Interstate Land Sales Registration, U.S. Department of Housing and Urban Development, has accepted this (name of State) (name of property report, e.g., public offering statement, subdivision report) as the property report on this subdivision.

The Interstate Land Sales Full Disclosure Act specifically prohibits any representation to the effect that the Federal Government has in any way passed upon the merits of, or given approval to this subdivision, nor passed upon the value of this property as an investment. It shall be unlawful for anyone to make, or cause to be made to any prospective purchaser any representation contrary to the foregoing or any representation which differs from the statement in this property report. If any such representations are made, please notify the Office of Interstate Land Sales Registration at the following address:

Office of Interstate Land Sales Registration, HUD Building, 451 Seventh Street SW., Washington, D.C. 20410.

Inspect the property and read all documents. Seek professional advice.

Unless you received this property report prior to or at the time you enter into a contract, you may void the contract by notice to the seller.

Unless you acknowledge in writing on a waiver of buyer's right form that you have read and understood the property report and have personally inspected the lot prior to signing your contract, you may revoke your contract within 48 hours from the signing of your contract if you received the property report less than 48 hours prior to signing such contract.

Effective with the Office of Interstate Land Sales Registration on _____.

The above disclaimer shall be prepared on the top 8½ inches of an 8½ by 11 inch page. The page shall be prepared in the format required by section 1710.110, part B.a. beginning with the second paragraph and continuing to end of paragraph a. of that part.

§ 1710.120 [Amended]

84. Section 1710.120 is amended by:

a. Changing the first paragraph of section I.

SECTION I *State Filings.* The following information shall preface the State statement of record or similar instrument and shall be done in accordance with the format and general instructions set forth in § 1710.105 for Part I. Administrative Information, Part II. Developers and Holders of Ownership Interest in Land, and Part III. Identity of Interest in more than one filing.

b. Deleting paragraph B. of sec. II.

c. Changing paragraph C. of sec. II. to read:

C. The contracts or agreements must contain the language required by Part VI.C.1. of § 1710.105.

d. Redesignating paragraphs C. and D. of sec. II. as paragraphs B. and C.

85. Section 1710.130 is amended to read:

§ 1710.130 Effective date.

This part is effective on May 4, 1973. All initial requests, filings, consolidations, amendments, and other applicable actions made after the effective date stated above shall be made pursuant to these regulations. Statements of record, consolidations and amendments filed with OILSR prior to the effective date of these regulations shall be examined on the basis of the regulations in effect at the time of filing and may become effective on the basis of such regulations. Any amendments filed after the effective date of these regulations shall contain all the changes necessary to bring the filing or consolidation into compliance with these regulations.

PART 1720—FORMAL PROCEDURES AND RULES OF PRACTICE

86. The table of contents is amended by:

a. Revising the caption for §1720.130 to read:

Sec.
1720.130 Suspension order under § 1710.45 (b) (2) of this chapter.

b. Adding the following caption:

Sec.
1720.131 Suspension order under § 1710.45 (b) (3) of this chapter.

c. Adding the following caption immediately before the caption for § 1720.135:

Sec.
1720.134 Presumption of hearing request.

d. Delete "1720.180 conduct of hearing."

e. Changing the captions to §§ 1720.190, 1720.220, 1720.225, 1720.250, and 1720.360 by redesignating "hearing examiner" as "administrative law judge".

87. The caption and the first sentence of § 1720.130 is amended to read:

§ 1720.130 Suspension order under § 1710.45(b)(2) of this chapter.

A suspension pursuant to § 1710.45(b)(2) of this chapter shall be effected by service of a suspension order which shall contain:

* * * * *

88. Section 1720.131 is added to read:

§ 1720.131 Suspension order under § 1710.45(b)(3).

A suspension pursuant to subparagraph (3) of § 1710.45(b) of this chapter shall be effected by service of a suspension order which shall contain:

(a) An identification of the filing to which the order applies;

(b) An identification of the amendment to the filing;

(c) A statement that the issuance of the order is necessary or appropriate in the public interst or for the protection of purchasers; and

(d) A statement that the order shall remain in effect until the amendment becomes effective.

89. Section 1720.134 is added to read:

§ 1720.134 Presumption of hearing request.

When an answer or motion is timely filed, but a respondent has failed specifically to request a hearing, his filing shall be deemed to constitute such a request.

§ 1720.140 [Amended]

90. Section 1720.940(a) is amended by:

a. Deleting "six" and substituting therefor "three" in the fourth line of the paragraph;

b. Changing subparagraph (1) to read:

If the motion is denied, the answer shall be filed within 15 days after service of the denial.

c. Deleting "10" in the fifth line of subparagraph (2) and substituting therefor "15".

§ 1720.155 [Amended]

91. Section 1720.155(a) is amended by:

a. Deleting "10" in the eighth line of the paragraph and substituting therefor "15" and by deleting "six" in the 10th line of the paragraph and substituting therefor "3";

b. Changing subparagraph (1) to read:

If the motion is denied, the request for hearing accompanied by the answer must be filed within 15 days after service of the denial.

c. Deleting "10" in the sixth line of subsection (2) and substituting therefor "15".

92. Section 1720.160(c) is amended to read:

§ 1720.160 Hearings—notice of proceedings pursuant to § 1710.45(b)(1) of this chapter.

* * * * *

(c) Failure to answer within the time allowed by § 1720.140 or failure of a developer to appear at a hearing duly scheduled shall result in an appropriate order under § 1710.45(b)(1) of this chapter suspending the statement of record. Such order shall be effective as of the date of issuance.

§ 1720.165 [Amended]

93. Section 1720.165(a) is amended by deleting "10" in the eighth line of the paragraph and substituting therefor "15".

94. Section 1720.230 is amended by adding the following sentence:

§ 1720.230 Motions—filing requirements.

* * *. The provisions of this section need not apply to motions made during the course of a hearing.

§ 1720.235 [Amended]

95. Section 1720.235 is amended by deleting "5" in the first line and substituting therefor "7" and by adding "written" after the word "any" in the first line.

§ 1720.440 [Amended]

96. Section 1720.440(a) is amended by adding "Assistant Deputy Administrator"; after "Deputy Administrator", in line 6.

§§ 1720.125, 1720.190, 1720.195, 1720.200, 1720.205, 1720.210, 1720.215, 1720.220, 1720.225, 1720.230, 1720.235, 1720.240, 1720.245, 1720.250, 1720.255, 1720.265, 1720.270, 1720.275, 1720.280, 1720.285, 1720.290, 1720.300, 1720.320, 1720.325, 1720.330, 1720.345, 1720.360, 1720.385, 1720.435, 1720.500 [Amended]

97. The captions to §§ 1720.190, 1720.220, 1720.225, 1720.250, and 1720.360 are amended to redesignate the "hearing examiner" as the "administrative law judge". The following sections are amended to redesignate the "hearing examiner" as "administrative law judge": §§ 1720.125(d), 1720.190 (a) and (b), 1720.195 (a) and (b), 1720.200, 1720.205 (a) and (c), 1720.210(b), 1720.215 (a) and (b), 1720.220 (a) and (b), 1720.225, 1720.230, 1720.235, 1720.240, 1720.245 (a) and (b), 1720.250, 1720.255 (a) and (d), 1720.265 (a), (b), (c), (d), (e) and (g), 1720.270, 1720.275(a), 1720.280, 1720.285 (a) and (b), 1720.290 (c) and (d), 1720.300, 1720.320, 1720.325, 1720.330, 1720.345(a), 1720.360 (a) and (b), 1720.385, 1720.435, and 1720.500.

PART 1730—ADVERTISING, SALES PRACTICES, POSTING OF NOTICES OF SUSPENSION

98. The regulations are amended to add a new part 1730 as follows:

Subpart A—Advertising

Sec.
1730.5 False or misleading advertising unlawful.
1730.10 Advertisinq disclaimer; subdivisions registered and effective.
1730.15 Advertising standards and guidelines.

Subpart B—Sales Practices

Sec.
1730.25 Sales practices; when unlawful.

Subpart C—Posting of Notice of Suspension

1730.50 Posting of notice of suspension.

Subpart A—Advertising

§ 1730.5 False or misleading advertising unlawful.

(a) In selling or leasing or offering to sell or lease any lot in a subdivision it shall be unlawful for any developer or agent, directly or indirectly, to prepare, authorize, use, direct, or aid in the publication, distribution, circulation, broadcast, or telecast of any advertisement concerning subdivisions when such advertisement contains any statement or pictorial representation of any kind (1) which is or would be false or misleading or (2) which omits any statement or pictorial representation of any kind necessary to make the statements or pictorial representations made, in the light of the circumstances under which they made, not misleading or (3) which differs materially from the information contained in the statement of record or property report filed pursuant to § 1710.20 of this chapter, or (4) which differs materially from the information contained in a statement of reservations, restrictions, taxes, and assessments filed pursuant to §§ 1710.11 and 1710.102 of this chapter.

(b) Whenever it shall appear to the Secretary that any developer or agent is engaged or about to engage in any action made unlawful by this section, he may use any or all of the powers conferred upon him by § 1415 of the Interstate Land Sales Full Disclosure Act.

(c) Nothing in this section shall be construed to subject to civil remedies or criminal penalties any newspaper or periodical publisher, job printer, broadcaster, or telecaster, or any of the employees thereof, for violations of this section unless the publisher, printer, broadcaster, or telecaster (1) has actual knowledge of the falsity of the advertisement or (2) has any interest in the subdivision advertised or (3) also serves directly or indirectly as the advertising agent or agency for the developer.

§ 1730.10 Advertising disclaimer; subdivisions registered and effective with HUD.

(a) On all printed advertising material and literature used in connection with the sale or lease of lots in a subdivision for which an effective statement of record on file, the following disclaimer statement shall appear at the bottom of the front page thereof or at the bottom of all single page advertisements or newspaper advertisements in type of at least 10 point font.

While this subdivision is registered with the Office of Interstate Land Sales Registration, U.S. Department of Housing and Urban Development, that Office neither recommends nor approves the merits of the offering nor the value of the property as an investment. Obtain a copy of the HUD property report and read it before signing anything.

(b) In lieu of the statement required in paragraph (a), above, in all classified type advertisements not more than 5 inches long and not more than one column in print wide the following statement may be used and shall be set in type of at least 6 point font.

Obtain HUD property report from developer and read it before signing anything. HUD neither approves the merits of the offering nor the value of the property as an investment.

§ 1730.15 Advertising standards and guidelines.

The following standards, while not deemed to be all inclusive, shall be used in the process of evaluating all advertising and sales presentations or representations to determine whether there is a violation of the act or of § 1730.5;

(a) All advertising must be consistent with the information contained in the property report.

(b) Advertisements shall not use artists' sketches to portray proposed improvements or nonexistent scenes without an indication that such portrayal is an artist's sketch and that the improvements are proposed or that the scenes do not exist. Artists' conceptions of existing improvements or scenes must be representative and state that such rendering is an artist's conception.

(c) Use of photographs portraying scenes not actually on the advertised land is prohibited unless it is clearly indicated that such scene is not on the advertised property and the actual distance in miles from said advertised land is given.

(d) Use of statements, photographs, relating to facilities for recreation, sports, or other conveniences which are not presently in existence on the lands advertised is prohibited unless it is clearly stated that such "facilities are not on said lands" and the distance thereto in miles, or that such facility is "merely proposed."

(e) Advertising shall not refer to property as waterfront unless the property being offered actually fronts on a canal or other body of water.

(f) Land or lots offered shall not be represented as offering quick, immediate, or specific profits. Offerings for speculative purposes shall be so represented in type of equal size to other statements.

(g) Advertising shall not make predictions of specific or immediate price or value increases of lots or parcels or units of advertised lands over which the subdivider does not have control.

(h) Advertising shall not contain statements concerning future price increases by the subdivider which are not specific as to amount and as to the date of the announced increase. Any such date shall be in the reasonable future and the increased price shall be maintained for a reasonable length of time.

(i) Advertising shall not contain asterisks or any other reference symbol as a means of contradicting or substantially changing any previously made statement or as a means of obscuring material facts.

(j) Advertising shall not use names or trade styles which imply that they are nonprofit research organizations, public bureaus, groups, etc., when such is not the case. Advertising of such an organization shall be prohibited when the true nature of the plan of sale or ownership is misrepresented or concealed.

(k) Advertising shall not use such terms as "minutes away," "short distance," "only miles," and "near" and terms of similar import to indicate distance unless the actual distance in road miles is used in conjunction with such terms.

(l) Advertising shall not misrepresent the facts or create misleading impressions or inferences.

(m) Use of maps to show proximity to other communities is prohibited unless such maps shall be drawn to scale and scale included, or the actual mileage appears in easily readable print.

(n) Forecasts of future events or population trends contained in advertising shall be by qualified persons and pertinent to the offering.

(o) The word "guarantee" or phrase "guaranteed refund" shall not be included in advertising unless the refund is unconditional.

(p) Advertising which indicates the size of the lot offered, shall include the amount of land available for use by the purchaser after all easements to which his property may be subject have been deducted. If the property is subject to easements which are unusual in size, then this fact shall also be noted. All maps, plats, representations, or drawings shall show either the dimensions of the tract or the amount of acreage after deductions of easements.

(q) Maps, plats, or representations shall clearly indicate the date that development will be completed. If completion dates are over a period of years, then a series of shadings, outlines, or coding may be used to indicate dates of completion.

(r) Lots shall not be advertised as "free" if the prospective purchaser is required to give any consideration whatsoever, and lots shall not be advertised for "closing costs only" when the closing costs are substantially more than normal, or when an additional lot or lots must be purchased at a higher price or to render the "free" lot usable.

(s) Advertising shall not make reference to pre-development sales at a lower price because the land has not yet been developed unless there are plans of development, and a subdivision plat has been recorded, or reasonable assurance is available that such plan will be completed.

(t) Advertising which makes reference to "roads" and "streets" shall make affirmative disclosure as to the nature of such roads and streets; i.e., paved, gravel, dirt, etc.

(u) Legal access referred to in advertising shall be accompanied by phraseology to indicate whether the access is presently usable as a passage for conventional automobiles.

(v) The existence of a road easement or a road right-of-way shall not be advertised unless such easement or right-of-way has been dedicated to the public or to appropriate property owners and recorded in the public records of the county in which the property is located.

(w) Advertising shall not contain "before" and "after" pictures for comparative purposes without an accurate, detailed, comparative analysis of such pictures.

(x) Reprints of published material shall not be used unless the information contained in the reprint is representative, truthful, relevant, and pertinent to the subdivision being offered.

(y) Advertising shall not make comparison of land values unless it is clear who is making the comparison and the comparison is relevant and fair.

(z) Advertising shall not make reference to a public facility unless money has been budgeted for actual construction of such facility and is available to the public authority having the responsibility of construction or an actual disclosure of the existing facts concerning a public facility is made.

(aa) Advertising shall not refer to public facilities under study, unless it is fully disclosed that the facility is merely proposed and under study and provided that no reference is made to the location or route of the facility until such has been decided by the responsible public authority.

(bb) The unqualified term "development" may be used in advertising only to describe a subdivision, the plat of which has been recorded.

(cc) Advertising which refers to the purchase price of any lot, parcel, or unit of land must also include any additional compulsory assessments or costs to the prospective purchaser.

(dd) Advertising shall not make derogatory or unfair reference to competitive developments, subdivisions, or properties.

(ee) Advertising which makes reference to property exchange privileges must state clearly any qualifications concerning such exchange privileges. If advertising makes reference to promised improvements for which the prospective purchaser will be assessed, such facts will be clearly disclosed.

(ff) Advertising shall not describe land as a homesite or lot if potable water is not available at reasonable costs; further, there must be reasonable assurance that a septic tank will operate or a sewer system is in existence unless facts to the contrary are clearly and conspicuously included in each such advertisement pertaining to that property.

(gg) Advertising shall be considered misleading if it infers or implies that the subdivider will resell or repurchase the property being offered at some future time unless the subdivider has made an undertaking to resell or repurchase property for or on behalf of purchasers and has the ability to perform this undertaking.

(hh) Advertising shall be deemed misleading if it represents that the property being offered for sale may be subdivided or resubdivided unless it includes all necessary and relevant information regarding the cost and feasibility of future subdividing.

(ii) Where a community is referred to in advertising, the material shall state the mileage from the approximate geographical center of the subdivided lands in road miles to the approximate downtown or geographical center of the community.

(jj) Advertising of improvements to the subdivided lands which are not completed shall not be made unless it is stated in unmistakable terms that the improvements are "merely proposed" or "under construction" and the "date of the promised completion" clearly indicated.

(kk) Advertising which embraces the term "canal" or "canals" shall contain a full disclosure of the width and depth of water in such "canal" or "canals."

(ll) Certificates shall not be distributed indicating a discount on property that appears to effect a price reduction from the advertised price. Discounts may be given for quantity purchases, cash, larger payments, or for any reasonable basis. (The purpose of this standard is to eliminate the use of fictitious pricing and illusory discounts.)

(mm) When the company offers more than one subdivision in a single advertising piece, or an offering exceeding 5 miles in length or width, advertising shall carry a disclaimer as follows:

Distances indicated are from the location mentioned to (clubhouse, center of subdivision, or other pertinent or prominent points), each purchaser should check the exact location of the property being offered him in relation to the clubhouse, subdivision or other prominent locations.

(nn) Advertising shall disclose prominently if the property, or any portion of the property, is regularly or periodically flooded or substantially covered by standing water for extended periods of time during the year.

(oo) The advertising of land without available legal access to the purchaser must contain full and complete disclosure of such fact and the legal effect thereof.

(pp) Advertising shall not use statements, photographs, or sketches portraying the use to which advertised land can be put unless the land can be put to such use without unreasonable cost.

(qq) Implied representations and presumptions. Any inference reasonably to be drawn from advertising or promotional material will be considered to be a positive assertion unless the inference is negated therein in clear and unmistakable terms, or unless adequate safeguards have been provided by the owner to reasonably guarantee the occurrence of the thing inferred. Advertising or promotional material will be judged on the basis of the positive representations contained therein and the reasonable inferences to be drawn therefrom. Unless the contrary affirmatively appears in promotional material, the following inferences will be assumed to have been intended in each case mentioned; to wit:

(1) When homesites or building lots are advertised, the inference is that said lots are immediately usable for such purpose without any further improvement or development by the prospective purchaser and that there is an adequate potable water supply available; that the lands have been approved for installation of septic tanks or that an adequate sewage disposal system is installed; that no further major draining, filling, or subsurface improvement is necessary to construct dwellings, except for reasonable preparation for construction; that the individual homesites or building lots are accessible by automobile without additional expense to the purchaser over existing right-of-way and that no other fact or circumstance exists to prohibit the use of the lots as a homesite or building lot.

(2) When title insurance, abstract, or attorney's opinion is advertised, the inference is that the seller can and will convey fee simple title free and clear of all liens, encumbrances, and defects except those which are disclosed in writing to the prospective purchaser prior to purchase.

(3) When lands are advertised as usable for any particular purpose other than homesites or building lots, the inference is that said lots or parcels are immediately accessible and usable for such purpose by purchasers without the necessity for draining, filling, or other improvement prior to putting the lands to use for such purpose, except for reasonable preparation for construction, and that no fact or circumstance exists to prohibit the immediate use of said lands for such purposes.

(4) When any recreational facility, improvement, accommodation, or privilege is advertised, the inference is that the same is on the lands at the present time and available without restriction to the purchasers of lots at no additional expense.

(5) When improvements are advertised, the inference is that the same are completed.

Any statements required to be made by this section shall be made in type of the same size as the representations made in the advertising.

Subpart B—Sales Practices

§ 1730.25 Sales practices; when unlawful.

Sales practices shall include any act by the developer or his agents to induce a purchaser to buy or lease a lot. The developer or any of his agents or employees shall not make any representations which would violate any provision of the Act. The criteria set forth as advertising guidelines in § 1730.15 shall apply to any sales presentations or representations. In addition to the above criteria the following practices shall be deemed to be a violation of the Act.

(a) The use of the developer's personnel to repeatedly announce that lots are being sold when in fact this is not the case or to make repetitive announcements of the same lot being sold.

(b) Giving the property report to a purchaser along with other materials when this is done in such a manner as to conceal the property report from the purchaser.

(c) Giving a contract to the purchaser or encouraging him to sign anything before delivery of the property report.

(d) Referring to the property report or offering statement as anything other than a property report or offering statement.

Subpart C—Posting of Notice of Suspension

§ 1730.50 Posting of notice of suspension.

(a) Whenever a suspension order has been issued under § 1710.45(b) of this chapter, the Secretary may, if deemed necessary in the public interest and for the protection of purchasers, require the posting of a sign or signs in a prominent place at the main or most frequently used entrance to the subdivision and at the place or places where prospective purchasers are taken to sign purchase contracts, that indicate the fact that the subdivision or a section thereof is covered by a suspension order and sales made during suspension are unlawful. Appropriate signs will be supplied by the Secretary and posted by the developers. Posting will be done insofar as practicable, in such a manner as not to damage the object or structure to which they are affixed. The developer will be responsible for keeping the signs properly posted. Failure to do so will be a violation of these regulations and it will subject the developer to the penalties set forth in section 1418 of the Act. Developer shall forward to the Secretary a photograph of the posted sign within 10 days after it has been posted.

(b) The Secretary may, where the developer makes a sales presentation or conducts a promotional activity at a location away from the subdivision, require the posting of signs at such locations.

(Sec. 7(d) of the Department of Housing and Urban Development Act, 79 Stat. 670, 42 U.S.C. 3535(d), 1419, 82 Stat. 598, 15 U.S.C. 1718, Secretary's delegation of authority published at 37 FR 5071.)

Issued at Washington, D.C., April 30, 1973.

GEORGE K. BERNSTEIN,
Interstate Land Sales Administrator.

[FR Doc.73-8702: Filed 5-3-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 12796]

BRITISH AIRCRAFT CORPORATION MODEL 1-11, 200 AND 400 SERIES AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to

BAC Model 1–11, 200 and 400 Series airplanes. There have been reports of failures of the handbrake control valve filter housing which have resulted in loss of the No. 2 hydraulic system on BAC Model 1–11, 200 and 400 Series airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require: (1) Inspection of the filter housing, P/N ACM.23102, for hydraulic fluid leakage, and distortion; (2) if leakage or distortion is found, removal of the handbrake control valve, P/N AC 61772, from the airplane; and (3) modification, or replacement with a new strengthened housing, and reinstallation of the valve in the airplane on BAC Model 1–11, 200 and 400 Series airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, AGC–24, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before June 4, 1973, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORPORATION.—Applies to BAC Model 1–11, 200 and 400 Series airplanes, except those which have been modified in accordance with Dunlop Modification C.1559, part (b) to incorporate the strengthened filter housing, P/N ACM.27656.

Compliance is required as indicated.

To prevent failure of the handbrake control valve filter housing, accomplish the following:

(a) For handbrake control valves, P/N AC 61772, prior to the accumulation of 7,000 total landings, or within the next 25 landings after the effective date of this AD, whichever is later, unless already accomplished within the last 350 landings—

(1) Clean the filter housing on the handbrake control valve, P/N AC 61772;

(2) With the No. 2 hydraulic system pressurized to 3,000 p.s.i., inspect the face of the filter housing, P/N ACM.23102 for hydraulic fluid leakage and distortion; and

(3) If leakage or distortion is found, before further flight, remove the handbrake control valve from service and comply with paragraph (d).

(b) For handbrake control valves, P/N AC 61772, except those which have been modified in accordance with Dunlop Modification C.1559, part (a), prior to the accumulation of 9,500 total landings, or within the next 500 landings after the effective date of this AD, whichever occurs later, remove the handbrake control valve from service, and comply with paragraph (d).

(c) For handbrake control valves, P/N AC 61772, which have been modified in accordance with Dunlop Modification C.1559, part (a), prior to the accumulation of 12,000 total landings (including landings before modification), or within the next 500 landings after the effective date of this AD, whichever occurs later, remove the handbrake control valve from service, and comply with paragraph (d).

(d) Replace handbrake control valves removed as a result of the action required by paragraphs (a)(3), (b), or (c) of this AD with any of the following:

(1) Serviceable handbrake control valves, P/N AC 61772, which have accumulated less than 9,500 landings since new and continue to comply with paragraphs (a) and (b);

(2) Serviceable handbrake control valves, P/N AC 61772, which have been modified in accordance with Dunlop Modification C.1559, part (a) and have accumulated less than 12,000 landings since new and continue to comply with paragraphs (a) and (c); or

(3) Serviceable handbrake control valves, P/N AC 61772, which have had the old type filter housing, P/N ACM.23102 replaced with the new strengthened filter housing, P/N ACM.27656 in accordance with Dunlop Modification C.1559, part (b).

(e) For the purpose of complying with this AD, subject to acceptance by the assigned FAA Maintenance Inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the BAC 1–11 airplane.

(Dunlop Alert Service Bulletin No. 29–A131, dated Dec. 16, 1971; Dunlop Service Bulletin No. 29–131, dated Dec. 20, 1971; and Rev. 1, dated Jan. 7, 1972; and BAC 1–11 Alert Service Bulletin No. 32–A–PM 5102, dated July 14, 1972, cover this same subject.)

Issued in Washington, D.C., on April 26, 1973.

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

[FR Doc.73–8781 Filed 5–3–73;8:45 am]

[14 CFR Part 39]

[Docket No. 6729]

BRITISH AIRCRAFT CORP. VICKERS VISCOUNT MODELS 744, 745D, AND 810 SERIES AIRPLANES

Proposed Airworthiness Directives

Amendment 39–114 (30 FR 10155), AD 65–18–3 requires an inspection of the support tubes of the engine mount assemblies for corrosion, replacement of the tubes, if necessary, and the accomplishment of a dewatering and reprotection scheme on British Aircraft Corp. Viscount Models 744, 745D, and 810 series airplanes. After issuing Amendment 39–114, due to service experience, the FAA has determined that the corrective action required by the AD did not entirely alleviate the development of corrosion in the support tubes of the engine mount assemblies. Therefore, the FAA is considering amending amendment 39–114 to require that the inspection and action specified in that AD be repeated at intervals not to exceed 7 years from the last inspection. In addition, the amendment would be updated to reference the current manufacturer's maintenance leaflets.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before June 4, 1973, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of part 39 of the Federal Aviation regulations, amendment 39–114 (30 FR 10155), AD 65–18–3 as follows:

(1) By inserting the words "Issue 2 dated May 22, 1971, for the" between the words "No. 252," and "700 Series" and between the words "No. 117," and "800/810 Series" in paragraph (a) of the AD.

(2) By striking out the last sentence of subparagraph (a)(2).

(3) By striking out from subparagraph (a)(2) the reference to "4.5 of the applicable Preliminary Technical Leaflet" and inserting the words "paragraphs 5.1 and 5.1.2 of the applicable Preliminary Technical Leaflet" in place thereof.

(4) By striking out from paragraph (b) the words "paragraph 4.5" and inserting the words "paragraphs 5.1 and 5.1.2" in place thereof.

(5) By adding a new paragraph (c) to the AD to read as follows:

(c) Within 7 years from the date of compliance with paragraph (a) or before the accumulation of 500 hours' time in service after the effective date of this amendment, whichever occurs later, repeat the inspection and action specified in paragraph (a). Thereafter, continue to accomplish the inspection and action specified in paragraph (a) at intervals not to exceed 7 years from the last inspection.

Issued in Washington, D.C., on April 26, 1973.

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

[FR Doc.73–8780 Filed 5–3–73;8:45 am]

[14 CFR Part 39]

[Docket No. 12797]

BRITISH AIRCRAFT CORP. VISCOUNT MODEL 744, 745D, AND 810 SERIES AIRPLANES

Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending part 39 of the Federal Aviation regulations by adding an airworthiness directive applicable to British Aircraft Corp. Viscount Model 744, 745D, and 810 series airplanes. There have been reports of blockage of movement of the aileron control in-flight on BAC Viscount Model 744, 745D, and 810 series airplanes that could result in loss of control of the airplane. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require removal of the two attachment bolts on the false trailing edge member access door adjacent to the gust lock unit lever, if they are presently installed, and to insure that bolts will not be reinstalled, blocking off the applicable bolt-holes with rivets or an FAA-approved equivalent on BAC Viscount Model 744, 745D, and 810 series airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before June 4, 1973, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of part 39 of the Federal Aviation regulations by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP.—Applies to Viscount Model 744, 745D, and 810 series airplanes, with Modification D.1860 incorporated.

Compliance is required within the next 125 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent interference with the movement of the aileron control inflight, accomplish the following:

(a) Remove the two A25-1C attachment bolts on the false trailing edge member access door adjacent to the gust lock unit lever, if they are presently installed, and replace with rivets, or an FAA-approved equivalent, as shown in figure 1 of "BAC Alert Preliminary Technical Leaflet No. 160," issue 2, dated December 8, 1972, for 800 series airplanes or figure 1 of "BAC Alert Technical Leaflet No. 292," issue 2, dated December 8, 1972, for 700 series airplanes.

(b) For false trailing edge member access doors not having the two A25-1C attachment bolts adjacent to the gust lock unit lever presently installed, block off the two boltholes with rivets, or an FAA-approved equivalent.

Issued in Washington, D.C., on April 27 1973.

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

[FR Doc.73-8782 Filed 5-3-73;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 73-RM-11]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to part 71 of the Federal Aviation Regulations which would alter the description of the Billings, Mont., transition area.

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Federal Aviation Administration, Park Hill Stations, P.O. Box 7213, Denver, Colo. 80207. All communications received on or before May 17, 1973, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colo. 80010.

Due to the proposed installation of radar in the Billings, Mont., control tower, an alteration to the Billings transition area is necessary in order to provide additional controlled airspace for protection of aircraft executing radar arrival/departure procedures at Logan Field Airport, Billings, Mont.

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

In § 71.181 (38 FR 435) the description of the Billings, Mont., transition area is amended to read:

BILLINGS, MONT.

That airspace extending upward from 700 feet above the surface within a 29-mile radius of Logan Field Airport (lat. 45°48'25" N., long. 108°31'55" W.) within 6.5 miles each side of the Billings VORTAC 301° radial extending from the 29-mile radius to 32 miles northwest of the VORTAC; that airspace extending upward from 1,200 feet above the surface within a 36-mile radius of Logan Field Airport; that airspace extending upward from 6,700 feet m.s.l. within a 46-mile radius of the Billings VORTAC extending from the Billings VORTAC 008° radial clockwise to the 057° radial, excluding the portion that overlies V2N; that airspace extending upward from 6,700 feet m.s.l. within a 58-mile radius of the Billings VORTAC extending from the Billings VORTAC 057° radial clockwise to the southwest edge of V19-86 excluding the portion that overlies V2 and V2N; that airspace extending upward from 10,700 feet m.s.l. within a 58-mile radius of the Billings VORTAC extending from the southwest edge of V19-86 clockwise to the Billings VORTAC 192° radial excluding the portions that overlie VOR Federal airways; that airspace extending upward from 8,200 feet m.s.l. within a 46-mile radius of the Billings VORTAC extending from the Billings VORTAC 192° radial clockwise to the northwest edge of V465 excluding the portions that overlie VOR Federal airways; that airspace extending upward from 8,700 feet m.s.l. within a 46-mile radius of the Billings VORTAC extending from the west edge of V465 clockwise to the south edge of V2-86; that airspace extending upward from 7,700 feet m.s.l. within a 58-mile radius of the Billings VORTAC extending from the south edge of V2-86 clockwise to the southwest edge of V2N excluding that portion of V2-86 that has a 1,200-foot AGL floor; that airspace extending upward from 6,700 feet m.s.l. within a 58-mile radius of the Billings VORTAC extending from the north edge of V2N clockwise to the Billings VORTAC 008° radial excluding those portions of V187 and V19 that have 1,200-foot AGL floors.

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

Issued in Aurora, Colo., on April 20, 1973.

C. D. REA,
Acting Director,
Rocky Mountain Region.

[FR Doc.73-8779 Filed 5-3-73;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS

Notice of Opportunity for Public Comment on Proposed Transportation and/or Land Use Control Strategies

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, State plans for implementation of the national ambient air quality standards. In the preamble to the May 31 approval/disapproval of implementation plans, the Administrator noted that where the adoption of transportation and/or land use control schemes were necessary to achieve the national standards for carbon monoxide and photochemical oxidants, submittal of those control strategies could be deferred until February 15, 1973. This was done because of the general lack of information and practical

experience necessary to permit the development of meaningful transportation control schemes.

On January 31, 1973, the U.S. Court of Appeals for the District of Columbia Circuit decided the case of *Natural Resources Defense Council, Inc., et al.* v. *Environmental Protection Agency* (Civil Action No. 72–1522) and seven related cases. The court ordered the Administrator to cancel 2-year extensions which had been granted for the attainment of the carbon monoxide and photochemical oxidants standards where transportation controls would be necessary and to require States to submit transportation control plans on April 15, 1973. States were notified of this court decision by telegram from the Administrator and in the FEDERAL REGISTER of March 20, 1973 (38 FR 7323).

In its order, the court also stated that the Administrator shall permit the public to comment on the State transportation control strategies and on the request by the Governor of any State, pursuant to section 110(e) of the Clean Air Act, for an extension of the date for attainment of a primary standard. This notice is issued to advise the public that proposed implementation plans for the States listed below have been received by the Environmental Protection Agency and that comments may be submitted on whether those proposed control strategies should be approved or disapproved by the Administrator as required by section 110 of the Clean Air Act. Public comment is also solicited on whether any request for an extension of time for meeting the primary standards should be granted by the Administrator. Because the plans must be approved or disapproved by June 15, time for comment must be limited. Accordingly, only comments received within 21 days from the publication of this notice will be considered. Notice of opportunity to comment on 10 other State plans was published on April 24, 1973, and April 27, 1973.

The control strategies for the States listed below are submitted to the EPA pursuant to section 110 of the Clean Air Act which requires States to have implementation plans to achieve the national ambient air quality standards. These control strategies are designed to achieve the ambient air quality standards for carbon monoxide and photochemical oxidants. The Administrator's decision to approve or disapprove the plans is based on whether they meet the requirements of section 110(a)(2)(A)–(H) and EPA regulations in 40 CFR part 51. A more detailed description of the plans received is set forth below.

ALABAMA

On April 24, 1973, the State of Alabama submitted a plan revision to the Administrator which demonstrates that the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) will be achieved in the Metropolitan Birmingham intrastate region and the national standard for photochemical oxidants (hydrocarbons) will be achieved in the Mobile (Ala.)-Pensacola-Panama City (Fla.)-southern Mississippi interstate region by May 31, 1975, without the application of transportation controls other than the Federal motor vehicle control program. The information includes a revised emissions inventory which indicates that restrictions on stationary sources will reduce ambient concentrations below the national standards, making controls on motor vehicles unnecessary. Copies of the information submitted by Alabama are available for public inspection during normal working hours at the Office of Public Affairs, EPA Region IV, 1421 Peachtree Street NE., Atlanta, Ga. 30309, and at the State of Alabama Air Pollution Control Commission, 645 South McDonough Street, Montgomery, Ala. 36104. A copy is also available for public inspection at the Freedom of Information Center, EPA, room 329, 401 M Street SW., Washington, D.C. 20460. Comments should be submitted to the Regional Administrator, EPA Region IV, 1421 Peachtree Street NE., Atlanta, Ga. 30309.

DISTRICT OF COLUMBIA

The Mayor of the District of Columbia submitted a proposed transportation control strategy for the attainment and maintenance of the national standards for carbon monoxide and photochemical oxidants (hydrocarbon) in the District of Columbia portion of the National Capital interstate region to the Administrator on April 20, 1973. The proposed control strategy was adopted following public hearings on February 12, 1973, and provides for attainment of the standards by May 31, 1975.

The proposed control strategy provides for a 55-percent reduction in carbon monoxide and a 60-percent reduction in photochemical oxidants. Proposed controls include annual inspection and maintenance of motor vehicles, installation of spark advance retrofits for pre-1968 light-duty vehicles, installation of catalytic converter retrofits for 1968–74 light-duty vehicles, purchase of 1,300 additional buses, establishment of exclusive bus lanes, development of a carpool locator system with preferential parking treatment for carpools, establishment of a parking surcharge of $2, elimination of certain onstreet parking, limitations on free employee parking, restrictions on heavy-duty truck deliveries during morning and evening rush hours, reductions in gas handling losses, controls on drycleaning establishments, and limitations on aircraft ground operations. Copies of the proposed control strategy are available for public inspection during normal working hours at the Office of Public Affairs, EPA Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pa. 19108, and at the following locations in the District of Columbia: Bureau of Air and Water Quality Control, 25 K Street NE., Washington, D.C., Department of Environmental Services, 415 12th Street NW., Washington, D.C., and at all District of Columbia public libraries. A copy is also available for public inspection during normal working hours at the Freedom of Information Center, EPA, room 329, 401 M Street SW., Washington, D.C. 20460. All comments should be submitted to the Regional Administrator, EPA Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pa. 19108.

(42 U.S.C. 1857c–5.)

Dated May 1, 1973.

ROBERT F. SANSOM,
Assistant Administrator
for Air and Water Programs.

[FR Doc.73–8981 Filed 5–3–73;8:45 am]

Notices

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

DEPARTMENT OF THE INTERIOR

Office of Hearings and Appeals

[Docket No. M73-44]

BLUE GEM COAL & LAND CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 816(c) (1970), the Blue Gem Coal & Land Co., located at Flat Lick, Ky., has filed a petition to modify the application of 30 CFR 77.1605(k) to its surface mine No. 1.

30 CFR 77.1605(k) reads as follows:

(k) Berms or guards shall be provided on the outer bank of elevated roadways.

Petitioner requests that the standard be modified because the State of Kentucky will not permit berms on the sides of roads due to the possibility of slides and poor drainage. Petitioner states that berms and guardrails would probably be ineffective because they would not prevent heavy trucks from going over the mountain.

Petitioner states that the application of the mandatory standard would be detrimental rather than beneficial and that its alternate method would afford at least the same measure of protection to miners in the affected area. The alternate method consists of maintaining the roadway at the maximum allowable width and at a pitch sufficient to cause vehicles or equipment to gravitate into the drainage ditch or highwall to stop the vehicle. Adequate berms will be maintained at all switchbacks and at other locations where the roadbed cannot be pitched sufficiently to afford equal protection. All equipment using the access road will be inspected daily and all traffic will be suspended during severe weather conditions.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before June 4, 1973. Such requests or comments must be filed with the Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, Va. 22203. Copies of the petition are available for inspection at that address.

JAMES M. DAY,
Director,
Office of Hearings and Appeals.

[FR Doc.73-8800 Filed 5-3-73;8:45 am]

[Docket No. M73-33]

LAUREL MINING CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 816(c) (1970), the Laurel Mining Co. has filed a petition to modify the application of 30 CFR 77.1605(k) to its No. 1 and Viall Tipple mines located at Pineville, Ky.

30 CFR 77.1605(k) reads as follows:

(k) Berms or guards shall be provided on the outer bank of elevated roadways.

Petitioner requests that application of the standard be modified because the placement of berms on the access road would prohibit proper maintenance of the roads. Petitioner states that placement of a berm on the outside of the road would force water to run down the road, thereby creating more problems. Petitioner contends that the water on the roadway would wash away roadbuilding materials and create a silt problem. Petitioner further contends that its roadbeds are above a ledge of solid sand rock and much drilling would be required to erect guardrails. Also, these mines are strip operations and the haul roads are constantly being changed as new areas are opened.

Petitioner states that it intends to use its facilities as they presently exist and that the addition of berms would result in a diminution of safety to the miners at the affected mines.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before June 4, 1973. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Va. 22203. Copies of the petition are available for inspection at that address.

JAMES M. DAY,
Director,
Office of Hearings and Appeals.

[FR Doc.73-8799 Filed 5-3-73; 8:45 am]

[Docket No. M73-43]

W. R. PARTON COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), the W. R. Parton Coal Co., of Oliver Springs, Tenn., has filed a petition to modify the application of 30 CFR 77.1605(k) to its No. 1 strip mine.

30 CFR 77.1605(k) reads as follows:

(k) Berms or guards shall be provided on the outer bank of elevated roadways.

Petitioner requests that the standard be modified because the placement of berms or guardrails on the roads would create road maintenance problems on already existing roads. Petitioner states that reclamation laws of the State of Tennessee may not permit berms on the side of roads due to the possibility of slides and improper water drainage. Also, petitioner has a contract with the Tennessee Valley Authority and the contract does not permit berms on the side of the road because it would create improper water drainage.

Petitioner contends that the berms or guardrails would also prohibit snow removal in the winter. Petitioner further contends that guardrails and berms would be ineffective and would not prevent a truck which was out of control from going over the mountain.

Petitioner states that no accidents have occurred on any of the existing roads and that it wishes to continue using the access roads as they presently exist.

Petitioner avers that the application of the mandatory standard would result in a diminution of safety to miners in the affected area because the use of berms or guardrails would not permit proper maintenance of the road.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before June 4, 1973. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Va. 22203. Copies of the petition are available for inspection at that address.

JAMES M. DAY,
Director,
Office of Hearings and Appeals.

[FR Doc.73-8801 Filed 5-3-73;8:45 am]

Office of the Secretary

[INT FES 73-21]

AUTHORIZED CRYSTAL DAM, RESERVOIR, AND POWERPLANT, CURECANTI UNIT, COLORADO RIVER STORAGE PROJECT, COLO.

Notice of Availability of Supplement to Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a supplement to the final environmental statement for the authorized Crystal Dam, Reservoir, and Powerplant, Curecanti Unit, Colorado River Storage Project, Colo.

The supplement discusses changes in the design of the thin-arch, concrete dam and hydroelectric powerplant which have been made to lessen the environmental impact of the proposed construction and maximize use of available power head. Major changes include raising the reservoir normal water surface 5 ft and reducing the length of stream channelizing below the damsite from 8,000 to 5,800 ft.

Copies are available for inspection at the following locations:

Office of Assistant to the Commissioner, Ecology, room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240, Telephone 202-343-4991.

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

Office of the Regional Director, Bureau of Reclamation, room 7203 Federal Building, 125 South State St., mailing address: P.O. Box 11568, Salt Lake City, Utah 84111, Telephone 801-524-5409.

Grand Junction Projects Office, Bureau of Reclamation, Atomic Energy Compound, mailing address: P.O. Box 11728, Grand Junction, Colo. 81501, Telephone 303-242-8621.

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

Dated April 30, 1973.

LAURENCE E. LYNN,
Assistant Secretary of the Interior.

[FR Doc.73-8786 Filed 5-3-73;8:45 am]

INDIAN EDUCATION FOR HEALTH COMMITTEE

Notice of Public Meeting

The Indian Education for Health Committee was established, pursuant to the provisions of the act of October 6, 1972 (Public Law 92-436; 66 Stat. 770), for the purpose of advising and assisting in the coordination and improvement of education and health programs for Indians throughout the United States through a joint venture of the Department of the Interior and the Department of Health, Education, and Welfare. The Indian Education for Health Committee will meet at 9 a.m. to 4:30 p.m., May 10 and 11, 1973, in the conference room, Window Rock Lodge, Window Rock, Ariz. The purpose of the meeting is to continue the development of ways and means for coordinating and improving education and health programs for Indians throughout the United States. The proposed agenda includes presentations by representatives of organizations interested in Indian education and health programs. The meeting is open to the public.

WILLIAM L. ROGERS,
Deputy Assistant Secretary of the Interior.

MAY 1, 1973.

[FR Doc.73-8833 Filed 5-3-73;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

POPO AGIE PRIMITIVE AREA

Announcement of Hearing

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964, (78 Stat. 890, 892; 16 U.S.C. 1131, 1132) that a public hearing will be held beginning at 9 a.m. on Saturday, June 23, 1973, at the Elks Club, Buena Vista Street, Lander, Wyo., on proposed management alternatives for the Popo Agie Primitive Area relative to recommendations by the President of the United States to the Congress concerning the Popo Agie Primitive Area.

the Popo Agia Primitive Area relative to cated within the Shoshone National Forest, in Fremont and Sublette Counties, State of Wyoming. A brochure and environmental statement containing maps and information about the area and the management alternatives under consideration may be obtained, after May 16, 1973, from the forest supervisor, Shoshone National Forest, West Yellowstone Highway, P.O. Box 961, Cody, Wyo. 82414, or the regional forester, building 85, Denver, Colo. 80225.

Individuals and organizations may express their views by appearing at the hearing, or they may submit written comments for inclusion in the official record to the regional forester at the above address by July 30, 1973.

ROBERT W. LONG,
Assistant Secretary of Agriculture.

MAY 1, 1973.

[FR Doc.73-8817 Filed 5-3-73;8:45 am]

DEPARTMENT OF COMMERCE

National Bureau of Standards

NATIONAL BUREAU OF STANDARDS VISITING COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463 and Executive Order 11686, notice is hereby given that the NBS Visiting Committee will meet in the board room of the National Academy of Sciences, 2101 Constitution Avenue, NW., Washington, D.C., from 9 a.m. to 3 p.m. on Monday, May 21, 1973.

The purpose of the meeting is for the NBS Visiting Committee to review the activities of the National Bureau of Standards in order to report to the Secretary of Commerce concerning the efficiency of the Bureau's scientific work and the condition of its equipment, as required by law.

The NBS Visiting Committee is composed of five members, prominent in the fields of science and technology, appointed by the Secretary of Commerce.

The agenda for the meeting on May 21 will consist of a general briefing on current NBS activities, plus a review of selected programs.

A limited number of seats will be available to observers. Persons desiring to attend the meeting are requested to contact Mr. George E. Auman, Assistant to the Director, National Bureau of Standards, Washington, D.C. 20234, telephone 301-921-2441.

RICHARD W. ROBERTS,
Director.

APRIL 30, 1973.

[FR Doc.73-8832 Filed 5-3-73;8:45 am]

Social and Economic Statistics Administration

CENSUS ADVISORY COMMITTEE ON SMALL AREAS

Notice of Public Meeting

The Census Advisory Committee on Small Areas will convene on May 17, 1973 at 9:15 a.m. in room 2113, Federal Building 3, at the Bureau of the Census in Suitland, Md.

The Census Advisory Committee on Small Areas was established in 1965 to advise the Bureau of the Census concerning development of statistical programs in metropolitan and other local communities regarding transportation, urban renewal, poverty, and other activities.

The agenda for the meeting is: (1) Evaluation of the 1970 census; (2) status of the economic census programs and plans for data products; (3) proposals for user training and monitoring and evaluation of uses of census data; (4) statistical compendia for small areas; (5) data products and packages for small areas; and (6) census use study activities.

A limited number of seats—approximately 15—will be available to the public. A brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the committee guidance and control officer at least 3 days prior to the meeting.

Persons planning to attend and wishing additional information concerning this meeting should contact the committee guidance and control officer, Mr. Robert B. Voight, Chief, Data User Services Office, Bureau of the Census, room 3555, Federal Building 3, Suitland, Md.

(mail address: Washington, D.C. 20233). Telephone 301–763–7720.

Dated May 1, 1973.

O. BRYANT BENTON,
Acting Administrator, Social and Economics Statistics Administration.

[FR Doc.73–8856 Filed 5–3–73;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 9502; Docket No. FDC–D–538; NDA's 9–502 etc.]

CERTAIN COMBINATION DRUGS CONTAINING RAUWOLFIA ALKALOIDS

Notice of Withdrawal of Approval of New Drug Applications

On December 27, 1972, there was published in the FEDERAL REGISTER (37 FR 28524) a notice of opportunity for hearing (DESI 9502) in which the Commissioner of Food and Drugs proposed to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the following new drug applications:

1. NDA 9–502; Theominal R.S. Tablets containing phenobarbital, alseroxylon, and theobromine; formerly marketed by Winthrop Laboratories, division of Sterling Drug, Inc., 90 Park Avenue, New York, N.Y. 10016.

2. NDA 10–271; Penite Tablets containing nitroglycerin, pentaerythritol tetranitrate, and reserpine; Carnrick Laboratories, division of G. W. Carnrick Co., 65 Horse Hill Road, Cedar Knoll, N.J. 07927.

3. NDA 10–072; Bromoserpin Tablets containing phenobarbital, theobromine, and reserpine; Gold Leaf Pharmacal Co., Inc., 223 South Dean Street, Englewood, N.J. 07631.

4. NDA 10–072; Theoserpin Tablets containing phenobarbital, theobromine, and reserpine; Lawton Laboratories, Inc., 223 South Dean Street, Englewood, N.J. 07631.

5. NDA 10–270; Theobarb-R Tablets containing phenobarbital, theobromine, and reserpine; Mallinckrodt Pharmaceuticals, division of Mallinckrodt Chemical Works, 3600 North Second Street, St. Louis, Mo. 63130.

6. NDA 10–473; Theo-Serp Tablets containing phenobarbital, theobromine, and reserpine; Frederick Trout Co. Inc., 812 Hampton Avenue, Greenville, S.C. 29602.

7. NDA 10–449; Besertal Tablets containing phenobarbital, reserpine, and thiamine hydrochloride; the Central Pharmacal Co., 120–128 East Third Street, Seymour, Ind. 47274.

8. NDA 10–733; Neo-Slowten Tablets containing phenobarbital, reserpine, and thiamine hydrochloride; Smith, Miller & Patch, Inc., 401 Joyce Kilmer Avenue, New Brunswick, N.J. 08902.

The basis of the proposed withdrawal of approval was the lack of substantial evidence that these fixed combination drugs will have the effects that they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in the labeling, and that each component of such combinations contributes to the total effects claimed.

None of the holders of the above new drug applications or any other person have filed a written appearance of election as provided by said notice. The failure to file such an appearance constitutes an election by such persons not to avail themselves of the opportunity for a hearing. Winthrop Laboratories had previously informed the Administration that Theominal R.S. Tablets (NDA 9–502) were no longer marketed and requested withdrawal of approval of the application.

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug applications reviewed and are subject to this notice. See 21 CFR 130.40 (37 FR 23185, Oct. 31, 1972). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD–300), 5600 Fishers Lane, Rockville, Md. 20852.

The Commissioner of Food and Drugs, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended; 21 U.S.C. 355), and the Administrative Procedure Act (5 U.S.C. 554), and under authority delegated to him (21 CFR 2.120), finds that on the basis of new information before him with respect to the drugs, evaluated together with the evidence available to him when the applications were approved, there is a lack of substantial evidence that the drugs will have the effects they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof.

Therefore, pursuant to the foregoing findings, approval of the above new drug applications and all amendments and supplements applying thereto is withdrawn effective on May 4, 1973. Shipment in interstate commerce of the above-listed drug products or of any identical, related, or similar product, not the subject of an approved new drug application, is henceforth unlawful.

Dated April 26, 1973.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.73–8881 Filed 5–3–73;8:45 am]

[DESI 6257; Docket No. FDC–D–540; NDA 6–257]

COMBINATION DRUG CONTAINING AMINOPHYLLINE, DIPHENHYDRAMINE, AND AMMONIUM CHLORIDE

Notice of Withdrawal of Approval of New Drug Application

On January 11, 1973, there was published in the FEDERAL REGISTER (38 FR 1296) a notice of opportunity for hearing (DESI 6257) in which the Commissioner of Food and Drugs proposed to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the remaining part of the new drug application for the following drug:

NDA 6–257; Hydryllin compound containing aminophylline, diphenhydramine, and ammonium chloride; G. D. Searle and Co., P.O. Box 5110, Chicago, Ill. 60680.

The basis of the proposed withdrawal of approval was the lack of substantial evidence that this fixed combination drug will have the effect that it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling and that each component of such combination contributes to the total effects claimed.

On February 26, 1973, G. D. Searle and Co. requested withdrawal of approval of their new drug application for all Hydryllin products. These products, in addition to the subject drug, consist of Hydryllin Tablets and Elixir, each containing aminophylline and diphenhydramine, and Hydryllin with Racephedrine Tablets and Hyadrine Tablets, each containing aminophylline, diphenhydramine, and racephedrine. Approval of Hydryllin Tablets and Elixir was withdrawn March 1, 1973 (38 FR 5491) (DESI 3523). Approval of Hydryllin with Racephedrine Tablets was withdrawn March 1, 1973 (38 FR 5493) (DESI 6261). Hyadrine Tablets, never approved in NDA 6–257, are subject to the latter notice as a related drug.

All identical, related, or similar products, not the subject of an approved new drug application are covered by the new drug application reviewed and are subject to this notice. See 21 CFR 130.40 (37 FR 23185, Oct. 31, 1972). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD–300), 5600 Fishers Lane, Rockville, Md. 20852.

The Commissioner of Food and Drugs, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended; 21 U.S.C. 355), and the Administrative Procedure Act (5 U.S.C. 554), and under authority delegated to him (21 CFR 2.120), finds that on the basis of new information before him with respect to the drug, evaluated together with the evidence available to him when the application was approved, there is a lack of substantial evidence that the drug will have the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof.

Therefore, pursuant to the foregoing findings, approval of the remaining part of the above new drug application and all amendments and supplements applying thereto is withdrawn effective on May 4, 1973. Shipment in interstate commerce of the above-listed drug product or of any identical, related, or similar

product not the subject of an approved new drug application, is henceforth unlawful.

Dated April 26, 1973.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.73-8880 Filed 5-3-73;8:45 am]

[DESI 11524; docket No. FDC-D-544; NDA 11-524]

COMBINATION DRUG CONTAINING PREDNISONE, MEPHENESIN AND MEPHOBARBITAL

Notice of Withdrawal of Approval of New Drug Application

On December 23, 1972, there was published in the FEDERAL REGISTER (37 FR 28438) a notice of opportunity for hearing (DESI 11524) in which the Commissioner of Food and Drugs proposed to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the new drug application for the following drug:

NDA 11-524; Prednal Tablets containing prednisone, mephenesin and mephobarbital; formerly marketed by USV Pharmaceutical Corp., 1 Scarsdale Road, Tuckahoe, N.Y. 10706.

The basis of the proposed withdrawal of approval was the lack of substantial evidence that this fixed combination drug will have the effect that it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling and that each component of such combination contributes to the total effects claimed.

Neither USV, holder of the above new-drug application, nor any other interested person has filed a written appearance of election as provided by said notice. The failure to file such an appearance constitutes an election by such persons not to avail themselves of the opportunity for a hearing.

All identical, related, or similar products, not the subject of an approved new-drug application, are covered by the new-drug application reviewed and are subject to this notice. See 21 CFR 130.40 (37 FR 23185, Oct. 31, 1972). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD-300), 5600 Fishers Lane, Rockville, Md. 20852.

The Commissioner of Food and Drugs, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended; 21 U.S.C. 355), and the Administrative Procedure Act (5 U.S.C. 554), and under authority delegated to him (21 CFR 2.120), finds that on the basis of new information before him with respect to the drug evaluated together with the evidence available to him when the application was approved, there is a lack of substantial evidence that the drug will have the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof.

Therefore, pursuant to the foregoing findings, approval of the above new drug application and all amendments and supplements applying thereto is withdrawn effective on May 4, 1973. Shipment in interstate commerce of the above-listed drug product or of any identical, related, or similar product, not the subject of an approved new drug application, is henceforth unlawful.

Dated April 26, 1973.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.73-8878 Filed 5-3-73;8:45 am]

[DESI 11503]

KANAMYCIN SULFATE CAPSULES

Drugs for Human Use; Drug Efficacy Study Implementation; Amendment of Previous Announcement

The Food and Drug Administration published an announcement in the FEDERAL REGISTER of January 10, 1970 (35 FR 397), regarding the efficacy of Kanamycin Sulfate Injection and Kanamycin Sulfate Capsules. It stated that the oral form of the drug was regarded as effective, probably effective, possibly effective, and lacking substantial evidence of effectiveness for its various labeled indications. Based upon reevaluation of available material and literature references, the oral form of the drug is regarded effective for the indications described herein. Accordingly, the labeling for Kanamycin Sulfate Capsules is revised to read as follows: (Kanamycin Sulfate Injectable has been the subject of a separate notice, 38 FR 6418, March 9, 1973.)

KANAMYCIN SULFATE CAPSULES

DESCRIPTION

Kanamycin sulfate is a water soluble aminoglycoside antibiotic derived from *Streptomyces kanamyceticus*. It is supplied in oral formulation for topical effect within the gastrointestinal tract, because it is absorbed only very slightly when administered orally, and is excreted unchanged in the feces.

ACTIONS

Kanamycin is poorly absorbed from the normal gastrointestinal tract. The small absorbed fraction is rapidly excreted with normal kidney function. The unabsorbed portion of the drug is eliminated unchanged in the feces.

Most intestinal bacteria are eliminated rapidly following oral administration of kanamycin, with bacterial suppression persisting for 48-72 hours.

INDICATIONS

Suppression of intestinal bacteria.—Kanamycin is indicated when suppression of the normal bacterial flora of the bowel is desirable for short term adjunctive therapy.

Hepatic Coma.—Prolonged administration has been shown to be effective adjunctive therapy in *Hepatic Coma* by reduction of the ammonia-forming bacteria in the intestinal tract. The subsequent reduction in blood ammonia has resulted in neurologic improvement.

CONTRAINDICATIONS

This drug is contraindicated in the presence of intestinal obstruction and in individuals with a history of hypersensitivity to the drug.

WARNINGS

Although negligible amounts of kanamycin are absorbed through intact intestinal mucosa (approximately 1 percent), the possibility of increased absorption from ulcerated or denuded areas should be considered. If renal insufficiency develops during treatment, the dosage should be reduced or the antibiotic discontinued. Urine and blood examinations and audiometric tests should be given prior to and during extended therapy in individuals with hepatic and/or renal disease.

USAGE IN PREGNANCY

Safety for use in pregnancy has not been established.

PRECAUTIONS

Caution should be taken in concurrent use of other ototoxic and/or nephrotoxic antimicrobial drugs while kanamycin is administered orally. These include streptomycin, neomycin, polymyxin B, colistin, viomycin, gentamicin, and cephaloridine.

The concurrent use of potent diuretics (e.g., ethacrynic acid, furosemide, and mannitol, particularly when the diuretics are given intravenously) should be avoided. They may cause cumulative adverse effects of the kanamycin on the kidney and auditory nerve.

Prolonged use of oral kanamycin may result in overgrowth of nonsusceptible organisms, particularly fungi. If this occurs, appropriate therapy should be instituted.

ADVERSE REACTIONS

The most common adverse reactions to oral kanamycin are nausea, vomiting, and diarrhea. The "Malabsorption Syndrome" characterized by increased fecal fat, decreased serum carotene, and fall in xylose absorption has been reported with prolonged therapy. Nephrotoxicity and ototoxicity have been reported following prolonged and high dosage therapy in hepatic coma.

DOSAGE AND ADMINISTRATION

(Complete dosage instructions to be added by the firm.)

1. As an adjunct in therapy of Hepatic Coma for extended therapy.

2. As an adjunct to mechanical cleansing of the large bowel in short term therapy.

Duration of therapy within this range depends on the condition of the patient, the type and amount of concurrent mechanical cleansing (catharsis and enemas), and the customary medical routine.

Holders of applications approved for Kanamycin Sulfate Capsules are requested to submit, on or before July 3, 1973, amendments to their antibiotic applications to provide for revised labeling in accord with the labeling section above.

The possibly effective indications, treatment of intestinal infections due to *E. coli* and *Salmonella*, have been reclassified as lacking substantial evidence of effectiveness in that no new evidence of effectiveness of this drug has been submitted pursuant to the notice of January 10, 1970.

Batches of such drugs with labeling bearing the indications for which substantial evidence of effectiveness is lacking are no longer acceptable for certification or release.

Any person who will be adversely affected by the deletion from labeling of the indications for which the drug has been reclassified from possibly effective to lacking substantial evidence of effectiveness may, on or before June 4, 1973, petition for the issuance of a regulation providing for other certification of the drug for such indication. The petition must be supported by a full-factual and well-documented medical analysis which shows reasonable grounds for the issuance of such regulation.

A petition for issuance of said regulation should be filed (preferably in quintuplicate) with the Hearing Clerk, Department of Health, Education, and Welfare, room 6-88, 5600 Fishers Lane, Rockville, Md. 20852.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050-51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated April 26, 1973.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.73-8879 Filed 5-3-73;8:45 am]

[Docket No. FDC-D-586; NADA No. 7-130V]

CURTS LABORATORIES, INC.

Sulfadac; Notice of Withdrawal of Approval of New Animal Drug Application

In the FEDERAL REGISTER of February 13, 1973 (38 FR 4357), the Commissioner of Food and Drugs published a notice proposing to withdraw approval of new animal drug application (NADA) No. 7-130V for Sulfadac; marketed by Curts Laboratories, Inc., 812 Woodswether Road, Kansas City, Mo. 64105.

Neither Curts Laboratories, Inc. nor any other interested persons have filed a written appearance in response to the above cited notice. This constitutes an election by said firm not to avail themselves of the opportunity for a hearing.

Based on the grounds set forth in said notice of opportunity for a hearing, the Commissioner concludes that approval of said new animal drug application should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 7-130V, including all amendments and supplements thereto, is hereby withdrawn effective on the date of publication of this document.

Dated April 24, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-8804 Filed 5-3-73;8:45 am]

[FDC-D-627]

DELTA LABORATORIES AND ROMAR LABORATORIES

Penicillin, Dihydrostreptomycin Injectable; Notice of Drugs Deemed Adulterated

In an announcement in the FEDERAL REGISTER of July 22, 1970 (35 FR 11715, DESI 2-0023NV) the Commissioner of Food and Drugs announced the conclusions of the Food and Drug Administration following evaluation of reports received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on Norden Iomycin Veterinary; manufactured by Delta Laboratories, division of Anabolic, Inc., 1050 West Florence Avenue, Inglewood, Calif. 20301; distributed by Norden Laboratories, Inc., Lincoln, Nebr. 68501 and Romar Pen-Dihydro; marketed by Romar Laboratories, Parsippany, N.J. 07054.

Said announcement provided the manufacturers and all interested parties 6 months in which to submit new animal drug applications (NADA's). Neither Delta Laboratories nor Norden Laboratories, Inc., submitted an NADA for Norden Iomycin Veterinary. Delta Laboratories informed the Commissioner that they have discontinued the manufacture of this product. Romar Laboratories did not submit a new animal drug application for their product.

Therefore, based on the information before him, the Commissioner concludes that the above-named products are adulterated within the meaning of section 501(a)(5) of the Federal Food, Drug, and Cosmetic Act, in that they are not the subjects of approved new animal drug applications pursuant to section 512 of the act. Therefore notice is given to Delta Laboratories, Norden Laboratories, Inc., Romar Laboratories, and all interested persons that all stocks of the said drugs with in the jurisdiction of the Federal Food, Drug, and Cosmetic Act are deemed adulterated within the meaning of the act and are subject to appropriate regulatory action.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 501(a)(5), 512, 52 Stat. 1049, as amended, 82 Stat. 343-351; 21 U.S.C. 351(a)(5), 360b) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated April 24, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-8806; Filed 5-3-73;8:45 am]

[Docket No. FDC-D-584; NADA No. 7-736V]

JENSEN-SALSBERY LABORATORIES

Anthol; Notice of Withdrawal of Approval of New Animal Drug Application

In the FEDERAL REGISTER of February 13, 1973 (38 FR 4357), the Commissioner of Food and Drugs published a notice proposing to withdraw approval of new animal drug application (NADA) No. 7-736V for Anthol marketed by Jensen-Salsbery Laboratories, 520 West 21st Street, Kansas City, Mo. 64141.

Neither Jensen-Salsbery Laboratories nor any other interested persons have filed a written appearance in response to the above-cited notice. This constitutes an election by said firm not to avail themselves of the opportunity for a hearing.

Based on the grounds set forth in said notice of opportunity for a hearing, the Commissioner concludes that approval of said new animal drug application should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 7-736V, including all amendments and supplements thereto, is hereby withdrawn effective on the date of publication of this document.

Dated April 24, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-8805 Filed 5-3-73;8:45 am]

Office of the Secretary

COMMISSIONER OF FOOD AND DRUGS

Redelegation of Authority, Amendment

The redelegation of authority to the Commissioner of Food and Drugs (35 FR 606, Jan. 16, 1970, as amended), is amended to reflect additional authorities which have been redelegated to the Commissioner of Food and Drugs by the Assistant Secretary for Health.

Accordingly, paragraph 3 is amended and paragraph 7 is added as follows:

3. Functions vested in the Secretary and the Department under:

a. Section 301 (Research and Investigation); section 308 (International Cooperation); section 311 (Federal-State Cooperation); section 314(f) (Interchange of Personnel with States); and section 315 (Health Education and Information) of the Public Health Service Act (42 U.S.C. 241, 242f, 243, 246(f), and 247), which relate to the functions of the Food and Drug Administration.

b. Sections 354 through 360f of the Public Health Service Act (42 U.S.C. 263b through 263n) which relate to electronic product radiation control.

c. Section 361 of the Public Health Service Act (42 U.S.C. 264) which relate to interstate travel sanitation (except interstate transportation of etiological agents under 42 CFR 72.25), milk and food service sanitation, and shellfish sanitation.

d. Sections 351 and 352 of the Public Health Service Act (42 U.S.C. 262 and 263) which relate to biological products.

e. Section 302(a) of the Public Health Service Act (42 U.S.C. 242(a)) which relate to the determination and reporting requirements with respect to the medicinal and scientific requirements of the United States for controlled substances.

f. Section 303 of the Public Health Service Act (42 U.S.C. 242a) which relate to the authorization of persons engaged in research on the use and effect of drugs to protect the identity of their research subjects with respect to drugs scheduled under Public Law 91–513 for which a notice of claimed exemption for an investigational new drug is filed with the Food and Drug Administration and with respect to all drugs not scheduled under Public Law 91–513.

g. Section 4 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (84 Stat. 1241) which relate to the determination of the safety and effectiveness of drugs or to approve new drugs to be used in the treatment of narcotic addicts.

h. Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) which relate to the determination of the qualifications and competency of practitioners wishing to conduct research with controlled substances listed in schedule I of the act, and the merits of the research protocol.

i. The provisions of the Controlled Substances Act (21 U.S.C. 801 et seq.) which relate to administration of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

j. Section 409(b) of the Federal Meat Inspection Act (21 U.S.C. 679(b)) which relate to the detention of any carcass, part thereof, meat, or meat food product of cattle, sheep, swine, goats, or equines.

k. Section 24(b) of the Poultry Products Inspection Act (21 U.S.C. 467f(b)) which relate to the detention of any poultry carcass, part thereof, or poultry product.

l. The Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

m. Product safety and poison control provisions of laws and acts administered by the Department.

* * * * *

7. Function vested in the Secretary under the Federal Advisory Committee Act, Public Law 92–463, to make determinations that advisory committee meetings are concerned with matters listed in section 552(b) of title 5, U.S.C. and therefore, may be closed to the public for those committees under the administrative jurisdiction of the Commissioner of Food and Drugs. This authority is to be exercised in accordance with the requirements of the act and only with respect to the following:

a. Meetings, to the extent that they directly involve review, discussion or consideration of records of the Department which are exempt from disclosure under 5 U.S.C. 552(b) (4), (6), and (7), namely, (a) records containing trade secrets and commercial or financial information obtained from a person and privileged or confidential; (b) personnel, medical, and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and (c) investigatory files compiled for law enforcement purposes.

b. Meetings to the extent that they involve the review, discussion, and evaluation of specific drugs and devices regulated by FDA which are intended to result in recommendations for regulatory decisions under the Federal Food, Drug, and Cosmetic Act and which are concerned with matters listed in 5 U.S.C. 552(b) (4), (5), and (7):

c. Meetings held for the sole purpose of considering and formulating advice which the committee will give or any final report it will render provided:

(1) The meeting will involve solely the internal expression of views and judgments of the members and it is essential to close the meeting or portions thereof to protect the free exchange of such views and avoid undue interference with agency or committee operations, and such views if reduced to writing would be protected from mandatory disclosure under section 552(b)(5) of title 5 U.S.C.;

(2) The meeting is closed for the shortest time necessary, summarizing the work of the committee during the closed session, and a report, prepared by the Executive Secretary will be made available promptly to the public.

(3) When feasible, the public is given a timely opportunity to present relevant information and views to the committee; and

(4) Concurrence for closing the meetings for such purpose is obtained from the Office of the General Counsel and the Office of Public Affairs.

These authorities, except the authority delegated in paragraph 7, may be redelegated.

Effective date.—This order is effective on May 4, 1973.

Dated April 28, 1973.

ROBERT H. MARIK,
Assistant Secretary for Administration and Management.

[FR Doc.73-8845 Filed 5-3-73;8:45 am]

OFFICE OF EDUCATION

Statement of Organization, Functions, and Delegations of Authority

Part 2 (Office of Education) Section 2-B, Organization and Functions, of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare is amended as described below. This amendment is not inclusive of all changes to be made in the Statement of Organization, Functions, and Delegations of Authority to conform to Public Law 92-318, the Education Amendments of 1972. The remaining changes will be published as they occur.

The following statement is added after the statement under the heading Deputy Commissioner for Higher Education.

OFFICE OF THE DEPUTY COMMISSIONER OF INDIAN EDUCATION, OFFICE OF INDIAN EDUCATION

The Deputy Commissioner for Indian Education administers programs of grants to local educational agencies for elementary and secondary school programs designed to meet the special educational needs of Indian children and grants and, where applicable, contracts for special programs and projects to improve educational opportunities for Indian children and for special programs to improve educational opportunities for adult Indians. The Deputy Commissioner of Indian Education, upon delegation or assignment by the Commissioner of such duties, also coordinates other efforts to improve educational opportunities for Indians at all educational levels.

Dated April 28, 1973.

ROBERT H. MARIK,
Assistant Secretary for Administration and Management.

[FR Doc.73-8844 Filed 5-3-73;8:45 am]

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 3 (Health Services and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (33 FR 15963, Oct. 30, 1968), as amended, is hereby amended with regard to Section 3-30, Delegations of Authority, as follows:

In lieu of the subparagraph numbered (12) of the paragraph entitled "Specific delegations," substitute the following subparagraph:

(12) The functions under section 329 of the Public Health Service Act, as amended, relating to the authority to assign commissioned officers and other health personnel of the Public Health Service to communities and areas with critical health manpower shortages for the provision of health care and services and to make other necessary commitments.

Dated April 28, 1973.

ROBERT H. MARIK,
Assistant Secretary for Administration and Management.

[FR Doc.73-8846 Filed 5-3-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

ADVISORY COMMITTEE FOR RADIATION BIOLOGY ASPECTS OF THE SST

Notice of Renewal

Notice is hereby given that the Advisory Committee for Radiation Biology Aspects of the Supersonic Transport is being renewed for the period terminating March 1, 1974, unless further renewed by appropriate action. The Office of Aviation Medicine is the sponsor of the Committee. The Committee consists of a group of 10 experts on radiation measurement and radiation biology. The Committee reviews the National Radiation program with respect to the problems of supersonic transportation and identifies actions required to insure that results are obtained for a timely, accurate, and comprehensive identification of the biological consequences of passenger and crew exposure to the high altitude radiation environment.

It has been determined that renewal of this Advisory Committee is in the

public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Meetings of the Committee will be open to the public.

Issued in Washington, D.C., on April 30, 1973.

S. J. GERATHEWOHL, Ph. D.,
Executive Director, Advisory Committee for Radiation Biology Aspects of the SST.

[FR Doc.73-9020 Filed 5-3-73;11:40 am]

Hazardous Materials Regulations Board

TRANSPORTATION OF HAZARDOUS MATERIALS

Special Permit Issued

Pursuant to docket No. HM-1, rulemaking procedures of the Hazardous Materials Regulations Board, issued May 22, 1968 (33 FR 8277), 49 CFR part 170, following is a list of new DOT Special Permits upon which Board action was completed during April 1973:

Special permit No.	Issued to—Subject	Mode or modes of transportation
6735	Dow Chemical Co., Midland, Michigan, to ship bromine in non-DOT specification cylinders constructed in accordance with DOT Specification 4B, 4BA or 4BW.	Highway, Rail, Cargo Vessel.
6744	Shippers registered with this Board to ship large quantities of radioactive materials, n.o.s. in package identified as the Protective Packaging Poly-Tiger Model Nos. 1 through 6.	Highway, Rail, Cargo-only Aircraft, Cargo Vessel.
6745	Shippers registered with this Board to ship Type B quantities of radioactive materials, n.o.s. in Gulf General Atomic Model No. FSV-2.	Highway, Rail, Cargo Vessel.
6746	Firestone Natural Rubber & Latex Co., Akron, Ohio to ship anhydrous ammonia in portable tanks built, marked and maintained in compliance with DOT Spec. MC-331.	Highway.
6747	Shippers registered with this Board to ship compressed air in non-DOT specification fiberglass reinforced plastic (FRP), seamless, aluminum-lined cylinders.	Highway, Rail, Passenger-carrying Aircraft and Cargo-only Aircraft.
6748	Shippers registered with this Board to ship dry dichloroisocyanuric acid and dry trichloroisocyanuric acid in granular and compressed forms in single trip high density polyethylene containers.	Highway.
6750	General Services Administration, Washington, D.C. to ship paint in open-head steel drums.	Highway.
6751	Shippers registered with this Board to ship hydrochloric acid in non-DOT specification fiberglass reinforced plastic (FRP) cargo tanks not exceeding 5000 gallon water capacity.	Highway.
6752	Shippers registered with this Board to ship difluoroethylene (vinylidene fluoride) in DOT 3A2400 cylinders.	Highway.
6757	Shippers registered with this Board to ship hydrogen peroxide in water not over 60% hydrogen peroxide by weight in non-DOT specification insulated aluminum portable tank.	Highway, Cargo Vessel.

ALAN I. ROBERTS,
Secretary.

[FR Doc.73-8802 Filed 5-3-73;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-247]

CONSOLIDATED EDISON CO. OF NEW YORK, INC.

Amendment to Facility Operating License

Pursuant to a memorandum and order of the Atomic Safety and Licensing Appeal Board dated April 24, 1973, notice is hereby given that the Atomic Energy Commission (the Commission) has issued amendment No. 2 to Facility Operating License No. DPR-26 to Consolidated Edison Co. of New York, Inc. (the licensee), which authorizes the licensee to operate the Indian Point Nuclear Generating Unit No. 2 for testing purposes at reactor core power levels not to exceed 1,379 megawatts thermal (50 percent of the rated power) in accordance with the provisions of the amended license. DPR-26 was issued to Consolidated Edison Co. of New York, Inc. on October 19, 1971, which authorized fuel loading and subcritical testing. On April 20, 1973, amendment No. 1 to DPR-26 was issued which authorized operation at 20 percent of the rated power for testing purposes. The Indian Point Nuclear Generating Unit No. 2 is a pressurized water nuclear reactor located at the licensee's site near Buchanan in Westchester County, N.Y. The reactor will be operated in accordance with the Technical Specifications appended to amendment No. 1 (issued on April 20, 1973).

The Director of regulation has made appropriate findings as required by the act and the Commission's regulations in 10 CFR ch. I, which are set forth in the amended license. The application for the license complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR ch. I.

The amended license is effective as of the date of issuance and shall expire 9 months from said date, unless extended for good cause shown or upon the earlier issuance of a subsequent licensing action.

A copy of (1) amendment No. 2 to Facility Operating License No. DPR-26, (2) the technical specifications dated April 20, 1973, and (3) the Atomic Safety and Licensing Appeal Board's memorandum and order dated April 24, 1973, are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C., and the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, N.Y. 10548. Copies of items (1) and (2) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 27th day of April 1973.

For the Atomic Energy Commission.

KARL KNIEL,
Chief, Pressurized Water Reactors Branch No. 2, Directorate of Licensing.

[FR Doc.73-8834 Filed 5-3-73;8:45 am]

[Dockets Nos. 50-424, 50-425, 50-426, 50-427]

GEORGIA POWER CO.

Notice of Receipt of Application for Construction Permits and Facility Licenses and Availability of Applicant's Environmental Report; Time for Submission of Views on Antitrust Matter

Georgia Power Co. (the applicant), pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed an application, which was docketed February 13, 1973, for authorization to construct and operate four generating units utilizing pressurized water reactors at its site, located on the Savannah River in Burke County, Ga.

The proposed nuclear facilities, designated by the applicant as the Alvin W. Vogtle Nuclear Plant, units 1, 2, 3, and 4, are designed for initial operation at approximately 3,411 MW (thermal) each, with a net electrical output of approximately 1,100 MW each.

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 on or before June 27, 1973.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and at the Burke County Library, Fourth Street, Waynesboro, Ga. 30830.

The applicant has 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, "Applicant's Environmental Report", volumes I and II, dated August 1, 1972. 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 Alvin W. Vogtle Nuclear Plant, units 1, 2, 3, and 4, is also being made available at the Bureau of State Planning and Community Affairs, room 611, 270 Washington Street SW., Atlanta, Ga. 30303, and at the Central Savannah River APDC, 630 Ellis Street, Augusta, Ga. 30902.

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 19th day of April 1973.

For the Atomic Energy Commission.

KARL KNIEL,
Chief, Pressurized Water Reactors Branch No. 2, Directorate of Licensing.

[FR Doc.73-8311 Filed 4-26-73;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23267]

AIRLINE INDUSTRIAL RELATIONS CONFERENCE INVESTIGATION

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be held before the Board on June 13, 1973, at 10 a.m. (local time) in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., April 27, 1973.

[SEAL] RALPH L. WISER,
Chief Administrative Law Judge.

[FR Doc.73-8847 Filed 5-3-73;8:45 am]

[Docket No. 25476; Order 73-4-120]

AIRLINE TARIFF PUBLISHERS, INC.

Order of Tentative Approval

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of April 1973.

There has been filed pursuant to section 412 of the Federal Aviation Act of 1958, as amended (the Act) an agreement (identified as Agreement CAB 23157) between 32 U.S. and Canadian airlines [1] to reorganize Airline Tariff Publishers, Inc. (ATP).[2]

ATP originally was established pursuant to a resolution (Agreement CAB 17316) of the members of the Air Traffic Conference of America (ATC). Appended to the resolution were Articles of Incorporation of ATP, the initial bylaws, and a standard form Tariff Publishing Agreement, all of which are integral parts of Agreement CAB 17316. The resolution was adopted to satisfy a condition in order E-19260, January 31, 1963,[3] which required the Air Transport Association (ATA) to submit a plan for amendment of the consolidated tariff publishing resolutions of ATC to provide for the independent functioning of the Tariff Publishing Agent and the ATC tariff committees and divisions. ATP was organized to provide services and facilities in connection with the compilation, preparation and distribution, for and on behalf of its members and others, of tariffs, prorate and division manuals, and other similar and related publications; and to provide other services and facilities relating to or incidental thereto.

Board approval of Agreement CAB 17316 pursuant to section 412 of the Act was granted, subject to various conditions, by order E-20925, June 11, 1964. The Board held ATP to be a person engaged in a phase of aeronautics and approved control relationships created by the agreement pursuant to section 408 of the Act, granted the members of ATP an exemption from section 409(a) of the Act and part 251 of the Board's Economic Regulations and necessary approval thereunder to the extent that officers and/or directors of the air carrier parties to the agreement served in a similar capacity with ATP. ATP, a non-profit organization, has operated since January 1, 1965.

According to the parties to Agreement CAB 23157, the objectives of the reorganization, after which ATP will be known as Airline Tariff Publishing Co. (ATPCO), are as follows:

A. To increase the corporation's usefulness to the industry to the optimum extent;

B. To reduce the industry's net costs for tariff publication and related activities, both by spreading indirect costs over more units of production and by developing sources of revenue to help bear the cost burden;

C. To enable the corporation to make normal business decisions more promptly and in a more businesslike manner; and

D. To achieve the foregoing objectives (1) without interfering with the corporation's present activities or impairing its ability or incentive to continue those activities; (2) without exposing the corporation or the members to unnecessary legal risks under basic corporation or tax laws; (3) without reopening issues which might adversely influence necessary CAB action; and (4) without distorting the basic structure of the major products of the present corporation, viz, the domestic passenger and cargo tariffs.

The parties state that soon after ATP commenced operations, it began to receive proposals, both from members and nonmembers, that it expand its field of activities and provide additional types of services; and that adoption of such proposals would not only have required amendment of the Tariff Publishing Agreement (which could be accomplished only with the unanimous consent of the 30-odd airline members of the corporation), but, in some cases, would have jeopardized the corporation's income tax exemptions and its status as a nonprofit corporation. As a result of the number and variety of such proposals, however, the board of directors of the corporation authorized a study of ATP's organization, activities, operating procedures and financial arrangements. The culmination of that study was the reorganization plan embodied in the new agreement.

Briefly, the plan provides for the organization of a new business corporation to take over the business and assets of ATP, in exchange for stock of ATPCO. Once the exchange has been effected, ATP will be dissolved and the stock will be distributed to the members of ATP in proportion to their capital contributions to that corporation. As a result, each member of ATP will have the same proportionate equity interest in the new corporation that it has in ATP.[4] The agreement provides, however, that for a period of 6 months after the new corporation is created, each stockholder (except the largest) shall have an option to buy additional stock in the new corporation, up to an amount sufficient to make its total holdings equal to those of the largest stockholder.[5]

The new corporation will have a nine-man board of directors, elected annually by cumulative voting. Directors must be officers of stockholders, but a stockholder may not have more than one representative on the board at any one time.

A number of the operating provisions of the present Tariff Publishing Agreement are carried forward into the new letter agreement to be entered into between ATPCO and individual carriers desiring to use its services as tariff-publishing agent and into the new Tariff Participants' Agreement. However, the restrictions upon the ability of the new corporation to provide additional types of service,[6] or to act as tariff-publishing agent for additional types of carriers, have been largely removed. The articles of incorporation continue to designate

[1] Airlift International, Inc., Hughes Air Corp. d.b.a. Hughes Airwest, Alaska Airlines, Inc., Allegheny Airlines, Inc., Aloha Airlines, Inc., American Airlines, Inc., Braniff Airways, Inc., Chicago Helicopter Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., Eastern Provincial Airways Ltd., Flying Tiger Line, Inc., Frontier Airlines, Inc., Hawaiian Airlines, Inc., National Airlines, Inc., New York Airways, Inc., North Central Airlines, Inc., Northeast Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., Pan American World Airways, Inc., Piedmont Aviation, Inc., Reeve Aleutian Airways, Inc., San Francisco & Oakland Helicopter Airlines, Inc., Southern Airways, Inc., Texas International Airlines, Inc., Transair Limited, Trans World Airlines, Inc., United Air Lines, Inc., Western Air Lines, Inc., and Wien Consolidated Airlines, Inc.

[2] Attached to the agreement are documents identified as Articles of Incorporation, Bylaws of ATPCO, a standard form letter agreement to be executed by members of the corporation, and a tariff participants agreement to be executed by other carriers desiring to use ATPCO's services, all of which are considered to be a part of Agreement CAB 23157.

[3] Air Transport Association Inspection and Review, docket No. 10281.

[4] As of December 31, 1972, 36 carriers had made capital contributions in ATP, ranging from 0.23 percent (Chicago Helicopter) to 14.35 percent (United) of the total ($197,000).

[5] While there are no legal restrictions upon the ability to own stock in the new corporation, there are provisions which require any stockholder desiring to sell its stock to offer it first to the corporation, and then to the other stockholders, before it can be sold to a nonstockholder.

[6] These would include such matters as the publication of memoranda and sales-type material for internal airline use, computer tape sales, research projects and the sale of spare computer time.

the publication of tariffs, prorate and division manuals, and similar publications as the primary function of the new corporation, and provide that the business and affairs of the new corporation shall be so managed that other activities shall not interfere with the performance of that function. The Tariff Participants' Agreement protects certain of the consolidated tariffs now being published from geographical expansion, or from extension to new classes of participants, without the consent of at least 90 percent of the present participants.[7] Except for those limitations, however, the board of directors of the new corporation will have the usual corporate authority, not only to manage the business and affairs of the corporation, but to determine, from time to time, the nature and scope of its activities, its operating procedures, pricing policies, etc.

Thus, according to the carriers, ATPCO, as a conventional business corporation, will not only be relieved of the restrictions resulting from ATP's nonprofit, tax-exempt status, but, in addition, will be largely free of the rigid controls currently incorporated in the Tariff Publishing Agreement. As a result, they believe ATPCO will have the flexibility and freedom of decision to achieve the objectives of the reorganization plan listed above.

While, according to the carriers, the reorganization plan will produce significant improvement in the ability of the industry-owned tariff publishing organization to accomplish its basic purposes and to serve the industry efficiently and economically, ATPCO's relationship to the airlines, insofar as the applicability of sections 408 and 409 of the Act is concerned, will not be materially different than that of ATP. They have requested, therefore, that, in addition to granting approval under section 412(b) of the Act, the Board grant relief from and under sections 408 and 409 similar to that granted with respect to the predecessor agreement.

Comments relative to the proposal have been filed by the National Air Transportation Conferences, Inc. (NATC) requesting that the Board act favorably on the agreement and that Board approval thereof be conditioned upon ATPCO's willingness to publish and distribute memorandum tariffs for commuter airlines under stated conditions which would be subject to Board approval. No other comments have been received.

Upon consideration of the foregoing it is concluded that, while the proposal significantly broadens the base of activities of ATP, it does not appear to raise new issues of substance which were not considered by the Board with respect to the earlier establishment of ATP. Moreover, we are unable to find that the proposal in any manner contravenes the requirement in order E–19260 that the members of the Air Transport Association provide for the independent functioning of the Tariff Publishing Agent and the ATC tariff committees and divisions.[8] Essentially, we believe, as alleged by the parties thereto, the reorganization of ATP will increase its usefulness to the industry, tend to reduce industry costs for tariff publication and related activities through the distribution of indirect costs over more units of production and the development of additional sources of revenue, and enable the corporation to make business decisions more promptly than heretofore permissible under the tight limitations on ATP's activities and the unanimous voting procedures of the corporation. In addition the proposal will permit the corporation to serve a broader segment of the air transportation industry, including air taxi operators providing commuter services, supplemental air carriers and foreign air carriers.

On the basis of the foregoing considerations the Board tentatively finds pursuant to section 412 of the Act that the agreement is not adverse to the public interest nor in violation of the Act if made subject to the conditions discussed herein.

It appears to the Board that the proposed arrangement is also subject to section 408 of the Act. Specifically, the Board has concluded that, because of the nature of its contemplated activities, ATPCO is a person engaged in a phase of aeronautics, and that the establishment of ATPCO by the carriers constitutes their joint acquisition of control of such person, within the meaning of section 408. However, the Board further concludes tentatively that such relationships do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly and do not tend to restrain competition. Furthermore, the Board notes that no person disclosing a substantial interest in the matter is currently requesting a hearing, and we find that the public interest does not require a hearing. Thus, approval of the relationships under section 408(b) would not appear to be inconsistent with the public interest.

The Board also notes that if additional carriers become members of ATPCO (or if some of its present members withdraw) new or different control relationships within the scope of section 408 may be created. The Board does not believe, however, that any new issues of substance would arise from these relationships since the participating group of carriers is well-defined. To obviate the need for reviewing such relationships, the Board proposes to approve under section 408(b) the participation of more or fewer air carriers in the membership of ATPCO.[9]

The Board also concludes that if officers of air carriers serve as directors of ATPCO, interlocking relationships within the ambit of section 409 of the Act will thereby exist. However, in the light of the foregoing it does not appear to the Board that such relationships would pose conflicts of interest. It is evident that requiring the air carriers and individuals proposing to enter into interlocking relationships of this nature to file applications under part 251 and to obtain prior approval of the Board thereof would constitute an undue burden upon them, serve no useful regulatory purpose and impose upon the Board an unnecessary workload in scrutinizing a multiplicity of such interlocking relationships. Therefore, the Board proposes to grant the air carrier parties to the agreement an exemption from section 409(a) and part 251 of the economic regulations pursuant to section 416(b) of the Act. Inasmuch as the Board's exemption authority does not extend to individuals, the Board proposes to grant advance approval of the interlocking relationships insofar as the individual participants are concerned by an exercise of the Board's powers under section 409(a).

In view of the foregoing, the Board intends to approve the control relationships discussed herein under section 408(b) without a hearing. In accordance therewith, this order constituting notice of such intention will be published in the FEDERAL REGISTER. The Board also proposes to approve the arrangement under section 412 and act under section 409 as indicated above.

Consistent with our previous action with respect to ATP,[10] we have decided that final action herein should be made subject to the following conditions:

a. That the Board's action herein does not extend to approval of any discussions by the participants in the agreement of uniform rules, regulations and services in air transportation which affect the fares, rates or charges paid by the consumer;

b. That ATPCO shall so conduct its affairs as to preclude it, its officers or employees from engaging in the practice of law in such a manner as to create a claim of privilege against disclosure to the Board of information or documents based upon an alleged attorney-client relationship between it, its officers or employees, on the one hand, and its members, on the other.[11] Nothing in this condition, however, shall prevent attorneys employed or retained by ATPCO from rendering confidential legal advice to, and accepting confidential communications in connection therewith from, officers or employees of ATPCO or individual members of its various committees, with respect to the activities of ATPCO or of such committees, or shall prevent ATPCO from asserting attorney-client privilege with respect to any such

[7] Heretofore unanimous agreement among the participants was required for any geographical expansion or the participation of any new classes of carriers.

[8] Air Transport Association Inspection and Review, docket No. 10281.

[9] We note that there is at present no provision in the agreement which would provide for stock participation in ATPCO by any newly certificated route air carrier. In our final order herein, we intend to include an appropriate condition which would permit such participation as a matter of right.

[10] Order E–20925, June 11, 1964.

[11] This restriction is not intended to prohibit the participation of ATPCO in a Board proceeding, within the limitation of the provisions of part 263 of the Board's economic regulations, as an attorney-in-fact.

communication, provided that the procedures hereinafter called for have been followed. ATPCO shall promptly upon implementation of the instant agreement establish standard procedures for the handling of written documents and communications as to which ATPCO desires to preserve its asserted right to claim attorney-client privilege, and shall report such procedures and all subsequent revisions thereof to the Board. Such procedures shall provide for at least the following:

(1) Any document which is claimed to be confidential by reason of an asserted attorney-client privilege shall be promptly identified, so marked, and segregated. As to documents hereafter created, this shall be done within 60 days of the creation of each such document or its receipt by ATPCO, as the case may be. As to documents heretofore created, it shall be done within 90 days of the date hereof.

(2) All such documents which ATPCO elects to keep in its possession or control shall be kept in a separate file or files in the charge of an appropriate principal officer of ATPCO or of its legal staff.

(3) ATPCO shall quarterly report to the Board how many documents have been segregated in the above-described confidential files.

(4) Upon request of the Board, ATPCO shall furnish the Board with a list of all documents so segregated, such list to give the date, author, and addressee of each document or communication, and as detailed a description of its contents as preservation of confidentiality will permit.

c. That the approval granted herein shall not be construed as approval of any agreement entered into pursuant to any of the procedures established by agreement CAB 23157;

d. That the air carrier members of ATP shall file with the Board notice of the transfer to ATPCO of the tariff publishing functions presently discharged by ATP within 15 days of the transfer of such functions; and

e. That the Board and its authorized agents shall have access to and authority to inspect all accounts, records, and memoranda, including all documents, papers and correspondence belonging to or in the possession of ATPCO, other than documents, papers, and correspondence segregated in accordance with the procedures specified by subparagraph (b) above; *Provided, however,* That the Board shall have access to and authority to inspect all such segregated materials except those which are in fact legally privileged against disclosure by reason of an attorney-client privilege which ATPCO (or, as to documents heretofore created, a member of ATPCO) is entitled to assert.

Further, we note that the Articles of Incorporation would authorize ATPCO "to engage in any lawful act or activity for which corporations may be organized under the District of Columbia Business Corporation Act." To the extent, under this provision, ATPCO might contemplate engaging in activities outside the scope of its basic purposes of providing services and facilities in connection with the compilation, preparation, publication, filing and distribution, for or on behalf of air carriers and others, of tariffs, prorate and division manuals, and other similar or related publications, and to provide other services and facilities relating or incidental thereto, the Board in its final action herein will require prior approval of such outside activities.

Turning now to the request of the members of NATC, it is our understanding that upon reorganization of ATP there will be no obstacle to the new corporation's ability to publish and distribute tariffs for the commuter airlines, subject to negotiations between the parties. We find no basis at this time for injecting the Board into the details of such negotiations, and, accordingly, do not propose to condition our final approval herein in the manner suggested by NATC.[12]

Accordingly, it is ordered, That:

1. Final Action on Agreement CAB 23157 be and it hereby is deferred for a period of 14 days to permit the filing of comments or requests for a hearing by interested persons relative to the Board's tentative decision herein; [13]

2. A copy of this order shall be served upon all parties to agreement CAB 23157; upon the NATC; and upon all agents which file tariffs with the Board;

3. The Attorney General shall be furnished a copy of this order within 1 day of its publication; and

4. This proceeding shall be assigned docket No. 25476.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.73-8849 Filed 5-3-73;8:45 am]

[Docket No. 21866-9]

DOMESTIC PASSENGER FARE INVESTIGATION PHASE 9—FARE STRUCTURE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter, as provided by order 73-2-93, is assigned to be held before the Board on June 6, 1973, at 10 a.m. (local time) in room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

[12] The Board's Regulations do not provide for the filing of tariffs by air taxis or commuter airlines. Further, the Board has determined that it is not in the public interest either to impose a general filing requirement on those classes of carrier or to permit individual members thereof to file tariffs at their discretion. See, 14 CFR 298 et seq. and order 71-10-1, Oct. 1, 1971.

[13] Such comments shall in all respect conform to the requirements of the Board's rules of practice for the filing of comments (14 CFR 302, subpart A).

Dated at Washington, D.C., April 27, 1973.

[SEAL] RALPH L. WISER,
Chief Administrative Law Judge.

[FR Doc.73-8848 Filed 5-3-73;8:45 am]

[Docket No. 24353; Order 73-4-127]

PAN AMERICAN WORLD AIRWAYS, INC.

Suspension of Fare Revisions

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of April 1973.

By tariff revisions [1] marked to become effective May 1, 1973, Pan American World Airways, Inc. (Pan American) proposes to: (1) Cancel its thrift third-class fares in the United States mainland-Puerto Rico market; (2) add night first-class and night economy fares in the New York-San Juan market at the level of present day economy (second class) and day thrift fares, respectively; (3) establish 5-21 day limit midweek round-trip excursion fares applicable during the spring and fall off-peak seasons; (4) increase the level of several types of discount fares to reflect the increase in the daytime normal-fare structure; (5) further restrict the hours of application of night fares; and (6) revise certain U.S. mainland-Virgin Islands normal fares.

In support of its proposal, Pan American alleges that the purpose of the structure revisions is to provide a revenue yield which more nearly compensates the carriers for the cost incurred in providing service in these markets. Pan American estimates a $6,164,000 or 11.1-percent increase in revenues from its proposal for the 12 months ending April 30, 1974, reflecting an increased yield in the San Juan market to 4.81 cents per passenger mile. This allegedly would still be less than its operating cost per passenger mile.

No complaints have been filed.

Upon consideration of the tariff proposal and all relevant matters, the Board finds that the proposed revisions may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and should be suspended [2] pending investigation.

By order 73-4-22, April 4, 1973, the Board suspended a substantially similar proposal of Eastern Air Lines, Inc. We are likewise suspending Pan American's instant proposal for the same reasons enumerated in that order.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. Pending hearing and decision by the Board, the fares and provisions described

[1] Revisions to International Air Traffic Tariffs Corp., agent tariffs C.A.B. Nos. 334 and 404.

[2] The proposal is automatically under investigation in the *U.S. Mainland-Puerto Rico/Virgin Islands Fares Investigation* (docket 24353).

in appendix A [3] hereto are suspended and their use deferred to and including July 29, 1973, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board; and

2. Copies of this order be filed in the aforesaid tariffs and be served upon Pan American World Airways, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.73-8850 Filed 5-3-73;8:45 am]

CIVIL SERVICE COMMISSION

CIVIL AERONAUTICS BOARD

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Civil Aeronautics Board to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Chairman, Office of the Members.

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

[FR Doc.73-8811 Filed 5-3-73;8:45 am]

DEPARTMENT OF DEFENSE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary (Operations), Immediate Office, Office of the Assistant Secretary of Defense (Public Affairs), Office of the Secretary of Defense.

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

[FR Doc. 73-8814 Filed 5-3-73;8:45 am]

DEPARTMENT OF DEFENSE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Principal Deputy Assistant Secretary of Defense (Public Affairs), Office of the Secretary of Defense, Office of the Assistant Secretary of Defense (Public Affairs).

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

[FR Doc.73-8813 Filed 5-3-73;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Legislation (Welfare), Office of the Assistant Secretary for Legislation.

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

[FR Doc.73-8841 Filed 5-3-73;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Legislation (Congressional Liaison), Office of the Assistant Secretary for Legislation.

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

[FR Doc.73-8840 Filed 5-3-73;8:45 am]

DEPARTMENT OF THE NAVY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Navy to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Secretary of the Navy.

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

[FR Doc.73-8810 Filed 5-3-73;8:45 am]

DEPARTMENT OF THE NAVY

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Navy to fill by noncareer executive assignment in the excepted service the position of Principal Deputy Director, Office of Ocean Affairs.

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

[FR Doc.73-8809 Filed 5-3-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Assistant to the Secretary, Office of the Secretary.

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

[FR Doc.73-8812 Filed 5-3-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Administrator, Federal Aviation Administration.

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

[FR Doc.73-8842 Filed 5-3-73;8:45 am]

COST OF LIVING COUNCIL

FOOD INDUSTRY ADVISORY COMMITTEE

Notice of Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), notice is hereby given that a meeting of the Food Industry Advisory Committee, created by section 7(b) of Executive Order 11695, will be held on May 14, 1973, at 9 a.m. in room 7206 at the Cost of Living Council, 2000 M Street NW., Washington, D.C. The Director of the Cost of Living Council has determined that the meeting will consist of an exchange of opinions, that the discussion, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

[3] Appendix filed as part of the original document.

Issued in Washington, D.C., on May 2, 1973.

WILLIAM N. WALKER,
General Counsel,
Cost of Living Council.

[FR Doc.73-8938 Filed 5-2-73;4:41 pm]

FOOD INDUSTRY WAGE AND SALARY COMMITTEE

Determination To Close Meetings

The Director of the Cost of Living Council has determined that the meetings of the Food Industry Wage and Salary Committee to be held, as previously announced, on May 9, 1973, and May 16, 1973, will consist of exchanges of opinions, that the discussions, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that it is essential to close the meetings to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

Issued in Washington, D.C., on May 2, 1973.

WILLIAM N. WALKER,
General Counsel,
Cost of Living Council.

[FR Doc.73-8939 Filed 5-2-73;4:41 pm]

DELAWARE RIVER BASIN COMMISSION

[Docket No. D-70-225 CP]

PROPOSED EDGE MOOR ELECTRIC GENERATING STATION EXPANSION, NEW CASTLE COUNTY, DEL.

Environmental Statement

In accordance with the National Environmental Policy Act of 1969, and the Delaware River Basin Commission's rules of practice and procedure (sec. 2-3.5.2), notice is hereby given of the availability of the final environmental impact statement as of April 26, 1973. The statement discusses the environmental impact of the proposed expansion of the Edge Moor Electric Generating Station located at the confluence of Shellpot Creek and the Delaware River in Wilmington, New Castle County, Del. The statement has been prepared by the Commission based upon reports submitted by Delmarva Power & Light Co. and the Commission's staff analysis of the proposed action. The final statement includes comments from other agencies, interested citizens and citizens groups.

The final environmental impact statement may be examined in the library at the office of the Delaware River Basin Commission, 25 State Police Drive, Trenton, N.J., and in the library of the Water Resources Association of the Delaware River Basin, 21 South 12th Street in Philadelphia. A limited number of copies are available for distribution to persons or agencies upon request.

The final statement will be submitted to the Council on Environmental Quality as of April 26, 1973.

W. BRINTON WHITALL,
Secretary.

APRIL 26, 1973.

[FR Doc.73-8785 Filed 5-3-73;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

CIBA-GEIGY CORP.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 3F1378) has been filed by Ciba-Geigy Corp., Ardsley, N.Y. 10502, proposing establishment of a tolerance (40 CFR part 180) for negligible residues of the herbicide simazine (2-chloro-4,6-bis(ethylamino)-*s*-triazine) in or on the raw agricultural commodity pecans at 0.1 p/m.

The analytical method proposed in the petition for determining residues of the herbicide is a gas chromatographic procedure using a microcoulometric halide-sensitive detector.

Dated May 1, 1973.

HENRY J. KORP,
Deputy Assistant Administrator
for Pesticide Programs.

[FR Doc.73-8882 Filed 5-3-73;8:45 am]

COMPLIANCE SCHEDULES: MICHIGAN

Approval of Public Hearing Procedures

On December 9, 1972 (37 FR 26310), the Administrator amended 40 CFR part 51 to clarify requirements relative to compliance schedules adopted as part of State implementation plans under section 110 of the Clean Air Act, as amended (42 U.S.C. 1857c-5). Included in these revisions were requirements related to public hearings. A provision (§ 51.4(e)) was included to specify that, subject to the Administrator's approval, States may use their own procedures to satisfy the public hearing requirements if such procedures carry out the intent of the Clean Air Act for public participation.

On January 3, 1973, and in a subsequent letter of clarification on February 15, 1973, the Michigan Air Pollution Control Commission submitted to the EPA Regional Office in Chicago a request for approval of State procedures for giving notice of public hearings on compliance schedules. The procedures meet all requirements of § 51.4 with the exception of the 30-day notice. A shorter notice period would enable the Michigan Air Pollution Commission to utilize its monthly meeting as a forum for consideration of compliance schedules.

The procedure submitted by the Commission would require consideration of the schedule by the Commission at one meeting and, if the schedule is acceptable, it would be placed upon the agenda of the next monthly meeting. At this point, time would be needed to distribute the schedules to the proper locations for public inspection and to provide for proper advertisement in appropriate newspapers. This virtually precludes giving 30-day notice unless the public hearing is delayed for the second monthly meeting after the schedule is approved by the Commission. This would unnecessarily delay the final adoption of the schedule as part of the State's implementation plan.

The Administrator has determined that the Michigan procedures for notice of public hearings on compliance schedules, although different from the requirements of 40 CFR 51.4(b), do provide for adequate notice to and participation of the public, and such procedures are hereby approved. This approval is conditioned upon the requirement that notice under such procedures shall not be less than 21 days prior to the date of any such hearing and the requirement that the record of any such hearing shall be kept open for public comment for at least 30 days from the date of the notice.

Copies of the request for approval are available for public inspection at the Environmental Protection Agency, Region V Office, 1 North Wacker Drive, Chicago, Ill. 60606. This approval is effective May 4, 1973.

Dated May 2, 1973.

ROBERT W. FRI,
Acting Administrator.

[FR Doc.73-8982 Filed 5-3-73;8:45 am]

DOW CHEMICAL, U.S.A.

Notice of Filing of Petition Regarding Pesticide Chemicals

Correction

In FR Doc. 73-7692 appearing on page 9849 in the issue of Friday, April 20, 1973, make the following changes in the first paragraph:

1. In the seventh line, the word "establishmemnt" should read "establishment".

2. In the 10th line "(3,5,b-trichloro-2-pyridyl)", should read "(3,5,6-trichloro-2-pyridyl)".

EASTMAN CHEMICAL PRODUCTS, INC.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 3F1371) has been filed by Eastman Chemical Products, Inc., subsidiary of Eastman Kodak Co., Kingsport, Tenn. 37662, proposing establishment of an exemption from the requirement of a tolerance (40 CFR, part 180) for residues of the fungicide isobutyric acid in or on the raw agricultural commodities grains of barley, corn, oats, sorghum (milo), and wheat, resulting from postharvest application. The treated grains are to be used as animal feed only.

The analytical method proposed in the petition for determining residues of the fungicide is a gas chromatographic procedure with flame ionization detection.

Dated May 1, 1973.

HENRY J. KORP,
Deputy Assistant Administrator
for Pesticide Programs.

[FR Doc.73-8883 Filed 5-3-73;8:45 am]

FEDERAL MARITIME COMMISSION

CUNARD CRUISE SHIPS LTD. AND CUNARD LINE LTD.

Notice of Issuance of Casualty Certificate

Security for the protection of the public financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages.

Notice is hereby given that the following have been issued a certificate of financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages pursuant to the provisions of section 2, Public Law 89–777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR part 540):

Cunard Cruise Ships Ltd. and Cunard Line Ltd., 555 Fifth Avenue, New York, N.Y. 10017.

Dated April 30, 1973.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73–8857 Filed 5–3–73;8:45 am]

CUNARD CRUISE SHIPS LTD. AND CUNARD LINE LTD.

Notice of Issuance of Performance Certificate

Security for the protection of the public indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following have been issued a certificate of financial responsibility for indemnification of passengers for nonperformance of transportation pursuant to the provisions of section 3, Public Law 89–777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR part 540):

Cunard Cruise Ships Ltd. and Cunard Line Ltd., 555 Fifth Avenue, New York, N.Y. 10017.

Dated April 30, 1973.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73–8858 Filed 5–3–73;8:45 am]

PACIFIC COAST EUROPEAN CONFERENCE 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 May 24, 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:

G. E. Hay, chairman, Pacific Coast European Conference, 417 Montgomery Street, San Francisco, Calif. 94104.

Agreement No. 10052 among the above named conference and independent steamship lines provides for the parties to confer upon discuss and agree upon any subject of common interest including rates, charges, and practices, in the trades from ports in the States of Alaska, Washington, Oregon, and California, to ports in the United Kingdom of Great Britain and Northern Ireland, Ireland, the Scandinavian peninsula, continental Europe, including ports on and in the Baltic and Mediterranean Seas, as well as the seas bordering thereon, and Morocco and to the Atlantic islands of the Azores, Madeira, Canary and Cape Verdes, and by transshipment at the aforementioned ports, to ports in Iceland and West, South, and East Africa with respect to both all-water transportation and joint land-water transportation. With respect to any rate, charge, rule, or regulation agreed upon, the parties reserve the right to take independent action under terms and conditions set forth in the agreement.

Dated April 27, 1973.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73–8859 Filed 5–3–73;8:45 am]

NATIONAL COMMISSION ON MATERIALS POLICY

NOTICE OF MEETING

MAY 2, 1973.

Pursuant to the requirements of the Federal Advisory Committee Act, notice is hereby given that there will be a meeting of the National Commission on Materials Policy on Monday, May 7, 1973, at 9 a.m. The meeting will be held in the Commission's offices, room 3002, 2025 M Street NW., Washington, D.C. The meeting will be held for the purpose of reviewing reports prepared for the Commission by staff members and by various persons and groups outside the Government, and for the purpose of preparing the Commission's final report to the Congress and the President. The meeting will not be open to the public.

JAMES BOYD,
Executive Director.

[FR Doc.73–8985 Filed 5–3–73;10:10 am]

FEDERAL POWER COMMISSION

[Docket No. G–7013, etc.]

CERTIFICATES, ABANDONMENT OF SERVICE, AMENDED CERTIFICATES [1]

Notice of Applications and Petitions

APRIL 24, 1973.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 17, 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per M ft³	Pressure base
G-7013 D 3-5-73	Cities Service Oil Co., P.O. Box 300, Tulsa, Okla. 74102.	Cities Service Gas Co., acreage in Stevens County, Kans.	(1)	
G-10083 (G-13278) F 3-7-73	Texaco, Inc. (successor to Exxon Co., U.S.A.), P.O. Box 2420, Tulsa, Okla. 74102.	Northern Natural Gas Co., Hugoton Field, Finney County, Kans.	[2] 10.9004	14.65
G-11682 D 3-15-73	Texaco, Inc., P.O. Box 3109, Midland, Tex. 79701.	Northern Natural Gas Co., Barlow Field, Ochiltree County, Tex.	Unproductive.	
G-12244 D 2-20-73	Texaco, Inc. (Operator), et al., P.O. Box 2420, Tulsa, Okla. 74102.	Cities Service Gas Co., Waynoka, Northeast Field, Woods County, Okla.	(1)	
G-17888 (C160-328) CF 4-6-73	Shell Oil Co. (successor to the Superior Oil Co.), 1 Shell Plaza, Houston, Tex. 77002.	El Paso Natural Gas Co., Clear Lake and Madison Fields, Beaver County, Okla.	[4] 19.7925	14.65
G-19730 D 2-20-73	HNG Oil Co., P.O. Box 707, Midland, Tex. 79701.	Union Texas Petroleum, a division of Allied Chemical Corp., Big Hill Field, Jefferson County, Tex.	Depleted	
C160-282 D 3-7-73	Mobil Oil Corp., 3 Greenway Plaza East, suite 800, Houston, Tex. 77046.	Panhandle Eastern Pipe Line Co., Guymon-Hugoton (Deep) Field, Texas County, Okla.	(3)	
C162-990 E 3-27-73	Odessa Natural Corp. (successor to Odessa Natural Gasoline Co.), P.O. Box 3086, Odessa, Tex. 79760.	El Paso Natural Gas Co., Justis Gas Field, Lea County, N. Mex.	15.1114	14.65
C165-145 D 3-15-73	Texaco, Inc., P.O. Box 3109, Midland, Tex. 79701.	Northern Natural Gas Co., Texas Panhandle Field, Lipscomb County, Tex.	Unproductive.	
C166-500 D 3-12-73	Phillips Petroleum Co., Bartlesville, Okla. 74004.	Lone Star Gas Co., North Henderson Area, Rusk County, Tex.	Unproductiv	
C166-1312 E 3-9-73	Pioneer Enterprises, Inc. (successor to The Nueces Co.), P.O. Box 82, Midland, Tex. 79701.	El Paso Natural Gas Co., Southeast Fort Stockton Field, Pecos County, Tex.	[2] 16.1604	14.65
C167-1629 D 4-6-73	Texaco, Inc., P.O. Box 2420, Tulsa, Okla. 74102.	Transwestern Pipeline Co., Goodwin, South and Rice, Southwest Fields, Ellis and Texas Counties, Okla.	(2)	
C168-655 (C168-778) CF 2-5-73	Arkla Exploration Co. (Operator) et al. (successor to Midwest Oil Corp.), First National Bank Bldg., Shreveport, La. 71163.	Arkansas Louisiana Gas Co., acreage in Yell County, Ark.	14.0	14.65
C168-1202 D 11-14-72	The Superior Oil Co., P.O. Box 1521, Houston, Tex. 77001.	Texas Gas Transmission Corp., North Maurice Field, Lafayette Parish, La.	Unproductive	
C169-495 D 4-6-73	Texaco, Inc.	Natural Gas Pipe Line Co. of America, Loreta, West Field, Texas County, Okla.	(2)	
C170-995 D 3-15-73	Mobil Oil Corp., 3 Greenway Plaza East, suite 800, Houston, Tex. 77046.	Transwestern Pipeline Co., Guymon Field, Cimarron County, Okla.	(2)	
C170-1025 B 3-28-73	Phillips Petroleum Co.	Panhandle Eastern Pipe Line Co., McQuiddy Ranch "Deep" Field, Hemphill County, Tex.	Unproductive	
C171-453 (C165-228) (C165-229) F 2-14-73	Horizon Oil & Gas Co. of Texas (successor to Mana Resources, Inc.), 1216 Hartford Bldg., Dallas, Tex. 75201.	Baca Gas Gathering System, Inc., Playa, Midway, Greenwood, Flank, Northwest Flank, and unnamed fields, Baca County, Colo.	[2] 13.0	14.65
C173-6 D 3-7-73	McCulloch Oil Corp. of Texas, 10880 Wilshire Blvd., Los Angeles, Calif. 90024.	Arkansas Louisiana Gas Co., Mathers Ranch Field, Hemphill County, Tex.	(7)	
C173-340 E 3-26-73	Atlantic Richfield Co. (successor to Hal A. McVay), P.O. Box 2819, Dallas, Tex. 75221.	Cascade Natural Gas Corp., Main Creek Field, Garfield County, Colo.	[2] 16.0	15.025
C173-571 (G-4965) B 11-21-72	Nalco Oil & Gas Inc., 400 Expressway Tower, Dallas, Tex. 75206.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Duboval Field, Wharton County, Tex.	Uneconomic	
C173-576 A 3-2-73	Red Clark, Inc., P.O. Box 638, Spearman, Tex. 79081.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Adams Ranch Area, Meade County, Kans.	35.0	14.65
C173-579 (G-7508) (G-7510) (G-7511) (G-7512) B 2-26-73	Little Nick Oil Co., Petroleum Bldg., Chickasha, Okla. 73018.	Arkansas-Louisiana Gas Co., Chickasha Gas Field, Grady County, Okla.; Cement Gas Field, Caddo County, Okla.	Depleted	
C173-600 (G-2810) B 3-9-73	Mobil Oil Corp., 3 Greenway Plaza East, suite 800, Houston, Tex. 77046.	Arkansas Louisiana Gas Co., Waskom Field, Harrison County, Tex.	Depleted	
C173-606 (C180-209) F 3-12-73	Ashland Oil, Inc. (successor to Perry R. Bass (Operator) et al), P.O. Box 1503, Houston, Tex. 77001.	Trunkline Gas Co., Riceville Field, Vermillion and Acadia Parishes, La.	[2] 23.25	15.025
C173-623 (C161-78) B 3-26-73	Anadarko Production Co., P.O. Box 9817, Fort Worth, Tex. 76107.	Panhandle Eastern Pipe Line Co., Leslie Field, Meade County, Kans.	Depleted	
C173-637 (G-5303) F 3-26-73	Herman Lang (successor to Skelly Oil Co.), 625 North 11th St., Garden City, Kans. 67846.	Kansas Nebraska Natural Gas Co., Inc., Hugoton Field, Seward County, Kans.	[4] 12.9	14.65
C173-638 A 3-26-73	Ralph Spence, P.O. Box 651, Shelby, Mont. 59474.	Northern Natural Gas Co., Tiger Ridge Field, Hill and Blaine Counties, Mont.	[4] 23.5	15.025
C173-648 (C164-157) (C164-378) F 3-26-73	Herman Lang (successor to Skelly Oil Co. & Champlin Refining Co.).	Kansas Nebraska Natural Gas Co., Inc., Bradshaw Field, Hamilton County, Kans.	[10] 13.5	14.65
C173-649 (C160-42) F 3-29-73	Texas Oil & Gas Corp. (successor to Sun Oil Co.), Fidelity Union Tower, Dallas, Tex. 75201.	United Gas Pipe Line Co., North La Ward Field, Jackson County, Tex.	15.0	14.65
C173-654 (G-3072) F 3-29-73	Joseph P. Mueller (successor to Exxon Corp.), 1010 Wilson Bldg., Corpus Christi, Tex. 78401.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., La Copita Field, Starr County, Tex.	[2] 28.0	14.65
C173-654 (G-3072) B 4-2-73	do	do	(11)	
C173-655 C170-995) C 3-29-73	Nabob Production Co. (successor to Mobil Oil Corp.), P.O. Box 448, Amarillo, Tex. 79105.	Transwestern Pipeline Co., Topeka Field, Cimarron County, Okla.	[2] 21.315	14.65
C173-666 C168-345) F 4-3-73	Texas Oil & Gas Corp. (successor to Richard M. Stevens et al.)	Valley Gas Transmission, Inc., Terrell Point Field, Goliad County, Tex.	14.0	14.65
C173-667 A 4-4-73	Ameco Production Co., P.O. Box 891, Tulsa, Okla. 74102.	El Paso Natural Gas Co., Fowler Upper Yeso Field, Lea County, N. Mex.	25.0	14.65
C173-668 (C169-355) B 4-3-73	Pennzoil Producing Co., 900 Southwest Tower, Houston, Tex. 77002.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., East Atchafalaya Bay Area, St. Mary Parish, La.	Depleted	
C173-671 (C164-439) F 3-29-73	Pennzoil Co (successor to R. C. Turner (Operator) et al.), 900 Southwest Tower, Houston, Tex. 77002.	Natural Gas Pipeline Co., of America, Escobas Field, Zapata County, Tex.	[2] 17.06375	14.65
C173-672 (G-10818) F 4-2-73	Texas Energies, Inc. (successor to Gulf Oil Corp.), 502 Bank of the Southwest Bldg., Amarillo, Tex. 79109.	Panhandle Eastern Pipe Line Co., Singley Field, Meade County, Kans.	18.5063	14.65
C173-673 A 4-5-73	Atlantic Richfield Co., P.O. Box 2819, Dallas, Tex. 75221.	El Paso Natural Gas Co., Arrenge in Lea County, N. Mex.	25.0	14.65
C173-675 (G-5004) B 4-2-73	George Mitchell & Associates, Inc., 3900 One Shell Plaza, Houston, Tex. 77002.	Shell Oil Co., Sandies Creek Field, Colorado County, Tex.	Depleted	
C173-678 (C171-438) B 4-9-73	Texaco, Inc., P.O. Box 2420, Tulsa, Okla. 74102.	Natural Gas Pipeline Co. of America, Balko Field, Beaver County, Okla.	Depleted	
C173-683 (G-10987) B 4-11-73	Atlantic Richfield Co.	Texas Eastern Transmission Corp., Meyersville Field, De Witt and Goliad Counties, Tex.	Depleted	

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

[1] Due to low pressure and low deliverability, Cities Service Gas Co. has declined to connect the well.
[2] Subject to downward Btu adjustment.
[3] Certain properties have expired or been released.
[4] Subject to upward and downward Btu adjustment.
[5] Acreage assigned to Charles B. Wilson, Jr., Ltd.
[6] Acreage was assigned to Nabob Production Co.
[7] Well did not meet contract specifications.
[8] Includes downward Btu adjustment.
[9] For acreage acquired from Skelly Oil Co., certificate holder in docket No. C164-137, subject to downward Btu adjustment.
[10] For acreage acquired from Champlin Refining Co., certificate holder in docket No. C164-378, includes downward Btu adjustment.
[11] High pressure gas never was sold from this acreage.

[FR Doc.73-8454 Filed 5-3-73;8:45 am]

[Dockets Nos. G-3015, etc.]

CERTIFICATES, ABANDONMENT OF SERVICE, AND AMENDED CERTIFICATES [1]

Notice of Applications and Petitions

APRIL 24, 1973.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per M ft³	Pressure base
G-3015..... E 3-19-73	Maurice L. Brown (successor to Barnwell and Kinzler), 8301 State Line Rd., Suite 100, Kansas City, Mo. 64114.	Arkansas Louisiana Gas Co., West Bethany Field, Panola County, Tex.	[2] 12.4374	14.65
G-3016..... E 3-19-73	Maurice L. Brown (successor to Barnwell and Kinzler).	Arkansas Louisiana Gas Co., Bethany Field, Panola County, Tex.	12.4374	14.65
G-4359..... C 12-21-72 [3]	Sohio Petroleum Co., 970 First National Center North, Oklahoma City, Okla. 73102.	Trunkline Gas Co., Nona Mills Field, Hardin County, Tex.	[3] 19.0	14.65
G-4579..... D 3-19-73	Cities Service Oil Co., P.O. Box 300, Tulsa, Okla. 74102.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., acreage in Cimarron County, Okla.	(4)	.....
G-4904..... (CS71-1064) C 3-9-73 F	Amoco Production Co. (successor to Salmon Corp.), Security Life Bldg., Denver, Colo. 80202.	Cities Service Gas Co., Hugoton Field, Stanton County, Kans.	[5] 13.50325	14.65
G-8666..... D 3-2-73	Suburban Propane Gas Corp., P.O. Box 206, Whippany, N.J. 07981.	Tennessee Gas Pipeline Co., Lake Arthur Field, Jefferson Davis Parish, La.	(6)	.....
G-9802..... D 3-5-73	The Superior Oil Co., P.O. Box 1521, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., Chess Field, Willacy County, Tex.	(7)	.....
G-10083..... (G-19346) F 3-7-73	Texaco Inc. (successor to Lario Oil & Gas Co.), P.O. Box 2420, Tulsa, Okla. 74102.	Northern Natural Gas Co., Hugoton Field, Finney County, Kans.	[8] 8.73684	14.65
G-10205..... (G-11397), F 3-19-73.	Maurice L. Brown (successor to Barnwell Production Co.), 8301 State Line Rd., Suite 100, Kansas City, Mo. 64114.	Tennessee Gas Transmission Co., Bethany Field, Panola County, Tex.	[9] 11.9298	14.65
G-10523..... C 9-22-72 F	Ashland Oil, Inc. (successor to Sun Oil Co., J. M. Huber Corp. and Humbel Oil & Refining Co.,[9] P.O. Box 1503, Houston, Tex. 77001.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Sparks Field, Stanton County, Kans.	[10] 18.0075	14.65
G-10534..... E 3-19-73	Maurice L. Brown (successor to Barnwell Production Co.).	Arkansas Louisiana Gas Co., Blocker Field, Harrison County, Tex.	12.6735	14.65
G-11397..... (G-10205) F 3-19-73	Maurice L. Brown (successor to Barnwell Production Co., agent).	United Gas Pipe Line Co., Bethany Field, Panola County Tex.	15.0	14.65
G-11580..... C 3-2-73	Sohio Petroleum Co., 970 First National Center North Oklahoma City, Okla. 73102.	Northern Natural Gas Co., acreage in Lea County, N. Mex.	[9] [11] 23.5 [10] [11] 30.0	15.025
G-13017..... E 3-19-73	Maurice L. Brown (successor to Barnwell Production Co. (Operator) et al.).	United Gas Pipeline Co., acreage in Harrison and Panola Counties, Tex.	11.9298	14.7
G-14460..... E 3-19-73	Odessa Natural Corp. (successor to Odessa Natural Gasoline Co.), P.O. Box 3086, Odessa, Tex. 79760.	El Paso Natural Gas Co., Spraberry Trend Field, Midland and Regan Counties, Tex.	14.5544	14.65
G-16452..... E 3-19-73	Maurice L. Brown (successor to Barnwell Production Co.).	Arkansas Louisiana Gas Co., Waskom Field, Harrison County, Tex.	[12] 12.1655	14.65
G-18117..... C 3-2-73 F	Ashland Oil, Inc. (successor to Cabot Corp.),[13] P.O. Box 1503, Houston, Tex. 77001.	Michigan-Wisconsin Pipe Line Co., Laverne Field, Beaver County, Okla.	[11] 18.5	14.65
C160-328..... D 3-5-73	The Superior Oil Co., P.O. Box 1521, Houston, Tex. 77001.	El Paso Natural Gas Co., Mocane-Laverne Area, Beaver County, Okla.	(14)	.....
C162-607..... D 2-12-73	Gulf Oil Corp., P.O. Box 1589, Tulsa, Okla. 74102.	Natural Gas Pipeline Co. of America, Escobas Field, Zapata County, Tex.	(15)	.....
C164-373..... D 3-26-73	Pioneer Production Corp. (operator), P.O. Box 2542, Amarillo, Tex. 79105.	Northern Natural Gas Co., Mammoth Creek North Field, Lipscomb County, Tex.	Depleted	.....
C167-248..... 2-15-73 [16]	Beacon Gasoline Co., P.O. Box 306, Minden, La. 71055.	Walker Creek Field, Lafayette and Columbia Counties, Ark.		
C170-589..... E 1-15-73	ONG Exploration, Inc. (successor to Oklahoma Natural Development Corp.), 624 South Boston Ave., Tulsa, Okla. 74119.	Transwestern Pipeline Co., acreage in Lipscomb County, Tex.	20.0	14.65
C171-219..... C 10-22-71 [17]	Humble Oil & Refining Co., P.O. Box 2180, Houston, Tex. 77001.	Florida Gas Transmission Co., Jay Field, Santa Rosa County, Fla.	[3] 32.5	14.65
	do	do	[3] 32.5	14.65
C171-480..... E 9-28-72	Alfred J. Smith (successor to Sun Oil Co.), 1206 Christine, Pampa, Tex. 79065.	Phillips Petroleum Co., West Panhandle Field, Gray County, Tex.	12.5	14.65
C171-708..... E 1-15-73	ONG Exploration, Inc. (successor to Oklahoma Natural Development Corp.), 624 South Boston Ave., Tulsa, Okla. 74119.	Northern Natural Gas Co., acreage in Ochiltree County, Tex.	[11] 21.5	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser and location	Price per M ft³	Pressure base
CI71-788..... A 11-27-72 [14]	Sun Oil Co., P.O. Box 2880, Dallas, Tex. 75221.	United Gas Pipe Line Co., East Texas Field, Gregg and Upshur Counties, Tex.	[1] 23.5	14.65
CI72-562..... E 1-15-73	ONG Exploration, Inc. (successor to Oklahoma Natural Development Corp.).	Northern Natural Gas Co., acreage in Lipscomb County, Tex.	[11] 21.5	14.65
CI72-781..... (G-6332) B 5-30-72	Delta Drilling Co., P.O. Box 2012, Tyler, Tex. 75702.	Sylvania Corp., Driftwood Field, Elk and Cameron Counties, Pa.	(15)	.....
CI72-782..... (G-6332) B 5-30-72	Delta Drilling Co.....	Sylvania Corp., Driftwood Field, Elk and Cameron Counties, Pa.	(15)	.....
CI72-783..... (G-6332) B 5-30-72	do.....	Sylvania Corp., Driftwood Field, Elk and Cameron Counties, Pa.	(15)	.....
CI72-784..... (G-6332) B 5-30-72	do.....	Sylvania Corp., Driftwood Field, Elk and Cameron Counties, Pa.	(15)	.....
CI72-793..... (CI63-22) B 5-30-72	do.....	Lone Star Gas Co., Danville Field, Rusk County, Tex.	(20)	.....
CI72-794..... (CI67-598) B 5-30-72	Delta Drilling Co.....	Consolidated Gas Supply Corp., Five Forks (Pennland Pool) Field, Bedford County, Pa.	Depleted	.....
CI72-795..... (CI70-681) B 5-30-72	do.....	Consolidated Gas Supply Corp., Bens Run Field, Tyler County, W. Va.	(21)	.....
CI73-96..... D 2-9-73 [22]	Northern Natural Gas Co., P.O. Box 2542, Amarillo, Tex. 79105.	Northern Natural Gas Co., West Waka Field, Ochiltree County, Tex.	Depleted	.....
CI73-265..... C 11-13-72 F	Getty Oil Co. (successor to First National Bank of Shreveport, trustee for G. A. Gilster Trust No. 1 et al.), P.O. Box 1404, Houston, Tex. 77001.	Texas Gas Transmission Corp., acreage in Ouachita, Lincoln, and Jackson Parishes, La.	20.25	15.025
CI73-529..... A 2-5-73 [23]	Amoco Production Co., Security Life Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., Ignacio Blanco Dakota Field, La Plata County, Colo.	[24] 24.0	15.025
CI73-580..... (G-9759) B 3-5-73	Gulf Oil Corp., P.O. Box 1589, Tulsa, Okla. 74102.	Texas Eastern Transmission Corp., Meyersville Field, De Witt and Goliad Counties, Tex.	Depleted	.....
CI73-581..... (G-8448) B 3-5-73	Gulf Oil Corp.....	Arkansas Louisiana Gas Co., Athens Field, Claiborne Parish, La.	Depleted	.....
CI73-601..... (G-12092) B 3-9-73	Mobil Oil Corp., 3 Greenway Plaza East, suite 800, Houston, Tex. 77046.	Texas Gas Transmission Corp., Carthage Field, Panola County, Tex.	Depleted	.....
CI73-631..... (CI63-1075) F 3-19-73	Maurice L. Brown (successor to Barnwell Production Co.), 8301 State Line Rd., suite 100, Kansas City, Mo. 64114.	Tennessee Gas Transmission Co., a division of Tenneco Inc., (Bethany Area, Panola and Harrison Counties, Tex.	[1] 15.0	14.65
CI73-632..... (CI63-1075) F 3-19-73	Maurice L. Brown (successor to Barnwell Production Co.).	Tennessee Gas Transmission Co., a division of Tenneco Inc., Bethany-Carthage Area, Panola County, Tex.	[1] 15.0	14.65
CI73-692..... E 3-19-73	do.....	Tennessee Gas Transmission Co., a division of Tenneco Inc., Carthage Area, Panola County, Tex.	[1] 15.0	14.65

[1] Plus 1.568 cents per M ft³ tax reimbursement and subject to a deduction for compression by buyer.
[2] Applicant proposes to cover its own interest in a sale of natural gas heretofore covered by General Crude Oil Co., a small producer certificate holder.
[3] Subject to But adjustment.
[4] Due to low pressure and low delivery capability, Colorado Interstate Gas Co. has elected not to connect the well.
[5] Subject to downward Btu adjustment.
[6] Applicant's lease terminated and was released.
[7] Lease expired, well plugged and abandoned.
[8] Acreage was assigned to Ashland Oil, Inc., by Sun Oil Co. in docket No. 10370; acreage was assigned to Ashland Oil, Inc., by J. M. Huber Corp. in docket No. G-10047; and acreage was assigned to Ashland Oil, Inc., by Humble Oil & Refining Co. in docket No. G-10131.
[9] Subject to upward Btu adjustment.
[10] For gas produced from lands dedicated to the Gas Purchase Agreement prior to the Feb. 2, 1973, Amendatory Agreement, and developed as of Feb. 2, 1973.
[11] For gas produced from lands which were added to the Gas Purchase Agreement by Feb. 2, 1973, and as to leases which are undeveloped but which were dedicated to the Gas Purchase Agreement prior to the Feb. 2, 1973, Amendatory Agreement.
[12] Subject to a deduction for compression by buyer.
[13] Acreage was assigned to Cabot by Monsanto Chemical Corp. in docket No. G-17260 and by Atlantic Richfield Co. in docket No. G-13299.
[14] Acreage assigned to Cabot Corp.
[15] Agreement dated Sept. 1, 1972, releases applicant's interest.
[16] Applicant proposes to gather and transport gas for Columbia Trust.
[17] Applicant requests authorization to sell gas from interests of coowners.
[18] Being renoticed, because by letter filed Nov. 27, 1972, applicant requests a certificate in the subject docket at a higher price than originally proposed.
[19] Acreage sold to C. F. Smith.
[20] Acreage sold to Robbins Petroleum Corp.
[21] Acreage sold to FMC Corp.
[22] Being renoticed, because by amendment to application filed Feb. 9, 1973, application indicates that there will only be a partial termination of service from certain acreage.
[23] Amended on Feb. 22, 1973.
[24] Applicant is willing to accept this as the initial price, subject to upward and downward Btu adjustment; however, the contract base price is 28 cents.

[FR Doc.73-8455 Filed 5-3-73;8:45 am]

[Dockets Nos. RI73-276, etc.]

RATE CHANGES

Order Providing for Hearing and Suspension

APRIL 25, 1973.

Respondent has filed a proposed change in rate and charge for the jurisdictional sale of natural gas, as set forth below in appendix A.

The proposed changed rate and charge 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 a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its 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, ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date suspended until" column. This supplement 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. 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 supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

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.
RI73-276	Phillips Petroleum Co.	507	1	El Paso Natural Gas Co. (Winkler Plant, Winkler County, Tex.) (Permian Basin).	$906	[1] 3-30-73		9-30-73	[2] 27.783	[2] 31.809	
RI73-277	The Superior Oil Co.	8	14	El Paso Natural Gas Co. (Levelland Plant, Hockley County, Tex.) (Permian Basin).	9,688	4- 3-73		10- 4-73	25.00	35.00	RI71-716.
	do.	[4] 10	15	El Paso Natural Gas Co. (TXL Plant, Ector County, Tex.) (Permian Basin).	112,250	4- 3-73		10- 4-73	13.5406	35.00	RI70-673.
RI73-278	Atlantic Richfield Co.	656	2	Northern Natural Gas Co. (Shoe Bar Atoka Pool, Lea County, N. Mex.) (Permian Basin).	(5)	4- 3-73		12- 1-73	[3] 31.00	[3] 31.40	RI73-5.
	do.	276	4	Northern Natural Gas Co. (North Hokit Field, Pecos County, Tex.) (Permian Basin).	5,309	4- 3-73		7- 2-73	[3] 16.06	[1] 17.064	

[1] Unless otherwise stated, the pressure base is 14.65 lb/in² a.
[2] As amended by filing of April 9, 1973.
[3] Rate includes Btu adjustment.
[4] Subject to upward or downward Btu adjustment from a base of 1,000 Btu/ft³.
[5] There is no gas currently available for delivery.
[6] Subject to downward Btu adjustment from a base of 1,000/ft³.
[7] Contract term expired on March 3, 1973.

The proposed increase of Atlantic under its FPC gas rate schedule No. 276 does not exceed the rate limit for a 1 day suspension and is suspended for 1 day from the contractual effective date (which is beyond the expiration of the 60-day-notice period).

The remaining proposed increases exceed the rate limit for a 1 day suspension and are therefore suspended for 5 months from the expiration of the 30-day-statutary-notice period, or the contractual effective date, whichever is later.

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, ch. I, part 2, § 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.73-8724 Filed 5-3-73;8:45 am]

NATIONAL POWER SURVEY, TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT

Notice of Meeting and Agenda

Agenda for a meeting of the Technical Advisory Committee on Research and Development—Task Force on Energy Conversion Research, to be held at the Federal Power Commission Offices, 825 North Capitol Street NE., Washington, D.C., at 1 p.m., May 7, 1973, room 5200.

1. Meeting called to order by FPC Coordinating Representative.
2. Approval of minutes of previous meeting.
3. Objectives and purposes of meeting.
A. Review of the evaluations of the various technologies.
B. Establish approach and criteria for developing and presenting task force conclusions and recommendations.
C. Schedule of remaining task force work.
D. Other business.
E. Dates for future meetings.
4. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the Committee.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-8890 Filed 5-3-73;8:45 am]

NATIONAL GAS SURVEY, TRANSMISSION-TECHNICAL ADVISORY COMMITTEE

Notice of Meeting and Agenda

Agenda, meeting, Transmission-Technical Advisory Committee to be held in Conference room 7103 of the Federal Power Commission, Union Plaza Building, 825 North Capitol Street NE., Washington, D.C., May 23, 1973, 9 a.m. Presiding: Mr. Thos. H. Jenkins (Acting), FPC Survey Coordinating Representative and Secretary.

1. Meeting call to order—Mr. Jenkins.
2. Objectives and purposes of meeting—
A. Review of the report of the Facilities Task Force—Mr. John W. Morton, Director.
B. Review of the report of the Operations Task Force—Mr. O. C. Davis, Director.
C. Review of the report of the Economics Task Force—Mr. W. H. Mack, Director.
D. Review of the report of the Regulation and Legislation Task Force—Dr. George F. Kirby, Director.
E. Discussion on the Environmental Aspects of the Committee's Work—Mr. William E. Towell, Member.
F. Review of the activities of the Transmission-Technical Advisory Committee and presentation of the TAC summary statement—Mr. Willis A. Strauss, Vice Chairman.
G. Other business.
3. Adjournment—Mr. Jenkins.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the task force—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the task force.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-8892 Filed 5-3-73;8:45 am]

NATIONAL POWER SURVEY, TECHNICAL ADVISORY COMMITTEE ON RESEARCH AND DEVELOPMENT

Notice of Meeting and Agenda

Agenda, meeting of the Technical Advisory Committee on Research and Development, Task Force on Energy Distribution Research, to be held at the Federal Power Commission Offices, 441 G Street NW., Washington, D.C., at 10 a.m., May 8, 1973, to be recessed at approximately 3 p.m. and reconvened at 8:30 a.m., May 9, 1973, in room 2043.

1. Call to order by FPC Coordinating Representative.
2. Objectives and purposes of meeting.
A. Approve minutes of April 2, 1973.
B. Review previous work.
C. Report on task force project assignments.
D. Other business.
E. Schedule date of next meeting.
3. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the Committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-8891 Filed 5-3-73;8:45 am]

FEDERAL RESERVE SYSTEM

ATLANTIC BANCORPORATION

Acquisition of Bank

Atlantic Bancorporation, Jacksonville, Fla., has applied for the Board's approval under section 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to merge with Citizens Bancshares of Florida, Inc., Hollywood, Fla., under the charter and name of Atlantic Bancorporation. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors, or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 23, 1973.

Board of Governors of the Federal Reserve System, April 26, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8793 Filed 5-3-73;8:45 am]

BANKERS TRUST NEW YORK CORP.

Order Denying Proposal To Act as an Investment Adviser

Bankers Trust New York Corp., New York, N.Y. (BTNYC), a bank holding company within the meaning of the Bank Holding Company Act, has proposed under section 4(c)(8) of the act and section 225.4(b)(1) of the Board's Regulation Y, to engage indirectly de novo in the performance of certain investment advisory activities, through B T Investment Managers, Inc., Palm Beach, Fla. (BTIM), a wholly owned subsidiary of BTNYC.

Notice of the proposal, affording opportunity for interested persons to express or submit comments and views on the proposal, has been published (Sept. 25, 1972, The Wall Street Journal and Sept. 26, 1972, West Palm Beach Commercial Record) in accordance with section 225.4(b)(1) of the Board's Regulation Y. The time for filing comments and views has expired, and all those received, including those of the Comptroller of Florida, the Florida Bankers Association, and the Palm Beach County Bankers Association, Inc., have been considered in light of the factors set forth in section 4(c)(8) of the act (12 U.S.C. 1843(c)(8)). Among those letters commenting on the proposal were requests for a hearing; those persons seeking a hearing were asked what substantial issues of material fact, if any, were presented by the instant proposal and why any issues raised could not be resolved by the submission of written comments. Prior to receipt of responses to these questions, the Board was apprised that, on November 30, 1972, the Florida Legislature enacted legislation[1] that became effective on December 21, 1972. Subsequently, the Board entertained briefs and written argument on the issue of the applicability and effect of the amended statute on the instant proposal from those persons that had requested to be heard.

Absent the recent enactment of amendments to § 659.141 and any evidence indicating that de novo entry in this case would have the purpose or effect of foreclosing future competition or would otherwise be contrary to the public interest,[2] it appears likely that the Board would have approved the instant proposal. The Board recognizes, as has Congress, "that an activity commenced de novo will tend to have pro-competitive effects, and consequently should be viewed more favorably than the commencement of an activity through the acquisition of an existing concern"[3] and "where a bank holding company enters a new market de novo * * *, its desire to succeed in its new endeavor is more likely to be competitive".[4] However, while the instant proposal was pending before the Board, the Florida Statutes were amended to generally prohibit the provision of investment advisory services in Florida by non-Florida-based bank holding companies through control of business organizations having offices in Florida. The legislation further provides however that the restrictions and prohibitions contained therein shall not be enforced for a period of time ranging up to 5 years against any holding company which, prior to the effective date of such legislation, acquired control over a business organization to which the restrictions or prohibitions of the statute apply.

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[1] The legislation amended § 659.141 of the Florida Statutes. Sec. 659.141, as amended, provides, in pertinent part:

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659.141(1) Control; ownership.—

(1) Except as provided in subsection (3) of this section, no bank, trust company, or holding company, the operations of which are principally conducted outside this state, shall acquire, retain, or own, directly or indirectly, all or substantially all the assets of, or control over, any bank or trust company having a place of business in this state where the business of banking, or trust business or functions are conducted, or acquire, retain or own all or substantially all of the assets of, or control over, any business organization having a place of business in this state where or from which it furnishes investment advisory services in this state. However, if a bank, trust company, or holding company directly or indirectly owning all or substantially all the assets of, or having control over, a bank or a trust company or business organization to which the restrictions and prohibitions of this section apply, having acquired such assets or control prior to becoming disqualified hereunder, shall, on or after the effective date of this section, be or become disqualified hereunder to acquire, retain or own the same, the restrictions and prohibitions of this section shall not be enforced against it for a period which, under all the circumstances, is determined by the department to be reasonable, not exceeding two years from the effective date of this act or from the date it becomes disqualified hereunder, whichever is later, unless said period of two years is extended by the department as herein provided. The department is authorized, upon a showing of undue hardship, to extend said period of two years from time to time if the department determines that any such extension would not be detrimental to the public interest, but any such extension shall not exceed one year and all thereof shall not in the aggregate exceed three years.

* * * * *

(2) * * *

(c) A business organization provides investment advisory services if, in this state for compensation, it engages in the business of advising persons, as defined in § 1.01(3), Florida Statutes, either directly or indirectly or through publications or writings, as to the value of securities or as to the advisability of investment in or purchasing securities, or if, not being a certified public accountant, in this state and for compensation, it issues or distributes to persons, as defined in § 1.01(3), Florida Statutes, analyses or reports concerning securities.

[2] See the Board's order of Mar. 6, 1973, denying the application of First at Orlando Corp., to acquire shares of Citrus First National Bank of Leesburg, 38 FR 6317 (Mar. 8, 1973) and the Board's statement accompanying its order of Mar. 9, 1973, approving, to the extent permitted by State law, the proposal of NCNB Corp. to engage in certain trust activities in South Carolina through American Trust Co., 1973 Federal Reserve Bulletin 305.

[3] S. Rept. No. 91-1084, 91st Cong., 2d sess. 16 (1970).

[4] H.R. Rept. No. 91-1747, 91st Cong., 2d sess. 17 (1970).

There appears to be tacit agreement that the recently enacted legislation was intended to, and does, prohibit the performance of investment advisory services in Florida by non-Florida bank holding companies. However, BTNYC has contended that, under the "grandfather" provision in the statute, BTIM may open for business and engage in the provision of investment advisory services for a period of approximately 2 years. The protestants to the proposal, with the concurrence of the Comptroller of Florida, have contended that the "grandfather" benefit, conferred by the newly enacted legislation, is not available to BTNYC or BTIM. However, assuming, without deciding, that the constuction given the "grandfather" provision by BTNYC is correct, the Board perceives, as a possible adverse effect of the instant proposal, the indefinite and temporary nature of BTIM's performance of investment advisory services. The public is ill-served by a firm offering investment advisory services that may, by law, have to be terminated within a relatively short time period. Customers entering into contracts for such services would generally do so in reliance upon the continuing and long-term nature of such services. In another sense, one may question the vigor with which an entrant into a market will compete and the quality of the services it will offer, if its employees are burdened by the realization that, irrespective of their performance, their duty is only temporary and the office may be closed at any time. However, in view of the disposition of the instant proposal on other grounds, the Board is not required to decide at this time whether the possibility of such an adverse effect is of sufficient weight as to outweigh the public benefits that may reasonably be expected to derive from the instant proposal, notably the increased competition probably resulting from de novo entry.

In addition to the factors that the Board is, by statute, required to consider, the Board, in any particular case, must determine whether the proposal would be prohibited by State law. If the proposal would be so prohibited, the Board may not approve it.[5] In making such a determination, the Board will presume the constitutional validity of any pertinent State statute.[6] The interpretation and construction of controverted State statutes is a task that is not eagerly undertaken by the Board. Certainly, the courts of Florida are a more appropriate forum for the resolution of disputed questions of Florida law, than is the Board. Nevertheless, the Board believes that the principle laid down by the Supreme Court in the *Whitney* case requires the Board to initially resolve the legal issue presented here.

The issue which is determinative of the instant proposal is whether the "grandfather" provision of the recently enacted legislation effectively permits BTNYC to initiate investment advisory services from a Florida office, albeit for an indefinite and temporary period of time. BTNYC states, and, in the absence of any evidence to the contrary, the Board finds that BTIM was incorporated in the State of Delaware on November 24, 1972, at the direction of BTNYC, and that, on November 27, 1972, BTIM qualified with the secretary of state of Florida to do business in Florida. However, BENYC has not alleged that BTIM, at any time, has had a place of business in Florida or that BTIM has furnished investment advisory services in Florida. Nor could BTIM legally have done so, the prior approval of the Board not having been secured by BTNYC. It is not contended that BTIM is either a bank or trust company.

On the basis of these facts, BTNYC contends, and the protestants do not contend otherwise, that BTIM is a "business organization"; that BTNYC has "control" over BTIM and had acquired that control prior to becoming disqualified under the newly enacted legislation. The protestants, on the other hand, contend that, irrespective as to whether BTIM is a "business organization" or whether BTNYC controlled BTIM prior to the effective date of the amendment, BTNYC is not entitled to "grandfather" benefits because BTIM did not furnish investment advisory services in Florida from a place of business in Florida on the effective date of the legislation. In the Board's opinion, the conclusion is inescapable that the "grandfather" provision of the legislation only applies to a bank, trust company, or business organization "having a place of business in [Florida] where or from which it furnishes investment advisory services in [Florida]" on the effective date of the legislation. Since BTIM is neither a bank or a trust company, and did not have on that date a place of business in Florida where or from which it furnished or provided investment advisory services, the Board concludes, as a matter of law, that BTNYC is not entitled to the benefits of the "grandfather" provision in § 659.141.

Furthermore, the legislative history of the legislation evidences a legislative intent to exclude BTNYC from engaging in the provision of investment advisory services in Florida from a Florida office. In view of the conflicting constructions given the "grandfather" provision, the Board believes that an examination of the legislative history of the legislation is appropriate to ascertain the legislative intent. It is beyond question, and BTNYC and the protestants are in agreement, that the notice that BTNYC published in September 1972, triggered the action of the Florida Legislature in this case and that the newly enacted legislation was primarily motivated by the threat of BTNYC's entry into the Florida investment advisory markets and was intended to prevent such entry. Accordingly, the Board concludes that, the "grandfather" provision was not intended to permit the instant proposal, even for a limited period of time.

BTNYC, besides contending that the Board should refrain from construing the newly enacted Florida legislation, contends that they are entitled to "grandfather" benefits because the "grandfather" provision, which authorizes the Florida Banking Department to determine the length of time during which the statute shall not be enforced against a company entitled to "grandfather" benefits, constitutes an unconstitutional delegation of authority to that agency. As the Board has previously indicated, it will presume the constitutional validity of State statutes. BTNYC's challenge to the constitutionality of any provision of the recently enacted Florida legislation is properly cognizable only by the judiciary. In brief, since the Board is of the opinion that the proposal is prohibited by State law, it believes that, under the doctrine set forth by the U.S. Supreme Court in *Whitney*, it must deny the proposal.

The Board is not unsympathetic with BTNYC when that holding company questions "the fairness and legality of a procedure whereby proponents of this legislation could prevent [its] proposal from becoming effective by filing objections with the Board and requesting a hearing and then, after hasty enactment of legislation, argue that this very legislation should be the basis for the Board to bar approval of [its] proposal." There is substantial evidence that the celerity with which the legislation was enacted is directly attributable to the pendency of the instant proposal before the Board. However, section 7[7] of the act expressly reserves to the States the authority to adopt legislation in the exercise of their powers and jurisdiction with respect to banks, bank holding companies, and their subsidiaries, and the U.S. Supreme Court in *Whitney* expressly instructed the Board to consider the applicability and effect of any such legislation. Accordingly, irrespective of any doubt the Board may entertain as to the wisdom or desirability of a particular State enactment, the Board must, and will, respect, and act in the light of, pertinent State legislative judgments.

Based upon the record and for the reasons expressed herein, the proposal of BTNYC Corp. to provide investment advisory services in Florida through the instrumentality of BTIM, is hereby denied.

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[5] *Whitney National Bank in Jefferson Parish* v. *Bank of New Orleans & Trust Co.*, 379 U.S. 411 (1965).

[6] See statement accompanying the Board's order of Mar. 9, 1973, approving, to the extent permitted by State law, the proposal of NCNB Corp., Charlotte, N.C., to operate a trust company in South Carolina through American Trust Co., 1973 Federal Reserve Bulletin 305.

[7] Sec. 7 of the act provides:

The enactment by the Congress of the Bank Holding Company Act of 1956 shall not be construed as preventing any State from exercising such powers and jurisdiction which it now has or may hereafter have with respect to banks, bank holding companies, and subsidiaries thereof (12 U.S.C. 1846).

By order of the Board of Governors,* effective April 26, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8794 Filed 5-3-73;8:45 am]

CENTRAN BANCSHARES CORP.

Proposed Acquisition of Major Finance Corporation

Centran Bancshares Corp., Cleveland, Ohio, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8) and § 225.4(b)(2) of the Board's regulation Y for permission to acquire all of the voting shares of Major Finance Corp., Silver Spring, Md. The proposed acquisition also represents an indirect acquisition of the following wholly owned subsidiaries of Major Finance Corp.: Major Finance Service Co., Major Insurance Agency, Inc., Major Insurance Agency of Silver Spring, Inc., Major Finance Corp. of Silver Spring, and Major Acceptance Corp., all located in Silver Spring, Md.; Major Mortgage Corp., located in Springfield, Va.; Major Finance Corp. of Alexandria, located in Alexandria, Va.; and Major Finance Corp. of Arlington, located in Arlington, Va. Notice of the application was published in the following newspapers of general circulation on the dates indicated below: Washington, D.C., Washington Post, January 19, 1973; Arlington, Va., Northern Virginia Sun, January 20, 1973; Alexandria, Va., Alexandria Gazette, January 20, 1973.

Applicant states that the proposed subsidiary engages in the activities of making consumer loans, purchasing consumer installment sales finance contracts, and selling credit life, accident, and health insurance to its direct consumer borrowers. Such activities have been specified by the Board in § 225.4(a) of regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices. Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Cleveland.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 24, 1973.

Board of Governors of the Federal Reserve System, April 27, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8822 Filed 5-3-73;8:45 am]

CONTINENTAL BANKSYSTEM, INC.

Proposed Acquisition of Peoples Credit Co.

Continental Banksystem, Inc., St. Paul, Minn., has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Peoples Credit Co. of Mora, Minn., Inc., Mora, Minn. Notice of the application was published on March 22, 1973, in the Kanabec County Times, a newspaper circulated in Kanabec County, Minn.

Applicant states that the proposed subsidiary would engage in the activities of a non-real estate agricultural credit corporation. Such activities have been specified by the Board in § 225.4(a) of regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, deceased or unfair competition, conflicts of interests, or unsound banking practices. Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 24, 1973.

Board of Governors of the Federal Reserve System, April 27, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8821 Filed 5-3-73;8:45 am]

FINANCIAL GENERAL BANKSHARES, INC.

Acquisition of Bank

Financial General Bankshares, Inc., Washington, D.C., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire through Tennessee Shares Corp., a subsidiary, 15 percent of the voting shares of Valley Fidelity Bank & Trust Co., Knoxville, Tenn. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 24, 1973.

Board of Governors of the Federal Reserve System, April 27, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8820 Filed 5-3-73;8:45 am]

FIRST AMTENN CORP.

Order Approving Acquisition of Bank

First Amtenn Corp., Nashville, Tenn., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the act (12 U.S.C. 1842(a)(3)), to acquire the successor by merger to Farmers-Peoples Bank, Milan, Tenn. (Bank). The bank into which Bank is to be merged has no significance, except as a means to facilitate the acquisition of voting shares of Bank. Accordingly, the proposed acquisition is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and none have been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant controls three banks, with deposits of $737 million, representing about 8 percent of deposits in commercial banks in Tennessee.[1] Acquisition of Bank (deposits of $14.5 million) would not result in a significant increase in the concentration of banking resources in Tennessee.

Bank is the third largest of 12 banks located in the Gibson banking market, and controls about 15 percent of the total deposits in that market.[2] Applicant's closest banking subsidiary is approximately 45 miles distant, and there is no significant existing competition between it or any other banking subsidiary of applicant and Bank. Nor is there a reasonable probability of substantial future competition developing between applicant and Bank, due to Tennessee's restrictive branching laws and the relative

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

[1] All banking data are as of June 30, 1972.

[2] The Gibson banking market is approximated by Gibson County.

unattractiveness of Gibson County for de novo entry, as measured by population and deposits per banking office ratios compared to the statewide averages. On the basis of the record before it the Board concludes that competitive considerations relating to the proposed acquisition are consistent with approval of the application.

The financial and managerial resources and future prospects of applicant, its subsidiary banks and Bank are generally satisfactory, particularly in light of applicant's commitment to increase the capital of Bank. Considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that the proposed acquisition is in the public interest and that the application should be approved.

On the basis of the record the application is approved for the reasons summarized above. The transaction shall not be consummated: (a) Before the 30th calendar day following the effective calendar day of this order, or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta, pursuant to delegated authority.

By order of the Board of Governors,[1] effective April 26, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8788 Filed 5-3-73;8:45 am]

FIRST GOLDEN BANCORPORATION

Formation of One-Bank Holding Company

First Golden Bancorporation, Golden, Colo., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 98 percent or more of the voting shares of The First National Bank in Golden, Golden, Colo. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than May 16, 1973.

Board of Governors of the Federal Reserve System, April 25, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8796 Filed 5-3-73;8:45 am]

FIRST SECURITY NATIONAL CORP.

Order Approving Acquisition of Bank

First Security National Corp., Beaumont, Tex., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to Bank of Lancaster, Lancaster, Tex. (Lancaster Bank). The bank into which Lancaster Bank is to be merged has no significance except as a means to facilitate the acquisition of shares of Lancaster Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Lancaster Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant controls five banks with aggregate deposits of $173 million, representing less than 1 percent of total deposits in commercial banks in Texas, and is the 12th largest multibank holding company in the State. (All banking data are as of June 30, 1972, adjusted to reflect holding company formations and acquisitions approved by the Board through March 31, 1973.) The acquisition of Lancaster Bank (deposits of $5 million) would increase applicant's share of State deposits by less than one-tenth of a percentage point.

Lancaster Bank is located in the Dallas banking market, where it controls less than 1 percent of market deposits and ranks as the 95th largest of the 110 market banks. At the present time, applicant has no banking interests in the Dallas market, and its closest subsidiary banking office is located 52 miles northwest of Lancaster. No substantial present competition exists between applicant's subsidiaries and Lancaster Bank, and in view of the distances separating the banking offices, and State laws restricting branching, it appears unlikely that significant competition would develop. It further appears that the proposed affiliation with applicant would increase Lancaster Bank's ability to compete in the large Dallas market. Competitive considerations are consistent with approval of the application.

The financial condition and managerial resources of applicant, its present subsidiaries, and Lancaster Bank are satisfactory, and the prospects for each appear favorable. Considerations relating to banking factors are consistent with approval of the application. The banking needs of the Dallas area are being satisfactorily served at the present time by existing facilities. However, the proposed affiliation with applicant would enable Lancaster Bank to make larger loans, and thereby help it to meet the area's construction and permanent mortgage requirements. Applicant will also assist Lancaster Bank in increasing its capital commensurate with its growth in this rapidly expanding area. Considerations relating to the convenience and needs of the community to be served are consistent with approval of this application. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governors,[1] effective April 26, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8792 Filed 5-3-73;8:45 am]

FIRST TENNESSEE NATIONAL CORP.

Proposed Acquisition of Pence Mortgage Co.

First Tennessee National Corp., Memphis, Tenn., has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's regulation Y, for permission to acquire voting shares of Pence Mortgage Co., Louisville, Ky. Notice of the application was published on November 21, 1972, in the St. Petersburg Times and Evening Independent, a newspaper circulated in St. Petersburg, Pinellas County, Fla.; on November 20, 1972, in The Courier Journal, a newspaper circulated in Louisville, Ky.; and on November 20, 1972, in The Louisville Times, a newspaper circulated in Louisville, Ky.

Applicant states that the proposed subsidiary would engage in the activity of making or acquiring, for its own account, or for the account of others, loans and other extensions of credit, secured by real estate. Such activities have been specified by the Board in § 225.4(a) of regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices."

Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and

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

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

a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 24, 1973.

Board of Governors of the Federal Reserve System, April 27, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8795 Filed 5-3-73;8:45 am]

FIRST UNION, INC.

Acquisition of Bank

First Union, Inc., St. Louis, Mo., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 90.45 percent or more of the voting shares of Bank of Kennett, Kennett, Mo. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 23, 1973.

Board of Governors of the Federal Reserve System, April 26, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc. 73-8797 Filed 5-3-73;8:45 am]

ORBANCO, INC.

Order Approving Acquisition of Far West Securities Co.

Orbanco, Inc., Portland, Oreg., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the act and § 225.4(b)(2) of the Board's regulation Y, to acquire (through its wholly owned subsidiary, Columbia Mortgage Co., Portland, Oreg. (Columbia)) all of the voting shares of Far West Securities Co., Spokane, Wash. (Far West), a company that engages in mortgage banking activities. Such activities have been determined by the Board to be closely related to the business of banking (12 CFR 225.4(a)(1)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (37 FR 24390). The time for filing comments and views has expired, and the Board has considered all comments received in light of the public interest factors set forth in section 4(c)(8) of the act (12 U.S.C. 1843(c)).[1]

Applicant, a one bank holding company, controls the Oregon Bank, Portland, Oreg. (Bank), the third largest banking organization in Oregon with deposits of about $164 million, representing less than 4 percent of total deposits in commercial banks in the State.[2] (The two largest banking organizations in Oregon together control approximately 78 percent of all commercial bank deposits.) Applicant, through Bank and its newly established mortgage banking subsidiary, Columbia, engages in the same line of business activity as Far West; Bank operates 23 offices throughout the State of Oregon while Columbia limits its mortgage activities to the Portland area. With three offices, Far West serves Spokane, Benton, and Franklin Counties in eastern Washington State. In 1971, Far West held $19 million in mortgage originations in Spokane County, or almost 8 percent of the total mortgages originating in the county; during the first 8 months of 1972, the total amount of mortgages originated by Far West amounted to about $10 million. As of September 30, 1972, Far West serviced a mortgage loan portfolio of $31 million.

On the basis of the facts of record, it appears that neither Applicant nor Far West is a major competitor in the mortgage markets of Oregon and Washington, respectively; that the service areas of each do not overlap; and that there is no direct competition between them. Consummation of the proposed transaction would not eliminate any existing competition in either Washington or Oregon. Moreover, Applicant and Far West are not likely to compete in the near future due to their relatively small sizes and the intervening distances. Further, it does not appear that consummation herein would add significantly to the existing level of market concentration or result in an undue concentration of financial resources in any market.

In analyzing the financial condition of Applicant, the Board notes that Applicant has incurred substantial debt in order to support the lending operations of its non-bank subsidiaries, primarily those of Northwest Acceptance Corp., Portland, Oreg., a finance company engaged in capital goods financing. Although Applicant's overall debt level is relatively high in relation to other bank holding companies, Applicant's subsidiaries appear to be in satisfactory financial condition and Applicant's earnings appear to be sufficient to service the debt.

It is anticipated that affiliation with Applicant will provide Far West with access to the capital resources of Applicant, enhance its ability to provide larger mortgage loans, permit expansion of its range of services, and thereby enable it to compete more effectively in the competitive market it serves. The Board concludes that these public benefits are a positive factor in terms of the convenience and needs of the public.

In its consideration of Applicant's proposal, the Board has considered the question whether a covenant not to compete contained in a proposed employment contract between a bank holding company and a principal executive and shareholder of a company (engaged in permissible activities) about to be acquired by the bank holding company is contrary to the public interest standards the Board is required to consider under the Bank Holding Company Act. Historically, in the business community, covenants not to compete have represented a legitimate business requirement of parties to contracts for the purchase of a business and, after having met the general test of reasonableness of duration, scope, and geographic area, have been sustained by courts as legally valid and enforceable. In view of the long history of acceptability enjoyed by such covenants, as well as the position of such covenants under the law, the Board finds that such covenants are not contrary per se to the public interest. However, the Board shall examine the details of all employment contracts that come before it in connection with applications under the Bank Holding Company Act in order to determine under the facts and circumstances of each case whether a particular covenant not to compete is consistent with the public interest. Having reviewed the details of the covenants not to compete in the employment contracts involved in this case, the Board finds that their provisions are consistent with the public interest, and the existence of such covenants does not require denial of the application.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

[1] Far West also sells insurance directly related to extensions of credit in its mortgage banking activities. Applicant sought to acquire the mortgage banking activities of Far West as well as the related insurance activities; however, in light of objections to these insurance activities, Applicant requested that the Board split the application into two separate parts. Accordingly, the Board's order herein deals only with the proposed acquisition of Far West's mortgage banking activities. Applicant's request for Board approval to engage in the aforementioned insurance activities is still pending.

[2] All banking data are as of June 30, 1972, unless otherwise indicated.

By order of the Board of Governors,[2] effective April 26, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8789 Filed 5-3-73;8:45 am]

REDWOOD BANCORP

Proposed Acquisition of Assets of T.U.P., Inc.

Redwood Bancorp, San Rafael, Calif., has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's regulation Y, for permission to acquire certain assets of T.U.P., Inc., San Francisco, Calif., and thereby to acquire indirectly, through its subsidiary, Redwood National Mortgage Co., the assets and assume the liabilities of Montgomery Street Mortgage Co., San Francisco, Calif., and also thereby to directly acquire the shares of West Coast Security Insurance Agency, Inc., San Francisco, Calif. Notice of the application was published on March 7, 1973, in the Nevada State Journal, a newspaper circulated in Reno, Nev., and on March 8, 1973, in the Recorder, a newspaper circulated in San Francisco, Calif.

Applicant states that Montgomery Street Mortgage Corp. engages in the activities of originating and servicing real estate mortgage loans for financial institutions including Government-sponsored mortgage associations and of making short-term secured construction loans. Such activities have been specified by the Board in § 225.4(a) of regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b). Applicant further states that West Coast Security Insurance Agency, Inc., engages in the sale of insurance policies insuring against death or disability of borrowers on, and insuring real property securing, mortgage loans originated by Montgomery Street Mortgage Corp.; the renewal of such policies, at the election of the borrower, where Montgomery Street Mortgage Co. has transferred to others the servicing rights to such loans; and the sale of such insurance to mortgage loan borrowers of applicant's banking subsidiary.

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 28, 1973.

Board of Governors of the Federal Reserve System, April 30, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8824 Filed 5-3-73;8:45 am]

TENNESSEE VALLEY BANCORP., INC.

Order Approving Acquisition of Bank

Tennessee Valley Bancorp., Inc., Nashville, Tenn., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the act (12 U.S.C. 1842(a)(3)), to acquire the successor by merger to the First National Bank of Greeneville, Greeneville, Tenn. (Bank). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of voting shares of Bank. Accordingly, the proposed acquisition is treated herein as a proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant controls one bank with deposits of $506 million representing about 5½ percent of total deposits in commercial banks in Tennessee.[1] Acquisition of Bank (deposits of $31.1 million) would not result in a significant increase in the concentration of banking resources in Tennessee.

Bank is the second largest of three banks located in the Greene County banking market and controls about 41 percent of the total deposits of commercial banks in that market. Applicant's present banking subsidiary is approximately 170 miles distant and there is no significant existing competition between it and Bank. Nor is there significant existing competition between Bank and applicant's proposed subsidiary, Citizens Bank, Elizabethton, Tenn. (Elizabethton Bank), due to the distance of some 35 miles between Elizabethton Bank and Bank and Tennessee's restrictive branching statutes. There is also little probability of substantial future competition developing between applicant and Bank in light of the relative unattractiveness of Greene County for de novo entry, as measured by population and banking deposits per office ratios compared to statewide averages. On the basis of the record before it, the Board concludes that competitive considerations relating to the proposed acquisition are consistent with approval of the application.

The financial and managerial resources and future prospects of applicant, its subsidiary bank, and Bank are satisfactory and consistent with approval of the application, particularly in view of the additional capital provided applicant's subsidiary bank. Considerations relating to the convenience and needs of the community to be served are also consistent with approval of the application. It is the Board's judgment that the proposed acquisition is in the public interest and the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. This transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order, or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta, pursuant to delegated authority.

By order of the Board of Governors,[2] effective April 26, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8790 Filed 5-3-73;8:45 am]

TENNESSEE VALLEY BANCORP., INC.

Order Approving Acquisition of Bank

Tennessee Valley Bancorp., Inc., Nashville, Tenn., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the act (12 U.S.C. 1842(a)(3)), to acquire the successor by merger to Citizens Bank, Elizabethton, Tenn. (Bank). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of voting shares of Bank. Accordingly, the proposed acquisition is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant controls one bank, with deposits of $506 million, representing about 5½ percent of total deposits of commercial banks in Tennessee.[1] Acquisition of Bank (deposits of $22 million), along

[2] Voting for this action: Chairman Burns and Governors Daane, Sheehan and Bucher. Voting against this action: Governors Robertson, Mitchell and Brimmer.

[1] All banking data are as of June 30, 1972.

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

[1] All banking data are as of June 30, 1972.

with the acquisition of First National Bank of Greeneville, Greeneville, Tenn. (Greeneville Bank), by applicant which has been granted by the Board as of this date, would not result in a significant increase in the concentration of banking resources in Tennessee.

Bank is the smaller of two banks located in the Carter County banking market and controls about 47 percent of the total deposits in that market. The largest bank in the market is a subsidiary of a bank holding company so there is little likelihood that applicant will be able to dominate the Carter County market. Applicant's closest banking subsidiary to Bank will be the Greeneville Bank, which is located about 35 miles from Elizabethton. There is no significant existing competition between it or any other banking subsidiary of applicant and Bank. Nor is there a reasonable probability of substantial future competition developing between applicant and Bank due to Tennessee's restrictive branching laws and the relative unattractiveness of Carter County for de novo entry, as measured by deposits per banking office compared to the statewide average and recent population growth. On the basis of the record before it, the Board concludes that competitive considerations relating to the proposed acquisition are consistent with approval of the application.

The financial and managerial resources and future prospects of applicant, its subsidiary bank, and Bank are satisfactory and consistent with approval of the application, particularly since, as noted in the order approving the acquisition of the Greeneville Bank, additional capital is being provided applicant's lead bank. Considerations relating to the convenience and needs of the community to be served are also consistent with approval of the application. It is the Board's judgment that the proposed acquisition is in the public interest and that the application should be approved.

On the basis of the record the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order, or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta, pursuant to delegated authority.

By order of the Board of Governors,[1] effective April 26, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8791 Filed 5-3-73;8:45 am]

WHITNEY HOLDING CORP.

"Grandfather" Privileges

Section 4 of the Bank Holding Company Act (12 U.S.C. 1843) provides certain privileges ("grandfather" privileges) with respect to nonbanking activities of a company that, by virtue of the 1970 amendments to the Bank Holding Company Act, became subject to the Bank Holding Company Act. Pursuant to section 4(a)(2) of the act, a "company covered in 1970" may continue to engage, either directly or through a subsidiary, in nonbanking activities that such a company was lawfully engaged in on June 30, 1968 (or on a date subsequent to June 30, 1968, in the case of activities carried on as a result of the acquisition by such company or subsidiary, pursuant to a binding written contract entered into on or before June 30, 1968, of another company engaged in such activities at the time of the acquisition), and has been continuously engaged in since June 30, 1968 (or such subsequent date).

Section 4(a)(2) of the act provides, inter alia, that the Board of Governors of the Federal Reserve System may terminate such grandfather privileges if, having due regard to the purposes of the act, the Board determines that such action is necessary to prevent undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices. With respect to a company that controls a bank with assets in excess of $60 million on or after December 31, 1970, the Board is required to make such a determination within a 2-year period.

Notice of the Board's proposed review of the grandfather privileges of the Whitney Holding Corp., New Orleans, La., and an opportunity for interested persons to submit comments and views or request a hearing, has been given (37 FR 22414). The time for filing comments, views, and requests has expired, and all those received have been considered by the Board in light of the factors set forth in section 4(a)(2) of the act.

On the evidence before it, the Board makes the following findings. Whitney Holding Corp. (Registrant), New Orleans, La., became a bank holding company on December 31, 1970, as a result of the 1970 amendments to the act, by virtue of registrant's ownership of 100 percent of the voting shares (less directors' qualifying shares) of Whitney National Bank of New Orleans (Bank), New Orleans, La. (assets of approximately $736 million, as of December 31, 1970). Bank, control of which was acquired by Registrant in May 1962, had total deposits of approximately $708 million as of June 30, 1972, representing a little less than 30 percent of the aggregate deposits in commercial banks located in Orleans Parish, and is the largest of nine banks located in the Orleans Parish area. Bank's management, financial condition and prospects are regarded as satisfactory, and the Board has found no evidence of unsound banking practices.

It appears that Registrant does not engage directly in any business activity other than holding stock of, or providing services to its subsidiaries. Registrant has four nonbanking subsidiaries, namely, Berwick Land Co., Inc. (Berwick), Common Street Corp. (Common Street), Gravier Street Corp. (Gravier), and Louisiana Maintenance, Inc. (Maintenance), all of New Orleans, La.

Berwick owns approximately 2,900 acres of land, some of which is leased to farmers for raising sugarcane. The land was originally acquired, on August 15, 1928, through debts previously contracted by Whitney Trust & Savings Bank and was assumed by Bank on April 26, 1933, when Whitney Trust & Savings Bank was merged into Bank. The land was shifted from Bank to Berwick on March 6, 1970. Inasmuch as Berwick did not engage in this activity on June 30, 1968, and the holding company did not engage in this activity other than through Bank, the Board concludes that no grandfather benefits accrue to Registrant with regard to Berwick activities. An activity engaged in directly by a bank is regarded by the Board as not being an activity within the meaning and intent of the grandfather proviso in section 4(a)(2) of the Act.

Common Street and Gravier are inactive corporations and have no activities entitled to grandfather privileges.

Maintenance, which provides building maintenance services to Bank on a cost basis, became a subsidiary of Bank on March 22, 1967. Under section 4(c)(1)(C),[2] the activities of Maintenance seem to be exempt from the general prohibition of section 4 against nonbanking activities.

On the basis of the foregoing and the facts before the Board, it appears that Registrant is not entitled to grandfather benefits within the meaning of the proviso of section 4(a)(2)[3] of the Act.

Board of Governors,[3] April 27, 1973.

[SEAL] CHESTER B. FELDBERG,
Assistant Secretary of the Board.

[FR Doc.73-8823 Filed 5-3-73;8:45 am]

NATIONAL CREDIT UNION ADMINISTRATION

NATIONAL CREDIT UNION BOARD

Notice of Meeting and Agenda

Pursuant to the provisions of the Federal Advisory Committee Act, Public Law 92-463, 86 Stat. 770, notice is hereby given that the National Credit Union Board will hold its quarterly meeting on June 5-6, 1973, at the offices of the National Credit Union Administration, 2025 M Street NW., Washington, D.C. 20456. The meetings will commence at 9 a.m. daily in room 4210.

The agenda for this meeting will consist of an update briefing regarding the activities of the several offices of the National Credit Union Administration, a

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

[2] Sec. 4(c)(1)(C) of the act enables a bank holding company to acquire (without the approval of the Board) "(1) shares of any company engaged * * * solely in * * * (C) furnishing services to or performing services for such bank holding company or its banking subsidiaries * * *."

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

briefing on the progress of the Administration's library project, a briefing on share insurance activities, a briefing on PC-2 Federal credit unions, and other aspects of the Administration. Matters for discussion will include revision of manuals published by the Administration, legislation, and a review of the meeting with representatives of trade associations held in conjunction with the Board meeting of March 27–28, 1973.

This meeting of the National Credit Union Board will be open to the public. Members of the public may file written statements with the Board either before or after the meeting. To the extent that time permits, interested persons may be permitted to present oral statements to the Board only on items listed in the aforementioned agenda. Requests to present such oral statements must be approved in advance by the Chairman of the Board. Such requests should be directed to the Chairman, National Credit Union Board, National Credit Union Administration, Washington, D.C. 20456.

HERMAN NICKERSON, Jr.
Administrator.

APRIL 30, 1973.

[FR Doc.73-8798 Filed 5-3-73;8:45 am]

OFFICE OF EMERGENCY PREPAREDNESS

OHIO

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on April 27, 1973, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Ohio from severe storms and flooding, beginning about March 17, 1973, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Ohio. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended), I hereby appoint Mr. Robert E. Connor, Regional Director, OEP Region 5, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that act for this disaster.

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

The counties of:

Ashtabula	Lorain
Cuyahoga	Lucas
Erie	Ottawa
Lake	Sandusky

Dated April 30, 1973.

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

[FR Doc.73-8815 Filed 5-3-73;8:45 am]

WISCONSIN

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on April 27, 1973, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Wisconsin from severe storms and flooding, beginning about March 7, 1973, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exista in the State of Wisconsin. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended), I hereby appoint Mr. Robert E. Connor, Regional Director, OEP Region 5, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that act for this disaster.

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

The counties of:

Brown	Marathon
Buffalo	Marinette
Chippewa	Marquette
Clark	Milwaukee
Crawford	Oconto
Door	Ozaukee
Dunn	Racine
Eau Claire	Rock
Green Lake	Rusk
Kenosha	Walworth
Kewaunee	Waukesha
La Crosse	Waupaca
Langlade	Waushara
Lincoln	Wood
Manitowoc	

Dated April 30, 1973.

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

[FR Doc.73-8816 Filed 5-3-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[812-3411]

DREXEL BOND-DEBENTURE TRADING FUND ET AL.

Notice of Filing of Application

Notice is hereby given that Drexel Bond-Debenture Trading Fund (the Bond Fund), Drexel Equity Fund, Inc. (the Equity Fund), Drexel Hedge Fund, Inc. (the Hedge Fund) and Drexel Utility Shares, Inc. (the Utility Fund) (hereinafter collectively called Applicants), 1500 Walnut Street, Philadelphia, Pa. 19101, have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (the Act) for an order of the Commission granting a temporary exemption from the provisions of section 15(a) of the Act. The Equity Fund and the Hedge Fund are open-end diversified management investment companies and the Bond Fund and the Utility Fund are closed-end diversified management companies. All of the Applicants are registered under the act. All interested persons are referred to the application on file with the Commission for a statement of Applicants' representations, which are summarized below.

Each Applicant is a party to a separate investment advisory contract (the Advisory Contracts) with Drexel Funds Management Co. (the Adviser). In addition, the Adviser is a party to an information and services agreement (the Information Agreement) with Drexel Firestone, Inc. (Drexel Firestone), a New York Stock Exchange, Inc., member corporation and the sole shareholder of the Adviser.

Drexel Firestone has advised the Applicants that on February 2, 1973, the Drexel Firestone Board of Directors approved in principle a combination of the businesses of Drexel Firestone and Burnham & Co., Inc. (Burnham); on March 16, 1973, the two companies were combined. The combination takes the form of a transfer by Drexel Firestone of substantially all of its assets to Burnham, whose name is changed to Drexel Burnham & Co. Inc. (Drexel Burnham). Burnham shareholders now hold a controlling interest in Drexel Burnham. Among the assets transferred to Burnham by Drexel Firestone is all of the outstanding stock of the Adviser. The Advisory Contracts and the Information Agreement provide for their automatic termination in the event of an assignment. Section 2(a)(4) of the Act defines an assignment to include a transfer of a controlling block of the Adviser's outstanding voting securities by a security holder of the Adviser. Accordingly, the Advisory Contracts terminated pursuant to their terms upon the consummation of the transaction between Drexel Firestone and Burnham,

when the Information Agreement was also terminated.

The Adviser has informed each Applicant that it is willing to continue to provide investment advice and services to each Applicant after the combination of Drexel Firestone and Burnham, as it would have under the Advisory Contracts. If the requested exemption is granted, Adviser is willing to execute advisory contracts identical to the existing Advisory Contracts, pending approval by the shareholders of each Applicant of new investment advisory contracts in such forms as the directors and shareholders may approve. The Adviser has also informed each Applicant that the Adviser will continue to receive investment information and recommendations from Drexel Burnham.

The boards of directors of the Applicants, with the approval of a majority of the directors who are not parties to such agreements or interested persons of such parties, at meetings called for the purpose of voting on investment advisory contracts, have approved (a) advisory contracts with the Adviser and (b) a New Information Agreement with Burnham identical to the existing Advisory Contracts and Information Agreement for a period commencing with the consummation of the transaction between Drexel Firestone and Burnham and extending until shareholders of each respective Applicant shall have approved new investment advisory contracts.

Section 15(a) of the Act prohibits any person from serving as an investment adviser to a registered investment company except pursuant to a contract that has been approved by the vote of a majority of the outstanding voting securities of the investment company. The Advisory Contracts and the Information Agreement were approved by a vote of a majority of the outstanding voting securities of the Equity Fund at a meeting held on April 6, 1972, of the Hedge Fund at a meeting held on June 15, 1972, and of the Utility Fund on April 12, 1972. Securities of the Utility Fund were first offered to the public on April 13, 1972, and there has not been a meeting of shareholders since that time. Either the Adviser or Drexel Firestone's predecessor has acted as investment adviser to the respective Applicants since shortly after their organization.

Applicants seek a temporary exemption from the provisions of section 15(a) of the Act to permit the Adviser to continue to furnish services to the Applicants under the Advisory Contracts and the New Information Agreement with Drexel Burnham commencing at the time of the assignment of the Advisory Contracts and continuing until such time as the shareholders of the Applicants vote upon investment advisory contracts and any information and services agreement. Applicants further request that, in the event that the Commission issues an order granting such exemption after the time of the proposed assignment, the Commission make its order retroactive to that time. As a condition of granting the requested exemption, Applicants have undertaken to submit new investment advisory contracts and any information and services agreement for approval by vote of a majority of their outstanding voting securities within 120 days after the combination of Drexel Firestone and Burnham. Applicants have also agreed to submit to shareholders for ratification the fees paid by them to the Adviser during the period in which the exemption is in effect.

Applicants have submitted that the granting of the application is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act for, among others, the following reasons:

1. The requested exemption would extend for a limited period of time from the time of the transaction between Drexel Firestone and Burnham until the anticipated dates of meetings of the shareholders of the respective Applicants. It would not appear that in any case there would be as much as 120 days between the consummation of the transaction between Drexel Firestone and Burnham and such meetings of shareholders.

2. In 1972, the shareholders of each of the Applicants approved Advisory Contracts with the Adviser that are identical with the Advisory Contracts that would be in effect from the time of the combination of Drexel Firestone and Burnham until new contracts are submitted to shareholders. In addition, the shareholders of each of the Applicants have approved an Information Agreement with Drexel Firestone identical with the New Information Agreement with Drexel Burnham that would be in effect from the time of the combination of Drexel Firestone and Burnham until new contracts are submitted to shareholders.

3. The transaction between Drexel Firestone and Burnham was not entered into for the purpose of terminating the relationship of Drexel Firestone with Applicants, but rather was an independently negotiated business transaction done for the purpose of combining two major New York Stock Exchange firms into a larger organization. The transfer of the stock of the investment adviser is but an incidental part of the combination of these two firms.

4. Applicants have been informed by the Adviser that for the period covered by the application the Adviser contemplates that its personnel involved in providing investment advice to Applicants will continue to render such advice after the consummation of the transaction between Drexel Firestone and Burnham. Accordingly, it does not appear that the transfer of the stock of the Adviser will involve a fundamental change in the Adviser during the period covered by the application.

5. Drexel Firestone's most recent publicly available balance sheet (as of May 26, 1972) shows total stockholders' equity and subordinated borrowings of $14,718,000. Burnham's most recent publicly available balance sheet (as of December 31, 1971) shows total stockholders' equity and subordinated liabilities of $37,756,000. Accordingly, the combination of the businesses of Drexel Firestone and Burnham will enable the Adviser to obtain services under the New Information Agreement from a larger and more extensively capitalized firm.

6. Applicants have been informed by the Adviser that the combined research capability in Drexel Burnham which will be available to the Adviser under the New Information Agreement will be larger and more diversified as to industry and issuer coverage than the research of Drexel Firestone alone.

Section 6(c) of the Act gives the Commission authority to exempt any person, security, or transaction from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than May 23, 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, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing thereon shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-8829 Filed 5-3-73;8:45 am]

[811-1514]

PENSION EQUITY FUND, INC.

Notice of Application

Notice is hereby given that Pension Equity Fund, Inc. (Applicant), 1 New

York Plaza, New York, N.Y. 10004, a diversified, open-end management investment company registered under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

The Applicant was organized by Faulkner, Dawkins & Sullivan, a predecessor of Faulkner, Dawkins & Sullivan, Inc. (FDS), the parent of the Fund's investment adviser, FD&S Management Co., Inc. (the "Management Company"), for the purpose of offering its shares only to entities exempt from Federal income taxation.

Applicant, whose securities were never held by more than 60 entities, ceased offering its stock on August 31, 1972, and had 20 shareholders and assets of approximately $1,734,000 when the Management Company advised the Directors of the Applicant that it wished to terminate the advisory contract as soon as possible. The Board of Directors of Applicant then decided that it would be in the best interests of the shareholders of Applicant to liquidate the Applicant since it was not feasible for the Applicant to acquire another investment advisor, due to the size of its assets, and because merger with another fund was impracticable in light of the special nature of the Fund and its shareholders. Applicant's holdings were then converted into Government securities, and after being advised of the actions recommended and taken by Applicant's Board of Directors all of Applicant's shareholders other than FDS, which retained 20 shares, redeemed their shareholdings at net asset value less a reserve for dissolution and liquidation expense of Applicant.

At the close of business on December 29, 1972, the Applicant had total net assets (after deducting the reserve for dissolution and liquidation expenses) of $2,082. Applicant was dissolved on April 10, 1973, on consent of FDS, Applicant's sole remaining stockholder. By reason of said dissolution, Applicant continues for a term of 3 years only for the limited purpose of winding up its business, but not for the purpose of continuing the business for which the Applicant was organized.

Applicant contends that even if the 65 holders of the outstanding securities of FDS are considered as the holder of Applicant's stock, it comes within the exception from the definition of an investment company provided by section 3(c)(1) of the Act for a company which has less than 100 security holders and is not making and does not propose to make a public offering of its securities.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than May 25, 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, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

RONALD F. HUNT,
Secretary.

[FR Doc.73-8828 Filed 5-3-73;8:45 am]

[812-3339]

PAN AUSTRALIAN FUND LIMITED

Notice of Filing of Application

Notice is hereby given that Pan Australian Fund Limited (Applicant), c/o Messrs. Peat Marwick Mitchell & Co., Second Floor, ANZ Bank Building, 19 London Circuit, Canberra City, Australian Capital, Territory, Australia, an investment company chartered under the companies ordinance of 1962-72 of the Australian Capital Territory, Commonwealth of Australia, has filed an application under section 7(d) of the Investment Company Act of 1940 (Act) for an order of the Commission permitting Applicant to register as an investment company under the Act and to make a public offering of its securities in the United States. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Section 7(d) of the Act provides, in pertinent part, that a foreign investment company may not use the mails or any means or instrumentalities of the interstate commerce in connection with a public offering of its securities in the United States unless permitted to do so by the Commission upon a finding that, by reason of special circumstances or arrangements, it is both legally and practically feasible effectively to enforce the provisions of the Act against such company and that permitting such public offering is otherwise consistent with the public interest and the protection of investors. Rule 7d-1 specifies conditions and arrangements under which Canadian investment companies may be permitted to register and also provides that conditions and arrangements proposed by investment companies organized under the laws of other countries will be considered by the Commission in light of the special circumstances and local laws involved in each case. Applicant will be a diversified, closed-end management investment company and proposes to provide a vehicle for investment in the Australian economy. Applicant contemplates a public offering of its shares through an underwriting group managed by Walston & Co., Inc., to obtain approximately $25 million to $35 million for investment purposes. Applicant's investment adviser will be an Australian company controlled by London United Investments Ltd., a United Kingdom company. The investment adviser will retain a United Kingdom company as a consultant, and both the investment adviser and the consultant will be registered under the Investment Advisers Act of 1940.

Applicant's Memorandum and Articles of Association, taken together, will contain the substantive provisions of the Act. The original or duplicate copies of Applicant's books and records will be maintained in the United States, at least a majority of Applicant's officers and directors will be citizens and residents of the United States, and Applicant will appoint the First National City Bank to maintain custody of its securities and cash, except cash necessary to meet administrative expenses, and said custodian will consummate within the United States all transactions of Applicant, except those executed on an established securities exchange, those executed at the custodian's branch office in London, and those involving the exercise abroad of rights acquired by Applicant as a shareholder.

Applicant will cause its officers, directors, investment advisers, principal underwriters, and custodian to agree to comply with the provisions of Applicant's Memorandum and Articles of Association, the Act and rules thereunder, and the undertakings in the application and to agree that shareholders of Applicant will be parties to such agreement so as to enable them to maintain actions at law or in equity within the United States and Australia for any violation thereof. In addition, Applicant agrees that the Commission, on its own motion or on the request of shareholders, or any shareholder shall have the right to initiate a proceeding: (1) Before the Commission

to revoke any order permitting registration of Applicant issued herein, or (ii) before a court of competent jurisdiction (defined as the District Court of the United States of the district in which the assets of Applicant are maintained) for liquidation of Applicant and distribution of its assets, that any shareholder may bring suit in any court of the United States or Australia having jurisdiction over Applicant to enforce compliance with the Act and the conditions and agreements pursuant to which any order may be granted herein, that Applicant waives security for costs in any action brought against it in Australia, and that Applicant and its officers, directors, and investment advisers will file with the Commission an irrevocable designation of Applicant's custodian as their agent for service of process in the United States. As promptly as possible after the commencement of any action against Applicant by a shareholder of Applicant or by the Commission, Applicant will cause any of its assets physically located outside of the United States to be brought into the United States or will post a bond in an amount equal to the value of any of Applicant's assets physically located outside of the United States.

Applicant's principal underwriter will be Walston & Company, a Delaware corporation having its principal place of business in the United States, Applicant will appoint a qualified accountant who maintains a permanent office or place of business in the United States, Applicant will maintain a transfer agent and registrar in the United States, and all of Applicant's shareholder meetings will be held in the United States. Contracts of Applicant (other than those executed on an established exchange, those consummated at the custodian's office in London, and those involving the exercise abroad of rights acquired by Applicant as a shareholder, as long as such transactions do not involve affiliated persons) will provide that such contracts will be performed in accordance with the provisions of the Federal Securities Acts and that the parties will utilize the United States mails or the means of interstate commerce.

Applicant will furnish and update lists of its affiliated persons, and Applicant's custodian will maintain a list of the affiliated persons of Applicant, its officers, directors, and investment adviser and will not consummate any otherwise prohibited transaction with such persons unless specifically permitted by order of the Commission.

Applicant submits that the common law of Australia and the companies ordinance of the Australian Capital Territory provide similar protection to investors to that provided under United States law and that these laws, together with the nature of the Australian Government and its relationship with the United States, constitute special circumstances justifying issuance of the requested order. Applicant's Memorandum and Articles of Association will not be changed in any manner inconsistent with the Act and rules thereunder unless authorized by the Commission, and Applicant will promptly notify the Commission of any changes in Australian law contrary to the provisions of the Act or the conditions and arrangements to which reference has been made.

Notice is further given that any interested person may, not later than May 25, 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 of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.73-8830 Filed 5-3-73;8:45 am]

[File No. 500-1]

RADIATION SERVICES, INC., AND MERIDIAN FAST FOOD SERVICES, INC.

Order Suspending Trading

APRIL 30, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $0.01 par value, and all other securities of Radiation Services, 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 May 1, 1973, through May 10, 1973.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.73-8831 Filed 5-3-73;8:45 am]

DEPARTMENT OF LABOR

Bureau of Labor Statistics

LABOR RESEARCH ADVISORY COUNCIL COMMITTEES

Notice of Meetings and Agenda

The regular spring meetings of committees of the Labor Research Advisory Council will be held on May 15 and 16 in room 4454, General Accounting Office Building, 441 G Street NW., Washington, D.C.

The Labor Research Advisory Council and its committees advise the Bureau of Labor Statistics with respect to technical matters associated with the Bureau's programs. Membership consists of union research directors and staff members.

The schedule and agenda of the meetings are as follows:

TUESDAY, MAY 15

9:30 A.M. TO 12 NOON—COMMITTEE ON WAGES AND INDUSTRIAL RELATIONS

1. Review of program activities.
2. General wage index—progress report.
3. Working fund projects—public sector collective bargaining; health and safety provisions in collective bargaining agreements prior to and subsequent to OSHA, and case studies of productivity committees under collective bargaining.
4. Study of pensions based on data collected in the Current Population Survey.

WEDNESDAY, MAY 16

9:30 TO 11:15 A.M.—COMMITTEE ON MANPOWER AND EMPLOYMENT

1. Poverty statistics—poverty area data plans.
2. Discouraged workers.
3. Results of benchmark revision—evaluation of current published trends in construction and other industries.
4. Spanish-American Data—Current Population Survey data will be available later in 1973.
5. Area data from the Current Population Survey.
6. Area employment and unemployment—nature and uses of program transferred from Manpower Administration.
7. Occupational projections methodology and results emphasizing the State Matrix program and other work for the Manpower Administration.

11:15 A.M.—COMMITTEE ON PRODUCTIVITY, TECHNOLOGY AND GROWTH

Discussion of the pilot study of the effects of revisions in the workweek.

1:30 P.M. TO 4:30 P.M.—COMMITTEE ON PRICES AND LIVING CONDITIONS

1. Status report on budget.
2. Estimation problems associated with the current Consumer Expenditure Survey.
3. The treatment of quality change in price indexes.
4. Regional and city-size class CPI's.
5. Plans for publication of average price data for selected nonfood commodities and services at the retail level.

The meetings are open. It is suggested that persons planning to attend these meetings as observers contact Joseph P. Goldberg, Executive Secretary, Labor Research Advisory Council on (area code 202) 961-2247.

Signed at Washington, D.C., this 27th day of April 1973.

BEN BURDETSKY,
Deputy Commissioner of Labor Statistics.

[FR Doc.73-8854 Filed 5-3-73;8:45 am]

Office of the Secretary

FISHER ELECTRONICS, INC., MILROY, PA.

Notice of Certification of Eligibility of Workers To Apply for Adjustment Assistance

Under date of March 30, 1973, the U.S. Tariff Commission made a report of the results of its investigation (TEA-W-176) under section 301(c)(2) of the Trade Expansion Act of 1962 (76 Stat. 884) in response to a petition for determination of eligibility to apply for adjustment assistance submitted on behalf of the workers of the Milroy, Pa., plant of Fisher Electronics, Inc., subsidiary of Emerson Electric Co. In the report, the Commission found that articles like or directly competitive with radio receivers and radio-phonograph combinations produced by Fisher Electronics, Inc., are, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause, unemployment or underemployment of a significant number or proportion of the workers of Fisher Electronics, Inc., an appropriate subdivision of Emerson Electric Co.

Upon receipt of the Tariff Commission's affirmative finding, the Department, through the Director of the Office of Foreign Economic Policy, Bureau of International Labor Affairs, instituted an investigation.

Following this, the Director made a recommendation to me relating to the matter of certification (Notice of Delegation of Authority and Notice of Investigation, 34 FR 18342; 37 FR 2472; 38 FR 9195; 29 CFR part 90). In the recommendation she noted that imports like or directly competitive with radio receivers and radio-phonograph combinations produced by Fisher Electronics, Inc., increased substantially. In response the firm began to import increased quantities of radio and radio-phonograph components as well as complete radios. As a result, production of these articles at the Milroy plant declined, as did employment. Unemployment caused in major part by concession generated import competition began in December 1971 and has continued to date. After due consideration I make the following certification:

All hourly workers of Fisher Electronics, Inc., employed in the production, assembly, or testing of radio receivers, radio-phonograph combinations, or components thereof who became or will become unemployed or underemployed after December 25, 1971, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C., this 1st day of May 1973.

JOEL SEGALL,
Deputy Under Secretary, International Affairs.

[FR Doc.73-8855 Filed 5-3-73;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 235]

ASSIGNMENT OF HEARINGS

MAY 1, 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-138212, Harvey R. Shipley & Sons, Inc., now assigned June 7, 1973, at Washington, D.C., is postponed to June 12, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 134599 sub 53, Interstate Contract Carrier Corp., now assigned June 5, 1973 (2 days), at Columbus, Ohio is postponed indefinitely.

MC 105566 sub 83, Sam Tanksley Trucking, Inc., now being assigned June 5, 1973, at Columbus, Ohio, in a hearing room to be later designated.

MC-136468 sub 1, Virginia Air Freight, Inc., is continued to May 2, 1973 (1 day), at the Offices of the Interstate Commerce Commission, Washington, D.C.

I. & S. M 26629, Classification Ratings on Collapsible Metal Tubes, Nationwide, now assigned May 15, 1973, at Washington, D.C., is postponed to June 18, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-8862 Filed 5-3-73;8:45 am]

[Ex Parte 241; Rule 19, 5th Rev. Exemption 19, Amdt. 1]

BANGOR AND AROOSTOOK RAILROAD CO.

Exemption From Mandatory Car Service Rules

Upon further consideration of fifth revised exemption No. 19 issued February 26, 1973.[1]

It is ordered, That, under authority vested in me by car service rule 19, fifth revised exemption No. 19 to the mandatory car service rules ordered in ex parte No. 241, be, and it is hereby, amended to expire June 30, 1973.

[1] Published at 38 FR 5957, Mar. 5, 1973.

This amendment shall become effective April 30, 1973.

Issued at Washington, D.C., April 30, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.73-8869 Filed 5-3-73;8:45 am]

[Rev. SO 994; ICC Order 92]

CHESAPEAKE & OHIO RAILWAY CO.

Rerouting or Diversion of Traffic

In the opinion of Lewis R. Teeple, agent, the Chesapeake & Ohio Railway Co. is unable to transport traffic over its line passing through Williamsburg, Mich., because of extreme hazard resulting from escaping natural gas.

It is ordered, That:

(a) The Chesapeake & Ohio Railway Co. being unable to transport traffic over its line passing through Williamsburg, Mich., because of extreme hazard resulting from escaping natural gas, that carrier is hereby authorized to reroute or divert such traffic via any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.*—The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) *Notification to shippers.*—Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.*—This order shall become effective at 11:30 a.m., April 25, 1973.

(g) *Expiration date.*—This order shall expire at 11:59 p.m., May 19, 1973, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 25, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.73-8863 Filed 5-3-73;8:45 am]

[No. 35822]

CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD CO. ET AL.

Minnesota Intrastate Freight Rates and Charges, 1973, Flaxstraw

Order.—At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 23d day of April 1973.

By petition filed April 10, 1973, the Chicago, Milwaukee, St. Paul & Pacific Railroad Co.; the Chicago & Northwestern Transportation Co.; the Soo Line Railroad Co.; and Burlington Northern, Inc. (petitioners), common carriers by railroad operating within the State of Minnesota and from, to, and through that State, subject to the laws of that State and to the jurisdiction of the Minnesota Public Service Commission, allege that petitioners' request for intrastate rates on flaxstraw equal to those prevailing on interstate commerce was denied by the State commission on December 29, 1972, and that a level of flaxstraw rates lower than those in interstate commerce was prescribed by the State commission on the same date; and

It appearing, that the petitioners allege that the current level of intrastate flaxstraw rates in Minnesota is grossly noncompensatory; that a disparity in favor of intrastate rates and charges prescribed by the State commission deprives petitioners of approximately $450,000 annually in total revenue; that the present interstate rates on flaxstraw are just and reasonable and that, if intrastate rates were increased to the same level, such rates would not exceed a just and reasonable level; that transportation conditions incident to the transportation of flaxstraw within the State are not more than those incident to interstate commerce on the same and similar traffic to, from, and between points in Minnesota and adjoining States; that Minnesota intrastate freight rates and charges on flaxstraw are unduly low and fail to produce their fair share of the revenues required to enable petitioners, under honest, economical, and efficient management, to provide adequate and efficient railway transportation service at the lowest cost consistent with the furnishing of the service; that the failure of the State commission to authorize the same level of rates on movements of flaxstraw in intrastate commerce as prevails on interstate rail movements to, from, and between points in Minnesota and adjoining States has resulted in undue and unreasonable advantage, preference, and prejudice between persons and localities in Minnesota intrastate commerce, on the one hand, and those in interstate and foreign commerce on the other, resulting in undue, unreasonable, and unjust discrimination against, and an undue burden on interstate and foreign commerce in violation of sections 3, 13(4), and 15(a) of the Interstate Commerce Act, and that such undue, unreasonable, and unjust discrimination, preference, and prejudice, and undue burden will continue to exist until the levels of intrastate and interstate rates are made equal to each other; and that the action requested will have no effect on the human environment;

It further appearing, that petitioners request that an investigation pursuant to section 13(3) of the Interstate Commerce Act be instituted forthwith concerning the matters set forth above; that an order pursuant thereto be entered prescribing rates and charges on intrastate movements of flaxstraw on the same level as those prevailing on interstate movements, and for such other relief as the Commission may deem just and reasonable; and that the matter be handled by modified procedure;

And it further appearing, that there have been brought in issue by petitioners matters sufficient to require an investigation into the lawfulness of Minnesota intrastate rates and charges on flaxstraw made or imposed by the State of Minnesota; therefore,

It is ordered, That the petition for investigation be, and it is hereby, granted.

It is further ordered, That an investigation be, and it is hereby, instituted under section 13(3) of the act to determine whether the petitioners' intrastate rates and charges on flaxstraw, made or imposed by the State of Minnesota, cause or will cause any undue or unreasonable advantage, preference, or prejudice, as between persons or localities in intrastate commerce, on the one hand, and those in interstate or foreign commerce, on the other, or any undue, unreasonable, or unjust discrimination against, or undue burden on, interstate or foreign commerce, and to determine what rates or charges, if any, or what maximum, or minimum, or maximum and minimum, rates and charges should be prescribed to remove the unlawful advantage, preference, discrimination or undue burden, if any, that may be found to exist.

It is further ordered, That all carriers by railroad operating within the State of Minnesota subject to the jurisdiction of this Commission be, and they are hereby, made respondents to this proceeding.

It is further ordered, That any person intending to participate in this proceeding by submitting initial or reply statements, or otherwise, shall notify this Commission by filing with the Secretary, Interstate Commerce Commission, on or before June 8, 1973, the original and one copy of a statement of his intention to participate. The Commission desires wherever possible to conserve time, to avoid unnecessary expense to the public, and to limit the service of pleadings only to those intending to take an active part in the proceedings. The statement of intention to participate shall include a detailed specification of the extent of such person's interest, including (1) whether such interest extends merely to receiving Commission releases in this proceeding, (2) whether he genuinely wishes to participate by receiving or filing initial and/or reply statements, and (3) if he desires to participate as described in (2), whether he will consolidate, or is capable of consolidating, his interests with those of other interested parties by filing joint statements in order to limit the number pleadings that must be served, such consolidation of interests being strongly urged by the Commission, and (4) any other pertinent information which will aid in limiting the service list to be issued in this proceeding. This Commission shall prepare and make available to all interested persons a service list containing the names and addresses of all parties desiring to participate in this proceeding and upon whom copies of all statements must be filed. Subsequent to the time of serving the service list, the Commission will designate the nature of the further proceeding.

It is further ordered, That a copy of this order be served upon each of the petitioners, and that the State of Minnesota be notified by sending copies of this order and the petition herein by certified mail to the Governor of Minnesota, St. Paul, Minn., and to the Minnesota Public Service Commission, St. Paul, Minn.

And it is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER. Interested persons shall be afforded an opportunity to inspect pleadings at the Office of the Secretary of the Commission in Washington, D.C.

This decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-8860 Filed 5-3-73;8:45 am]

[Ex Parte 241; Rule 19, Rev. Exemption 22, Amdt. 1]

CHICAGO, ROCK ISLAND, & PACIFIC RAILWAY CO.

Exemption From Mandatory Car Service Rules

Upon further consideration of third revised exemption No. 22 issued January 12, 1973.[1]

[1] Published at 38 FR 1966, Jan. 19, 1973.

It is ordered, That, under authority vested in me by car service rule 19, third revised exemption No. 22 to the mandatory car service rules ordered in ex parte No. 241, be, and it is hereby, amended to expire June 30, 1973.

This amendment shall become effective April 30, 1973.

Issued at Washington, D.C., April 30, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.73-8868 Filed 5-3-73;8:45 am]

[Ex Parte 241, Rule 19, Corrected Exemption 11, Amdt. 4]

LOADING OF CERTAIN CARS

Exemption From Mandatory Car Service Rules

Upon further consideration of corrected exemption No. 11 issued July 25, 1972,[1]

It is ordered, That, under authority vested in me by car service rule 19, corrected exemption No. 11 to the mandatory car service rules ordered in Ex parte No. 241, be, and it is hereby, amended to expire June 30, 1973.

This amendment shall become effective April 30, 1973.

Issued at Washington, D.C., April 30, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.73-8867 Filed 5-3-73;8:45 am]

[ICC Order No. 74, Amdt. 2; Under Rev. SO No. 994]

PENN CENTRAL TRANSPORTATION CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 74 (Penn Central Transportation Co., George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 74 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.*—This order shall expire at 11:59 p.m., July 31, 1973, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., April 30, 1973, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 26, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.73-8866 Filed 5-3-73;8:45 am]

[ICC Order No. 88, Amdt. 1, under Rev. SO Order No. 994]

PENN CENTRAL TRANSPORTATION CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 88 (Penn Central Transportation Co., George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., trustees) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 88 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.*—This order shall expire at 11:59 p.m., June 30, 1973, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., April 30, 1973, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 26, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.73-8864 Filed 5-3-73;8:45 am]

[ICC Order 75, Amdt. 2; Under Rev. SO Order No. 994]

WESTERN MARYLAND RAILWAY CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 75 (Western Maryland Railway Co.) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 75 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.*—This order shall expire at 11:59 p.m., July 31, 1973, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., April 30, 1973, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 26, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.73-8865 Filed 5-3-73;8:45 am]

[Notice 56]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 30, 1973.

The following are notices of filing of application except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application) for temporary authority under section 210a(a) of the Interstate Commerce Act, provided for under the new rules of Ex parte No. MC-67 (49 CFR part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 17006 (sub-No. 4 TA), filed April 20, 1973. Applicant: INTEROCEAN SERVICE CORP., P.O. Box 185, Uptown Station, 1419 Bloomfield Street, Hoboken, N.J. 07030. Applicant's representative: Thomas A. Butler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in containers having a prior or subsequent movement by water, between Philadelphia, Pa., and Baltimore, Md., for 180 days.

NOTE.—Applicant states that it would tack and interline at Philadelphia, Pa., with MC-17006.

Supporting shipper: Seatrain Lines, Inc., Container Division, Port Seatrain, Weehawken, N.J 07087. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

[1] Published at 37 FR 15961, Aug. 8, 1972.

No. MC 19105 (sub-No. 40 TA), filed April 20, 1973. Applicant: FORBES TRANSFER CO., INC., Mailing: P.O. Box 3544 (office S. Goldsboro St., ext.), Wilson, N.C. 27893. Applicant's representative: Morton E. Kiel 140 Cedar St., New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plasterboard joint system, plasterboard joint compound, wallboard or plasterboard joining or reinforcing tape, dry powder paint, patching plaster, iron or steel screws, iron or steel plaster grounds, steel finishing knives, spackling putty and spackling powder*, from the plantsite of U.S. Gypsum Co. at Chamblee, Ga., to points in Georgia, North Carolina, South Carolina, Tennessee, and Virginia; *steel articles*, from the plantsite of U.S. Gypsum Co., at Morrow, Ga., to points in Georgia, North Carolina, South Carolina, Tennessee, and Virginia, for 180 days. Supporting shipper: U.S. Gypsum Co., P.O. Box 50073, Atlanta, Ga. 30302. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations Interstate Commerce Commission, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 30867 (sub-No. 189 TA), filed April 23, 1973. Applicant: CENTRAL FREIGHT LINES, INC., 303 South 12th Street, P.O. Box 238, Waco, Tex. 76703. Applicant's representative: Phillip Robinson, P.O. Box 2207, Austin, Tex. 78767. Authority sought operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between Bonham and Greenville, Tex., as follows: From Bonham, Tex., over U.S. Highway 82 to Paris, Tex., thence over Texas Highway 19 via Sulphur Springs, Tex., to its junction with Interstate Highway 30, thence over Interstate Highway 30 to its junctions with Texas Highway 24 and U.S. Highway 69, thence over Texas Highway 24 and U.S. Highway 69 to Greenville, Tex., and return over the same route, serving the termini and all intermediate points and the off-route points of Cumby and Campbell, Tex.; (2) between Greenville, Tex., and Honey Grove, Tex., as follows: From Greenville, Tex., over Texas Highway 34 to Honey Grove, Tex., and return over the same route, serving the termini and all intermediate points; (3) between Greenville, Tex., and junction Texas Highway 24 and Texas Highway 19, as follows: From Greenville, Tex., over Texas Highway 24 to junction Texas Highway 24 and Texas Highway 19, and return over the same route, serving the termini and all intermediate points; (4) between Ladonia and Sulphur Springs, Tex., as follows: From Ladonia, Tex., over Texas Highway 50 to junction Texas Highway 24, thence over Texas Highway 24 to Commerce, thence over Texas Highway 11 to Sulphur Springs, Tex., and return over the same route, serving the termini and all intermediate points; (5) between junction Texas Highway 24 and Texas Highway 154 and junction Texas Highway 154 and Interstate Highway 30, as follows: From junction Texas Highway 24 and Texas Highway 154 over Texas Highway 154 to junction Texas Highway 154 and Interstate Highway 30, and return over the same route, serving the termini and all intermediate points; (6) between Commerce, Tex., and junction of Texas Highway 50 and Interstate Highway 30, as follows: From Commerce, Tex., over Texas Highway 50 to junction Texas Highway 50 and Interstate Highway 30, and return over the same route, serving the termini and all intermediate points; (7) between junction Texas Highway 19 and Interstate Highway 30 and Canton, Tex., as follows: From junction Texas Highway 19 and Interstate Highway 30 over Texas Highway 19 to Canton, Tex., and return over the same route, serving the termini and intermediate points; Restriction: No service is authorized at Emory or Fruitvale, Tex., or at intermediate points on Texas Highway 19 between Emory and Fruitvale, Tex.; (8) between junction Texas Highway 19 and U.S. Highway 80 and Tyler, Tex., as follows: From Junction Texas Highway 19 and U.S. Highway 80 over U.S. Highway 80 to Grand Saline, thence over Texas Highway 110 to Tyler, Tex., and return over the same route, serving the termini and intermediate points. Restriction: No service is authorized at Fruitvale or Grand Saline, Tex., or at intermediate points on U.S. Highway 80 between Fruitvale and Grand Saline, Tex.; (9) between Dallas and Sherman, Tex., as follows: From Dallas, Tex., over Texas Highway 66 to Greenville, Tex., thence over U.S. Highway 69 to junction U.S. Highway 82, thence over U.S. Highway 82 to Sherman, Tex., and return over the same route, serving the termini and all intermediate points; (10) between Bonham and Commerce, Tex., as follows: From Bonham, Tex., over Texas Highway 78 to its junction with Texas Highway 11, thence over Texas Highway 11 to Commerce, Tex., and return over the same route, serving the termini and all intermediate points; and (11) between junction Interstate Highway 30 and Texas Highway 154, near Sulphur Springs and Tyler, Tex., as follows: From junction Interstate Highway 30 and Texas Highway 154, near Sulphur Springs, Tex., over Texas Highway 154 to Quitman, Tex., thence over Texas Highway 37 to Mineola, Tex., thence over U.S. Highway 69 to Tyler, Tex., and return over the same route, serving the termini and no intermediate points, for 180 days.

NOTE.—Applicant intends to tack the requested authority with all of its own authority presently held in docket No. MC-30867 and subs thereunder, and will interline with all authorized carriers at Dallas, Houston, San Antonio, and other commonly authorized Texas points.

Supporting shippers: There are approximately 90 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Supporting shipper: H. C. Morrison, Sr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, room 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 33919 (sub-No. 6 TA), filed April 20, 1973. Applicant: FAIRCHILD GENERAL FREIGHT, INC., Office: 19 West Washington Avenue (Route 7) Mailing: P.O. Box 1649, 98907, Yakima, Wash. 98901. Applicant's representative: George H. Hart, 1100 IBM Building, Seattle, Wash. 90104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard containers and packing forms*, from the plantsite and warehouse facilities of Container Corp. of America at Portland, Oreg., to Winnemucca, Nev., and *empty pallets on return*, for 180 days. Supporting shipper: Container Corp. of America, Western Traffic Division, 2800 De La Cruz Boulevard, Santa Clara, Calif. 95050. Send protests to: District Supervisor, W. J. Huetig, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, 319 Southwest Pine, Portland, Oreg. 97204.

No. MC 52579 (sub-No. 138 TA), filed April 20, 1973. Applicant: GILBERT CARRIER CORP., 1 Gilbert Drive, Secausus, N.J. 07094. Applicant's representative: W. Abel (same address as applicant). Authority sought to operate as as *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, loose, on hangers from Danville and Marseilles, Ill., to Chicago, Ill., and Frankfort, Ind., for 180 days. Supporting shipper: Windbreaker, Inc., 411 Fifth Avenue, New York, N.Y. 10016. Send protests to: District Supervisor, Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 76987 (sub-No. 8 TA), filed April 23, 1973. Applicant: ORVILLE C. BADGER TRUCKING CO., INC., 15 Lexington Avenue, New Haven, Conn. 06513. Applicant's representative: Herbert A. Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, gypsum, and gypsum products*, from Clarence Center, N.Y. to points in Massachusetts, New Hampshire, Vermont, and Rhode Island, under contract with the National Gypsum Co. of Buffalo, N.Y., for 180 days. Supporting shipper: Gold Bond Building Products, Division of National Gypsum Co., 325 Delaware Avenue, Buffalo, N.Y. 14202. Send protests to: District Supervisor, David J. Kiernan, Interstate Commerce Commission, Bureau of Operations, 324 U.S. Post Office Building, 135 High Street, Hartford, Conn. 06101.

No. MC 94350 (sub-No. 332 TA), filed April 19, 1973. Applicant: TRANSIT HOMES, INC., Haywood Road, at Transit Drive, P.O. Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr., P.O. Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from Orangeburg, S.C., to points in North Carolina, Tennessee, Georgia, Alabama, and Florida, for 180 days. Supporting

shipper: Post-Coach, Inc., Orangeburg, S.C. Send protests to: E. E. Strotheid, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 300 Columbia Building, 1200 Main Street, Columbia, S.C. 29201.

No. MC 97310 (sub-No. 15 TA), filed April 20, 1973. Applicant: SHARRON MOTOR LINES, INC., 1600 "B" Street, P.O. Box 5636, Meridian, Miss. 39301. Applicant's representative: Paul Miller, P.O. Box 2366, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except class A and B explosives, livestock, household goods as defined by the Commission, those requiring special equipment, in bulk, of unusual value, or injurious or contaminating to other lading), (A) from Montgomery, Ala., over U.S. Highway 80 to its intersection with U.S. Highway 29; thence over U.S. Highway 29 to Atlanta, Ga., and its commercial zone, and return over the same route, serving no intermediate points, but serving all points within a 15-mile radius of Atlanta as off-route points, or in the alternative, serving an area within approximately 15 miles of Atlanta, as off-route points, to wit: All points lying on and within the area embraced by a line beginning at Dallas, Ga., and the junction of Georgia Highway 92 spur and U.S. Highway 278; thence over Georgia Highway 92 spur and Georgia Highway 92 is a southerly direction to the junction of Georgia Highway 54 at or near Fayetteville, Ga.; thence over Georgia Highway 54 to the junction of Georgia Highway 138 at or near Jonesboro, Ga.; thence over Georgia Highway 138 to the junction of Georgia Highway 81 at or near Walnut Grove, Ga.; thence over Georgia Highway 81 to the junction of Georgia Highway 20 near Loganville, Ga., thence over unnumbered highway westerly to junction of Georgia Highway 92 near Mountain Park, Ga.; thence over Georgia Highway 92 to junction of Georgia Highway 92 spur at or near New Hope, Ga.; thence over Georgia Highway 92 spur to the point of beginning; (B) from Birmingham, Ala., to Atlanta, Ga., and its commercial zone, over U.S. Highway 78, and return over the same route, serving no intermediate points, but serving all points within a 15-mile radius of Atlanta as off-route points, or in the alternative, serving an area within approximately 15 miles of Atlanta, as off-route points, to-wit: All points lying on and within the area embraced by a line beginning at Dallas, Ga., and the junction of Georgia Highway 92 spur and U.S. Highway 278; thence over Georgia Highway 92 spur and Georgia Highway 92 in a southerly direction to the junction of Georgia Highway 54 at or near Fayetteville, Ga.; thence over Georgia Highway 54 to the junction of Georgia Highway 138 at or near Jonesboro, Ga.; thence over Georgia Highway 138 to the junction of Georgia Highway 81 at or near Walnut Grove, Ga., thence over Georgia Highway 81 to the junction of Georgia Highway 20 near Loganville, Ga.; thence over unnumbered highway westerly to junction of Georgia Highway 92 near Mountain Park, Ga.; thence over Georgia Highway 92 to junction of Georgia Highway 92 spur at or near New Hope, Ga.; thence over Georgia Highway 92 spur to the point of beginning; (C) from Tupelo, Miss., and its commercial zone, to Birmingham, Ala., over U.S. Highway 78, and return over the same route, serving no intermediate points; and (D) from Columbus, Miss., and its commercial zone, over U.S. Highway 82 to its intersection with U.S. Highway 11, thence over U.S. Highway 11 to Birmingham, Ala., and return over the same route, serving no intermediate points for 180 days.

NOTE.—Applicant does not seek any duplicating authority and applicant intends to tack and join at all service points presently authorized in MC-97310 and all subs thereto, and to interline at all terminal sites.

Supporting shippers: There are approximately 364 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Alan C. Tarrant, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 103993 (sub-No. 764 TA), filed April 19, 1973. Applicant: MORGAN DRIVE-AWAY, INC., 2800 Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Orangeburg County, S.C., to points in the United States east of the Mississippi River, Louisiana, and Minnesota, for 180 days. Supporting shipper: Post Coach, Inc., of South Carolina, Route 601 North, 1705 Orangeburg, S.C. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, room 204, Fort Wayne, Ind. 46802.

No. MC 103993 (sub-No. 765 TA), filed April 19, 1973. Applicant: MORGAN DRIVE-AWAY, INC., 2800 Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings and sections of buildings* on undercarriages, from points in Rockingham County, N.C., to points in the United States east of the Mississippi River, Louisiana, and Minnesota, for 180 days. Supporting shipper: Broadmore Homes of North Carolina, Inc., Reidsville, N.C. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, room 204, Fort Wayne, Ind. 46802.

No. MC 104683 (sub-No. 31 TA), filed April 20, 1973. Applicant: TRANSPORT, INC., Russell Drive, P.O. Box 1696, Meridian, Miss. 39301. Applicant's representative: Douglas R. Duke, 552 First National Bank Building, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Emulsified asphalt*, in bulk, in tank vehicles, from plantsite of Southland Oil Co., at or near Lumberton, Miss., to points in Louisiana, for 180 days. Supporting shipper: Southland Oil Co., 126 East Broadway, Yazoo City, Miss. Send protests to: Alan C. Tarrant, District Supervisor, Bureau of Operations, Interstate Commerce Commission, room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 111401 (sub-No. 383 TA), filed April 19, 1973. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Midland, Mich., to port of entry at Brownsville, Tex., in foreign commerce only, for 180 days. Supporting shipper: George J. Vandenberg, Superintendent Transportation Equipment, Dow Chemical USA, 433 Building, Midland, Mich. 48640. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 111401 (sub-No. 384 TA), filed April 23, 1973. Applicant. GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as applicant) Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, in tank vehicles, from the plantsite of the Pillsbury Co., Enid, Okla., to Columbus, Ga., for 180 days. Supporting shipper: C. S. Krupa, Assistant, Divisional Traffic Manager, The Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, room 240, Old Post Office Building, 215 NW., Third, Oklahoma City, Okla. 73102.

No. MC 111594 (sub-No. 58 TA), filed April 19, 1973. Applicant: C W TRANSPORT, INC., 610 High Street, Wisconsin Rapids, Wis. 54494. Applicant's representative: Leonard R. Kofkin, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) serving the plant and storage facilities of Preferred Products, Inc., in Carver County, Minn., as an off-route point, in connection with

carrier's authorized regular route operations, to and from the St. Paul-Minneapolis, Minn., Commercial Zone, for 180 days.

NOTE.—Applicant does intend to tack and interline.

Supporting shipper: Super Valu Stores, Inc., 101 Jefferson Avenue South, Hopkins, Minn. 55343. Send protests to: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 139 West Wilson Street, room 202, Madison, Wis. 53703.

No. MC 111729 (sub-No. 383 TA), filed April 20, 1973. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records, audit, and accounting media of all kinds, moving therewith*, (1) between Peoria, Ill., on the one hand, and, on the other, Milwaukee and Madison, Wis.; (2) between Louisville, Ky., on the one hand, and, on the other, Nashville, Tenn.; and (3) between Mishawaka, Ind., on the one hand, and, on the other, Port Clinton, Ohio, for 180 days. Supporting shippers: Sealtest Foods, P.O. Box 1488, Peoria, Ill. 61601; South Central Bell, 534 Armory Place, Louisville, Ky. 40202; Uniroyal, Inc., Mishawaka, Ind. 46544. Send protests to: Anthony D. Giaimo, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 112822 (sub-No. 262 TA) (correction), filed March 9, 1973, published in the FEDERAL REGISTER issue of March 29, 1973, and republished as corrected this issue. Applicant: BRAY LINES INC., 1401 North Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Joe W. Ballard (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar, corn syrup and blends thereof*, in bulk, in tank vehicles, from points in the Kansas City-Kansas-Missouri Commercial Zone to points in Arkansas, Louisiana, and Texas, for 180 days. Supporting shipper: Roger V. Haugen, Assistant Transportation Manager, Motor Transportation, CPC International Plaza, Englewood Cliffs, N.J. 07632. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

NOTE.—The purpose of this republication is to add in bulk, in tank vehicles, behind the commodity statement, which was omitted in error.

No. MC 113908 (sub-No. 264 TA), filed April 19, 1973. Applicant: ERICKSON TRANSPORT CORP., 2105 East Dale Street, P.O. Box 3180, Glenstone Station, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Part 1 *Animal poultry and pet feed, ingredients, supplements and additives and commodities* used in the manufacturing and processing of the above, in bulk, in tank and hopper vehicles, from Springfield, Mo., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming; Part 2 to transport *animal, poultry and pet feed, ingredients, supplements and additives and commodities* used in the manufacturing and processing of the above, in bulk, in tank and hopper vehicles, from points in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming, to Springfield, Mo.; Part 3 to transport commodities processed, manufactured, used and distributed by rendering companies, meatpacking house companies, poultry eviscerating companies—(*except* chemicals and acids) in bulk, in tank and hopper vehicles, from Springfield, Mo., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wyoming; Part 4 to transport *commodities* processed, manufactured, used and distributed by rendering companies, meatpacking house companies, poultry eviscerating companies (except chemicals and acids) in bulk, in tank and hopper vehicles, from points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wyoming, to Springfield, Mo.; the following "Exceptions" apply to "All" 4 parts of this application. (1) *Liquid animal feed ingredients* (except animal feed ingredients produced from animal fats and vegetable oils). From Crete, Nebr., to Springfield, Mo. Applicant holds this authority under MC 113908 (sub-No. 69), (2) *liquid chemicals and syrups*, from the plant sites of Lonza, Inc., located at, or near Mapleton, Ill., to Springfield, Mo. Applicant holds this authority under MC 113908 (sub-No. 131), (3) *glycerine and fatty acids*, from the site of Armour Grocery Products Co., plant near Aurora, Ill., to Springfield, Mo. Applicant holds this authority under MC 113908 (sub-No. 137), (4) *animal fats and animal oils*, from the plantsite at Wilson & Co., Inc., at, or near Cherokee, Iowa, to Springfield, Mo. Applicant holds this authority under MC 113908 (sub-No. 146), (5) *choline chloride*, from Kansas City, Kans., to Springfield, Mo. Applicant holds this authority under MC 113908 (sub-No. 218), (6) *animal and poultry feed ingredients* (except animal fats, animal oils, vegetable oils and blends thereof). From West Alexandria, Ohio, and Chattanooga, Tenn., to Springfield, Mo. Applicant's application MC 113908 (sub-No. 232) Commission order of March 5, 1973 with service date of March 16, 1973, grants applicant the above sub-No. 232. Certificate should be forthcoming. (7) *Molasses*, from New Orleans, La., to Springfield, Mo. Applicant's pending application MC 113908 (sub-No. 258) not yet ruled on by Commission. (8) *Liquid animal and poultry feed supplements*, from Springfield, Mo., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, South Carolina, and Tennessee. Applicant holds this authority under MC 113908 (sub-No. 148).

NOTE.—Applicant, Erickson Transport filed a petition with the Commission, July 13, 1972, published in the FEDERAL REGISTER, volume 37, No. 164, Wednesday, August 23, 1972, page 17002 petition is to delete the word "liquid" from MC 113908 (sub-No. 148) above. Petition has not yet been ruled on, by the Commission.

(9) *Animal and poultry feed ingredients*, from Springfield, Mo., to points in Colorado, Minnesota, Nebraska, New Mexico, North Dakota, Pennsylvania, South Dakota, Wisconsin, and Wyoming. Applicant, Erickson Transport Corp. made application for the above under MC 113908 (sub-No. 231) assigned to Modified Procedure—not yet ruled on by the Commission. (10) *Animal and poultry feed ingredients* (except animal fats, animal oils, vegetable oils and blends thereof), from West Alexandiria, Ohio, and Chattanooga, Tenn., to Springfield, Mo. Applicant, Erickson Transport Corp. made application for the above under MC 113908 (sub-No. 232) Commission order or March 5, 1973, with service date of March 16, 1973, granted the above authority. Commission order has been complied with, for 180 days. Supporting shippers: Lipscomb Grain and Seed Co., Inc., P.O. Box 1125 S.S. Station, Springfield, Mo. 65805; Tindles Liquid Supplements, Division of Tindle Mills, Inc., 701 East Brower Street, Springfield, Mo. 65802; Mid-America Pet Foods, Inc., P.O. Box 2876, Commercial Street Station, Springfield, Mo. 65803; Southwest By-Products, Inc., P.O. Box 2876, C.S.S., Springfield, Mo. 65803; M.F.A. Packing Division, 2050 East Trafficway, Springfield, Mo. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 117392 (sub-No. 11 TA), filed April 19, 1973. Applicant: EDMANDS TRUCKING, INC., 30 Church Road, Bedford, N.H. 03102. Applicant's representative: Frank W. Edmands, 1700 South Willow Street, Manchester, N.H. 03103. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, from Woburn, Mass., to points in New Hampshire, for 180 days. Supporting shipper: International Salt Co., Clarks Summit, Pa. 18411. Send protests to: District Supervisor Ross J. Seymour, Bureau of Operations, Interstate Commerce Commission, 424 Federal Building, Concord, N.H. 03301.

No. MC 128133 (sub-No. 7 TA) (correction) filed March 19, 1973, published in the FEDERAL REGISTER, issue of April 6, 1973, and republished as corrected this issue. Applicant: H. H. OMPS, INC., Route 5, Box 368, Winchester, Va. 22601. Applicant's representative: Frank B. Hand, Jr., P.O. Box 446, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Poultry and animal feed ingredients*, in bulk, from points in Frederick County, Va. (except Winchester, Va.), and Rockingham County, Va.; York and Washington Counties, Pa., points in the Pittsburgh, Pa., commercial zone as defined by the Commission, Baltimore City commercial zone as defined by the Commission, points in Baltimore and Howard Counties, Md., to points in Frederick County, Va.; Washington County, Pa. (except Eightyfour, Pa.), Cumberland County, Pa. (except Camp Hill, Pa., and Mechanicsburg, Pa.); Somerset, York, and Dauphin Counties, Pa.; points in the Pittsburgh, Pa., commercial zone as defined by the Commission, points in Moore County, N.C. (except Robbins, N.C.); Baltimore, Md., commercial zone as defined by the Commission and points in Baltimore, Howard, and Anne Arundel Counties, Md., for 180 days. Supporting shipper: Valley Proteins, Inc., P.O. Box 961, Winchester, Va. 22601. Send protests to: Robert D. Caldwell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 12th Street and Constitution Avenue NW., Washington, D.C. 20423.

NOTE.—The purpose of this republication is to add Baltimore City commercial zone as defined by the Commission, as an origin point, which was omitted in previous publication.

No. MC 133966 (sub-No. 25 TA), filed April 20, 1973. Applicant: NORTH EAST EXPRESS, INC., P.O. Box 61, Mountaintop, Pa. 18707. Applicant's representative: Edward G. Villalon, Pennsylvania Avenue and 13th Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool, mineral wool products, insulation, and insulation materials* (except commodities in bulk), from Wright Township, Luzerne County, Pa., to points in Virginia, West Virginia, Indiana, and the District of Columbia, for 180 days. Supporting shipper: Certain-Teed Saint Gobain Group of Certain-Teed Products Corp., Mountaintop, Pa. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 134300 (sub-No. 11 TA), filed April 20, 1973. Applicant: PELHAM PRODUCE CARRIERS, INC., 9331 East Bloomington Freeway, Bloomington, Minn. 55420. Applicant's representative: P. J. Bonzonie (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat*, NOL, in or part carcasses, loose or in packages, *meat products and meat byproducts*, from Fort Dodge, Iowa, to Charlotte, N.C., and Tucker, Ga., for 120 days. Supporting shipper: Geo. A. Hormel & Co., P.O. Box 800, Austin, Minn. 55912. Send protests to: District Supervisor A. N. Spath, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 135367 (sub-No. 2 TA), filed April 19, 1973. Applicant: LEONARD J. MICKAVICZ, 999 Union Street, Taylor, Pa. 18517. Applicant's representative: Kenneth R. Davis (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lamps and lamp shades*, from Slatington, Pa., to Elizabeth, N.J., for 150 days. Supporting shipper: Keystone Lamp Manufacturing Corp., Slatington, Pa. 18080. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 135379 (sub-No. 6 TA), filed April 20, 1973. Applicant: EASTERN TRANSPORT, INC., 320 Stiles Street, Linden, N.J. 07036. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in by wholesale, retail, chain, grocery, department stores, and food business houses (except glass containers and commodities in bulk), and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business (except glass containers and commodities in bulk), between points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts with Ideal Shoe Co., J. M. Fields, Inc., for 180 days. Supporting shipper: Food Fair Stores, Inc., Food Fair Building, 3175 J. F. Kennedy Boulevard, Philadelphia, Pa. 19101. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 135949 (sub-No. 4 TA) (correction), filed April 5, 1973, published in the FEDERAL REGISTER, issue of April 19, 1973, as No. MC 138411 (sub-No. 1 TA), and republished as corrected this issue. Applicant: O. H. BALDRIDGE AND SONS, INC., Highway 161 East, P.O. Box 289, Centralia, Ill. 62801. Applicant's representative: Robert T. Lawley, 300 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prestressed and precast concrete products*, from Centralia, Ill., to points in Indiana, for the account of Nelsen Concrete Products, Inc., Centralia, Ill., for 180 days. Supporting shipper: Nelsen Concrete Products, Inc., Glenridge Industrial Park, P.O. Drawer 743, Centralia, Ill. 62801. Send protests to: Harold C. Jolliff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Leland Office Building, 527 East Capitol Avenue, room 414, Springfield, Ill. 62701.

NOTE.—The purpose of this republication is to correct the docket number to No. MC 135949 (sub-No. 4 TA), in lieu of No. MC 138411 (sub-No. 1 TA) which was published in error.

No. MC 136899 (sub-No. 4 TA), filed April 20, 1973. Applicant: HIGGINS TRANSPORTATION LTD., 824 Valley View Drive, Richland Center, Wis. 53581. Applicant's representative: Michael Wyngaard, 329 West Wilson Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Food processing equipment, continuous processing lines, quick chill tunnels*, and *thermal oxidizer*, from Lodi, Wis., to points in the United States (except Alaska and Hawaii); (2) *Stainless steel, fiberglass, plastic and rubber products*, from Madison, Wis., to points in the United States (except Alaska and Hawaii); and (3) *The return of refused or rejected shipments* of commodities named in part (2) of the application, and *wrecked or disabled stainless steel, fiberglass, plastic and rubber products*, from points in the United States (except Alaska and Hawaii), to Madison, Wis., for 180 days. Supporting shippers: DEC International Dairy Equipment Co., a division, 1919 South Stoughton Road, Madison, Wis., and DEC International Alkar Division, 105 Spring Street, Lodi, Wis. Send protests to: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 139 West Wilson, room 202, Madison, Wis. 53703.

No. MC 138314 (sub-No. 1 TA), filed April 19, 1973. Applicant: SHARKEY TRANSPORTATION, INC., 4 Valley View Drive, Burlington, Iowa 52601. Applicant's representative: Robert T. Lawley, 300 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feed, dry animal and poultry mineral mixtures, animal and poultry tonics, insecticides* (other than agricultural), *livestock and poultry feeders and equipment, and premiums and advertising matter relating to such products*, from the plantsite of Moorman Manufacturing Co. at Alpha, Ill., to points in Wisconsin and Iowa, for the account of Moorman Manufacturing Co., for 180 days. Supporting shipper: Moorman Manufacturing Co., 1000 North 30th

Street, Quincy, Ill. 62301. Send protests to: Herbert W. Allen, transportation specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 138362 (sub-No. 1 TA), filed April 19, 1973. Applicant: WARREN TRANSPORTATION, INC., Raymond Road, Chester, N.H. 03036. Applicant's representative: Kurt M. Swenson, Amoskeag Bank Building, Manchester, N.H. 03101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Milk, milk byproducts, including cheese, buttermilk, yogurt, sour cream, butter and whipped cream, margarine, bacon, orange juice, fruit drinks, eggs, bread, cream, carbonated beverages, and soap powder*, between Boston, Mass., and its commercial zone as defined by the Commission, on the one hand, and, on the other, Manchester and Portsmouth, N.H., limited to a transportation service to be performed under a continuing contract or contracts with H. P. Hood, Inc., for 180 days. Supporting shipper: H. P. Hood, Inc., Charlestown, Maine. Send protests to: District Supervisor Ross J. Seymour, Bureau of Operations, Interstate Commerce Commission, 424 Federal Building, Concord, N.H. 03301.

No. MC 138380 (sub-No. 1 TA), filed April 19, 1973. Applicant: DEAN ZABEL, P.O. Box 325, Minnesota Lake, Minn. 56068. Applicant's representative: F. H. Kroeger, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies* used in the building of custom homes and garages and *parts, floor coverings and accessories* for such homes and garages (except commodities in bulk, in tank vehicles), from Minnesota Lake, Minn., to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, for the account of A Home of Your Own, Inc., Minnesota Lake, Minn., for 180 days. Supporting shipper: A Home of Your Own, Inc., Minnesota Lake, Minn. Send protests to: District Supervisor A. N. Spath, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 138561 (sub-No. 1 TA), filed April 19, 1973. Applicant: FRANK PARKER, doing business as, MARV'S WRECKER SERVICE, 231 St. Joe Street, Rapid City, S. Dak. 57701. Applicant's representative: Robert S. Stauffer, 3539 Boston Road, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked or disabled motor vehicles and replacements therefore*, between points in South Dakota, on the one hand, and, on the other, points in Montana, Minnesota, Nebraska, North Dakota, and Wyoming, for 180 days. Supporting shippers: Sheehan Equipment Co., Deadwood Avenue, Rapid City, S. Dak. 57701, Otto Heidemann, service manager, Barber Transportation Co., Lyle Osterman, safety director, P.O. Drawer 2047, Rapid City, S. Dak. 57701; and Cummins Power, Inc., 2310 Haines Avenue, Rapid City, S. Dak. 57701, Owen Fisher, branch manager. Send protests to: District Supervisor J. L. Hammond, Bureau of Operations, Interstate Commerce Commission, room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 138578 (sub-No. 1 TA), filed April 20, 1973. Applicant: L. C. W. TRUCKING, INC., P.O. Box 718, Edinburg, Tex. 78539. Applicant's representative: M. Ward Bailey, 2412 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plant and warehouse sites of International Paper Co., at or near Edinburg, Tex., to points in Arkansas, Colorado, Louisiana, Mississippi, Missouri, New Mexico, and Oklahoma, for 180 days. Supporting shipper: International Paper Co., Attention: W. S. Hedley, 220 East 42d Street, New York, N.Y. 10017. Send protests to: Richard H. Dawkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 301 Broadway Building, room 206, San Antonio, Tex. 78205.

No. MC 138636 TA, filed April 16, 1973. Applicant: WALTER H. VAN TASSEL, doing business as VAN TASSEL MOVING & STORAGE, R.F.D. No. 4, Watertown, N.Y. 13601. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Jefferson, St. Lawrence, Franklin, Oswego, and Lewis Counties, N.Y., restricted to the transportation of traffic having a prior or subsequent movement beyond said points in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic, for 180 days. Supporting shipper: Imperial Household Shipping Co., Inc., subsidiary of Imperial International, Inc., 9675 Fourth Street North, P.O. Box 20124, St. Petersburg, Fla. 33742. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, room 104, 301 Erie Boulevard West, Syracuse, N.Y. 13202.

No. MC 138637 TA, filed April 16, 1973. Applicant: LAWRENCE J. GOATER, 88 Birchbrook Drive, Rochester, N.Y. 14623. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Swimming pool kits and accessories*, from Bergen, N.Y., and De Kalk Co., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Michigan, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. Supporting shipper: William L. Prinsen, office manager, Tallman Enterprises Inc., 7300 Lake Road, Bergen, N.Y. 14416. Send protests to: Morris H. Gross, District Supervisor, Bureau of Operations, Interstate Commerce Commission, room 104, 301 Erie Boulevard West, Syracuse, N.Y. 13202.

No. MC 138638 TA, filed April 20, 1973. Applicant: SCHAEFFER TRUCKING, INC., 5200 West Bethany Home Road, Glendale, Ariz. 85301. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drugs*, in mechanical refrigerated equipment, from West Orange, N.J., to North Hollywood, Calif., for 180 days. Supporting shipper: Organon, Inc., West Orange, N.J. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, 230 North First Avenue, Phoenix, Ariz. 85025.

By The Commission.

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

[FR Doc.73-8861 Filed 5-3-73;8:45 am]

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FRIDAY, MAY 4, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 86

PART II

DEPARTMENT OF LABOR

Employment Standards Administration

■

Minimum Wages for Federal and Federally Assisted Construction

Area Wage Determination Decisions, Modifications, and Supersedeas Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Modifications and Supersedeas Decisions to Area Wage Determination Decisions

Area wage determination decisions.—Area Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, procedure for predetermination of wage rates (37 FR 21138) and of Secretary of Labor's orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

Area Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographical area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and supersedeas decisions to area wage determination decisions.—Modifications and supersedeas decisions to area wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, procedure for predetermination of wage rates (37 FR 21138) and of Secretary of Labor's orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing area wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking 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:

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):

Arkansas:	
AP–365	Dec. 8, 1972.
Colorado:	
AP–233	Sept. 15, 1972.
AP–295	Apr. 20, 1973.
Florida:	
AP–128	Nov. 17, 1972.
Idaho:	
AP–274; AP–275; AP–276	Mar. 23, 1973.
Maryland:	
AP–455	Dec. 29, 1972.
AP–492	Mar. 9, 1973.
Massachusetts:	
AP–458	Jan. 19, 1973.
Minnesota:	
AP–638; AP–639; AP–640; AP–641; AP–642; AP–643; AP–644; AP–645; AP–646; AP–647.	Mar. 9, 1973.
Montana:	
AP–286	Apr. 6, 1973.
Nebraska:	
AP–524	Apr. 6, 1973.
AP–526	Apr. 20, 1973.
North Dakota:	
AP–267	Apr. 9, 1973.
Oregon:	
AP–277	Mar. 23, 1973.
AP–284	Apr. 6, 1973.
Tennessee:	
AP–139	Dec. 1, 1972.
AP–154	Mar. 2, 1973.
Texas:	
AP–713	Apr. 20, 1973.
Utah:	
AP–254	Dec. 8, 1972.
Vermont:	
AP–802	Apr. 20, 1972.
Virginia:	
AP–468	Feb. 9, 1973.
AP–492	Mar. 9, 1973.
AP–499	Mar. 30, 1973.
Washington:	
AP–283	Apr. 6, 1973.
Washington, D.C.:	
AP–491	Mar. 9, 1973.

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):

Alabama:	
AP–115(AP–185)	Aug. 11, 1972.
Colorado:	
AP–232(AP–299)	Sept. 15, 1972.
AP–234(AP–298)	Sept. 15, 1972.
Delaware:	
AP–444(AP–804)	Nov. 17, 1972.
Florida:	
AM–462(AP–176); AM–463 (AP–177); AM–464(AP–178); AM–465(AP–179); AM–466(AP–180); AM–467(AP–181).	Aug. 20, 1971.
Iowa:	
AP–510(AP–527); AP–511 (AP–528); AP–512(AP–529); AP–513(AP–530).	Nov. 10, 1972.
Kentucky:	
AM–488(AP–183)	Aug. 20, 1971.
Virginia:	
AM–1872(AP–805)	Aug. 20, 1971.

Signed at Washington, D.C., this 27th day of April 1973.

WARREN D. LANDIS,
Assistant Administrator,
Wage and Hour Division.

Modifications P. 1

DECISION #AP-365 - Mod. #3
(37 FR 26203 - December 8, 1972
Pulaski County, Arkansas

Change:
Modification #3 dated April 20, 1973 to read Modification #4

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others

DECISION #AP-233 - Mod. #4
(37 FR 18861 - September 15, 1972)
El Paso County, Colorado

Change:

2-CO-1A3-1 (1-1)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
BUILDING CONSTRUCTION:						
LABORERS:						
General laborers	$4.75	.37	.40		.05	
Underpinning and shoring 0' to 8' below working surface	4.75	.37	.40		.05	
Underpinning and shoring 8' below working surface to any depth below working surface; Power tool operators of all mechanical, air, gas and electrical tools, including self-propelled buggies and cement finisher tenders; Pipelayers; Gunnite nozzlemen and sandblasters	5.03	.37	.40		.05	
Laborers, preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.05	.37	.40		.05	
Jackhammer operator; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	5.30	.37	.40		.05	
Mason tenders, brick and plaster	5.35	.37	.40		.05	

DECISION #AP-233 (Cont'd)
HEAVY & HIGHWAY - SITE PREPARATION-SEWER CONSTRUCTION

MODIFICATIONS P. 2
CO-2-1A3-2-3-a (1-3)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	O-
LABORERS:						
GROUP I						
Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man incl. seeding, mulching and planting of trees, shrubs and flowers; Stake chaser Gabion baskets and Reno mattresses	$4.55	.37	.40		.05	
GROUP II						
Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers	4.60	.37	.40		.05	
GROUP III						
Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)	4.68	.37	.40		.05	
GROUP IV						
Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammers; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Stresser or stretcherman on post tension or prestressed concrete on or off jobsite; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammers; Vibrators; Paving breakers; Frostproofing	4.70	.37	.40		.05	

DECISION #AP-233 (Cont'd) MODIFICATIONS P. 3

CO-2-IAR-2-3-a (2-3)

LABORERS: (cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
GROUP V Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle	$4.72	.37	.40		.05	
GROUP VI Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Formsetters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated)and center expansion machines; Sandblasters; Grade checkers if required by employer	4.83	.37	.40		.05	
GROUP VII Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator	4.93	.37	.40		.05	
GROUP VIII Pipelayer on truck pipe lines in connection with highway work	5.00	.37	.40		.05	
GROUP IX Wagon drills and air tracks; Jackhammer operators in caissons over 12'; Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air	5.13	.37	.40		.05	
GROUP X Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement	5.18	.37	.40		.05	

DECISION #AP-233 (Cont'd) MODIFICATIONS P. 4

CO-2-IAR-2-3-a (3-3)

LABORERS (cont'd) (PIPELINES)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.						
GROUP I Pipe plants and yards; Stringing of pipe or skids; Handling and signaling on line work	$4.55	.37	.40		.05	
GROUP II Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers	4.60	.37	.40		.05	
GROUP III Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.	4.77	.37	.40		.05	
GROUP IV Sandblasters, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out	4.79	.37	.40		.05	
GROUP V (Relining Pipe) Relining pipe	4.88	.37	.40		.05	
Mixer man	4.93	.37	.40		.05	
GROUP VI Pipelayer	5.00	.37	.40		.05	

CO-3-LAB-2-1-1a (1-2)

LABORERS (TUNNELS):	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Outside laborers	$4.55	.37	.40		.05	
GROUP I Minimum tunnel labor, dry house man	5.15	.37	.40		.05	
GROUP II Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators	5.25	.37	.40		.05	
GROUP III Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender	5.33	.37	.40		.05	
GROUP IV Cement finisher helper, applying of concrete processing materials	5.40	.37	.40		.05	
GROUP V Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Koran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; pump concrete placement men	5.55	.37	.40		.05	
(SHAFTS, RAISES, MISSILE SILOS AND ALL UNDERGROUND WORK OTHER THAN TUNNELS)						
GROUP I Laborers, Topmen, Bottommen, and Cagers	5.25	.37	.40		.05	
GROUP II Chucktenders, Concrete laborers, Whirley pumps operators	5.40	.37	.40		.05	

CO-3-LAB-2-1-1a (2-2)

LABORERS (TUNNEL) (cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth.
GROUP III Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material	$5.50	.37	.40		.05	
GROUP IV Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required); All cutting and welding that is incidental to the miner's work; Liner plate setters; Vibrator men, internal and external	5.68	.37	.40		.05	
GROUP V Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men	5.78	.37	.40		.05	
GROUP VI Any employee performing work under ground from a bos'n chair, swinging stage, life belt or block and tackle	5.83	.37	.40		.05	

DECISION #AP-233 (Cont'd) MODIFICATIONS P. 7

Colo 1 - PEO-1-2-3-d (1-2)

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	O
GROUP I Asphalt screed; Brakeman; Drill operator, smaller than William MF and similar; Helper to heavy duty mechanic and/or Welder; Tractor operator (under 70 HP), with or without attachments; Oiler	$5.60	.37	.45	.20	.03	
GROUP II Air compressor; Ditch witch trenching machine and similar; Equipment lubricating and service engineer; Fork lift; Haulage motorman (brakeman); Operators of five or more light plants, welding machines, compressors 360 C.F.M. or less, pumps, generators; Pugmill operator; Pugmill; Pumps; Portable screening plant with or without a spray bar; Screening plants-with classifier; Self-propelled rollers - 5 tons and under; Vacuum well point system	5.95	.37	.45	.20	.03	
GROUP III Asphalt plant; Backfiller; Bituminous spreader or laydown machine; Cableway signalman; Caissons drill; (William MF, similar and larger; C.M.I. and similar; Concrete finish machine; Concrete gang saws on concrete paving; Concrete Mixer (less than 1 yd.); Concrete placement pumps (under 8 in.); Conveyor (handling building materials); Distributors, bituminous surfaces; Drill, (diamond or core); Drill rigs (rotary, churn or cable tool); Elevating graders; Engineer fireman; Fireman or tank heater, Road; Grout machine; Gunnite machine; Hoists (1 drum); Loader (Barber Greene, etc.); Loader (up to and including 6 cu. yd.); Machine doctor mechanic; Motor grader (blade); Road stabilization machine; Rollers-self-propelled-all types over 5 tons; Sand-blasting machine; Scrapers-Single Bowl-under 40 cu. yds.; Single unit portable crusher-with or without washer; Tile tamper, Wheel mounted; Tractor (70 h.p. & over) (with or without attachments); Trenching machine; Welder; Winch op. on truck; Concrete batching plants	6.30	.37	.45	.20	.03	

DECISION #AP-233 (Cont'd) MODIFICATIONS P. 8

Colo 1 PEO - 1-2-3-d (2-2)

POWER EQUIPMENT OPERATORS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Ot
GROUP IV Concrete mixer (over 1 cu. yd.); Concrete paver 34 E or similar; Concrete placement pumps (8 in. and over); Crane (50 tons and under); Hoists (2 drums); Loader - over 6 cu. yd.; Mechanic-Welder (heavy duty); Mixer-mobile; Multiple unit portable crusher-with or without washer; Pile driver; Fireman; Cable-operated crane, truck mounted, 25 tons and over; Cable - operated power shovels, dragline; Clam-shell, and backhoes (5 cu. yds. and under); Hydraulic backhoes, 1½ cu. yd. and over); Special utility operator; Scooper; Scraper-all tandem bowls; Scraper-Single bowl including pups 40 cu. yd. and over; Self-propelled hydrocrane; Tractor with side boom; Truck mounted hydrocrane	$6.45	.37	.45	.20	.03	
GROUP V Crane operator - over 50 tons; Derrick; Electric rail type tower crane; Hoist (3 drum or more); Cable-operated power shovels, draglines, clamshells and backhoes (over 5 cu. yd.); Quad nine and similar push unit	6.60	.37	.45	.20	.03	
GROUP VI Cableway; Crawler or truck mounted tower crane; Wheel excavator; Climbing tower crane	6.75	.37	.45	.20	.03	

DECISION #AP-233 (Cont'd)

MODIFICATIONS P. 9

Colo. 2-FEO-1-2-3-d (1-1)

POWER EQUIPMENT OPERATORS (For work in Tunnels, Shafts, and Raises)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
BRAKEMAN	$5.75	.37	.45	.20	.03	
MOTORMAN	6.10	.37	.45	.20	.03	
COMPRESSOR (900 CFM & Over), Serving tunnels, shafts and raises	6.20	.37	.45	.20	.03	
AIR TRACTORS; Grout machine; Gunnite machine; Jumbo form; Mechanic; Welder	6.45	.37	.45	.20	.03	
CONCRETE PLACEMENT PUMPS 8" and OVER DISCHARGE; Mechanic-Welder (heavy duty); Mucking machine and frontend loaders underground; Slusher	6.60	.37	.45	.20	.03	
MOLE	7.00	.37	.45	.20	.03	

Modifications P. 10

DECISION #AP-295 - Mod. #1
(38 FR 9913 - April 20, 1973)
Mesa County, Colorado

Changes:

2-CO-LAB-1 (1-1)

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
LABORERS:						
General laborers	$4.75	.37	.40		.05	
Underpinning and shoring 0' to 8' below working surface	4.75	.37	.40		.05	
Underpinning and shoring 8' below working surface to any depth below working surface; Power tool operators of all mechanical, air, gas and electrical tools, including self-propelled buggies and cement finisher tenders; Pipelayers; Gunnite nozzlemen and sandblasters	5.03	.37	.40		.05	
Laborers, preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.05	.37	.40		.05	
Jackhammer operator; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	5.30	.37	.40		.05	
Mason tenders, brick and plaster	5.35	.37	.40		.05	

DECISION #AP-295 (Cont'd) MODIFICATIONS P. 11

HEAVY & HIGHWAY - SITE PREPARATION-SEWER CONSTRUCTION

CO-2-LAB-2-3-a (1-3)

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
GROUP I Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man incl. seeding, mulching and planting of trees, shrubs and flowers; Stake chaser; Gabion baskets and Reno mattresses	$4.55	.37	.40		.05	
GROUP II Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers	4.60	.37	.40		.05	
GROUP III Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)	4.68	.37	.40		.05	
GROUP IV Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammers; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Stresser or stretcherman on post tension or prestressed concrete on or off jobsite; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammers; Vibrators; Paving breakers; Frostproofing	4.70	.37	.40		.05	

DECISION #AP-295 (Cont'd) MODIFICATIONS P. 12

CO-2-LAB-2-3-a (2-3)

LABORERS: (cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
GROUP V Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle	$4.72	.37	.40		.05	
GROUP VI Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Formsetters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated)and center expansion machines; Sandblasters; Grade checkers if required by employer	4.83	.37	.40		.05	
GROUP VII Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator	4.93	.37	.40		.05	
GROUP VIII Pipelayer on truck pipe lines in connection with highway work	5.00	.37	.40		.05	
GROUP IX Wagon drills and air tracks; Jackhammer operators in caissons over 12'; Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air	5.13	.37	.40		.05	
GROUP X Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement	5.18	.37	.40		.05	

CO-2-1A3-2-3-a (3-3)

LABORERS (cont'd) (PIPELINES)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth.
All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.						
GROUP I Pipe plants and yards; Stringing of pipe or skids; Handling and signaling on line work	$4.55	.37	.40		.05	
GROUP II Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers	4.60	.37	.40		.05	
GROUP III Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.	4.77	.37	.40		.05	
GROUP IV Sandblasters, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out	4.79	.37	.40		.05	
GROUP V (Relining Pipe) Relining pipe	4.88	.37	.40		.05	
Mixer man	4.93	.37	.40		.05	
GROUP VI Pipelayer	5.00	.37	.40		.05	

CO-3-1A3-2-3-1a (1-3)

LABORERS (TUNNELS):	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
Outside laborers	$4.55	.37	.40		.05	
GROUP I Minimum tunnel labor, dry house man	5.15	.37	.40		.05	
GROUP II Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators	5.25	.37	.40		.05	
GROUP III Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender	5.33	.37	.40		.05	
GROUP IV Cement finisher helper, applying of concrete processing materials	5.40	.37	.40		.05	
GROUP V Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; pump concrete placement men	5.55	.37	.40		.05	
(SHAFTS, RAISES, MISSILE SILOS AND ALL UNDERGROUND WORK OTHER THAN TUNNELS)						
GROUP I Laborers, Topmen, Bottommen, and Cagers	5.25	.37	.40		.05	
GROUP II Chucktenders, Concrete laborers, Whirley pumps operators	5.40	.37	.40		.05	

MODIFICATIONS P. 15

DECISION #AP-295 (Cont'd)

CO-3-LAB-2-3-1a (2-2)

LABORERS (TUNNEL) (cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth
GROUP III Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material	$5.50	.37	.40		.05	
GROUP IV Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required); All cutting and welding that is incidental to the miner's work; Liner plate setters; Vibrator men, internal and external	5.68	.37	.40		.05	
GROUP V Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men	5.78	.37	.40		.05	
GROUP VI Any employee performing work under ground from a bos'n chair, swinging stage, life belt or block and tackle	5.83	.37	.40		.05	

MODIFICATIONS P. 16

DECISION #AP-295 (Cont'd)

Colo 1 - PEO-1-2-3-d (1-2)

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth
GROUP I Asphalt screed; Brakeman; Drill operator, smaller than William MF and similar; Helper to heavy duty mechanic and/or Welder; Tractor operator (under 70 HP), with or without attachments; Oiler	$5.60	.37	.45	.20	.03	
GROUP II Air compressor; Ditch witch trenching machine and similar; Equipment lubricating and service engineer; Fork lift; Haulage motorman (brakeman); Operators of five or more light plants, welding machines, compressors 360 C.F.M. or less, pumps, generators; Pugmill operator; Pugmill; Pumps; Portable screening plant with or without a spray bar; Screening plants-with classifier; Self-propelled rollers - 5 tons and under; Vacuum well point system	5.95	.37	.45	.20	.03	
GROUP III Asphalt plant; Backfiller; Bituminous spreader or laydown machine; Cableway signalman; Caissons drill; (William MF, similar and larger; C.M.I. and similar; Concrete finish machine; Concrete gang saws on concrete paving; Concrete Mixer (less than 1 yd.); Concrete placement pumps (under 8 in.); Conveyor (handling building materials); Distributors, bituminous surfaces; Drill, (diamond or core); Drill rigs (rotary, churn or cable tool); Elevating graders; Engineer fireman; Fireman or tank heater, Road; Grout machine; Gunnite machine; Hoists (1 drum); Loader (Barber Greene, etc.); Loader (up to and including 6 cu. yd.); Machine doctor mechanic; Motor grader (blade); Road stablization machine; Rollers-self-propelled-all types over 5 tons; Sandblasting machine; Scrapers-Single Bowl-under 40 cu. yds.; Single unit portable crusher-with or without washer; Tile tamper, Wheel mounted; Tractor (70 h.p. & over) (with or without attachments); Trenching machine; Welder; Winch op. on truck; Concrete batching plants	6.30	.37	.45	.20	.03	

DECISION #AP-295 (Cont'd)

POWER EQUIPMENT OPERATORS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
GROUP IV Concrete mixer (over 1 cu. yd.); Concrete paver 34 E or similar; Concrete placement pumps (8 in. and over); Crane (50 tons and under); Hoists (2 drums); Loader - over 6 cu. yd.; Mechanic-Welder (heavy duty); Mixer-mobile; Multiple unit portable crusher-with or without washer; Pile driver; Fireman; Cable-operated crane, truck mounted, 25 tons and over; Cable - operated power shovels, dragline; Clam-shell, and backhoes (5 cu. yds. and under); Hydraulic backhoes, 1½ cu. yd. and over); Special utility operator; Scooper; Scraper-all tandem bowls; Scraper-Single bowl including pups 40 cu. yd. and over; Self-propelled hydrocrane; Tractor with side boom; Truck mounted hydrocrane	$6.45	.37	.45	.20	.03	
GROUP V Crane operator - over 50 tons; Derrick; Electric rail type tower crane; Hoist (3 drum or more); Cable-operated power shovels, draglines, clamshells and backhoes (over 5 cu. yd.); Quad nine and similar push unit	6.60	.37	.45	.20	.03	
GROUP VI Cableway; Crawler or truck mounted tower crane; Wheel excavator; Climbing tower crane	6.75	.37	.45	.20	.03	

DECISION #AP-295 (Cont'd)

POWER EQUIPMENT OPERATORS (For work in Tunnels, Shafts, and Raises)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
BRAKEMAN	$5.75	.37	.45	.20	.03	
MOTORMAN	6.10	.37	.45	.20	.03	
COMPRESSOR (900 CFM & Over), Serving tunnels, shafts and raises	6.20	.37	.45	.20	.03	
AIR TRACTORS; Grout machine; Gunnite machine; Jumbo form; Mechanic; Welder	6.45	.37	.45	.20	.03	
CONCRET PLACEMENT PUMPS 8" and OVER DISCHARGE; Mechanic-Welder (heavy duty); Mucking machine and frontend loaders underground; Slusher	6.60	.37	.45	.20	.03	
MOLE	7.00	.37	.45	.20	.03	

MODIFICATIONS P. 19

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-128 - Mod. #4 (37 FR 24535 - November 17, 1972) Brevard and Volusia Counties, Florida (Cape Kennedy Space Flight Center & Patrick Air Force Base Only)						
Change:						
Electricians:						
Electricians	$7.77	.25	1%		[illegible]	
Cable Splicers	8.02	.25	1%		[illegible]	
DECISION #AP-274 - Mod. #2 (38 FR 7717 - March 23, 1973) Ada, Adams, Blaine, Boise, Butte, Camas, Canyon, Cassia, Custer, Elmore, Gem, Gooding, Jerome, Lemhi, Lincoln, Minnidoka, Owyhee, Payette, Twin Falls, Valley and Washington Counties, Idaho						
Change:						
Line Construction:						
All work 34.5 KV and under when performed for an operating utility for work on highway lighting and motor traffic controlling:						
Lineman	$6.76	.25	1%		3/4%	
DECISION #AP-275 - Mod. #1 (38 FR 7723 - March 23, 1973) Ada County, Idaho						
Change:						
Residential Construction:						
Electricians	$5.00	.30	1%		2/10%	
Omit:						
Residential Construction:						
Cable Splicers	8.195	.30	1%		2/10%	

MODIFICATIONS P.20

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-276 - Mod. #2 (37 FR 7727 - March 23, 1973) Bannock, Bear Lake, Bingham, Bonneville, Caribou, Clark, Franklin, Fremont, Jefferson, Madison, Oneida, Power and Teton Counties, Idaho						
Change:						
Line Construction:						
All work 34.5 KV and under when performed for an operating utility for work on highway lighting and motor traffic controlling:						
Lineman	$6.76	.25	1%		3/4%	
DECISION #AP-455 - Mod. #1 (37 FR 28819 - December 29, 1972) Baltimore City and County, Maryland						
Change:						
Footnote:						
c. Holidays: A through F; plus Washington's Birthday, Good Friday and Christmas Eve (provided employee has worked at least 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.)						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-492 - Mod. #3 (38 FR 6538 - March 9, 1973) Montgomery and Prince Georges Counties, Maryland; City of Alexandria, Virginia; Arlington and Fairfax Counties, Virginia and Dulles International Airport						
Change:						
Ironworkers, reinforcing	$7.95	.35	.25		.03	
Lathers	8.135	.30	.30		.025	
DECISION #AP-458 - Mod. #4 (38 FR 2058 - January 19, 1973) Hampden County, Massachusetts						
Change:						
Electricians:						
Holyoke	$8.55	.35	1%+.20		.01	
Chester	8.55	.35	1%+.20		.01	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-638 - Mod. #1 (38 FR 6540 - March 9, 1973) Anoka County, Minnesota						
CHANGE:						
Under Building Construction:						
Bricklayers & Stonemasons	$7.81	.455	.23	.56		
Carpenters, Millwrights & Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Under Site Preparation, Excavation & Incidential Paving:						
Carpenters	7.56	.40	.20	.50	.02	
Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.31	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			
OMIT:						
Under Building Construction:						
Schedule for Power Equipment Operators						
Truck Drivers	6.30	.25	.25			
Schedule for Laborers						
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						
ADD:						
Under Building Construction:						
Schedules for Laborers, Power Equipment Operators & Truck Drivers						
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						

MODIFICATIONS P. 23

MINN 27 LAB - B

Laborers: Building Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othr
Class 1						
Common laborer, Steel joist handler (erection), Power buggy operator, Carpenter tender, Earth dumpman, flagman	$6.10	.35	.35	.40		
Class 2						
Reinforced Steel Handler	6.15	.35	.35	.40		
Class 3						
Men handling cement 2 Hrs. per day (bulk or sack, excluding mortar mixer), Mason tender, Concrete joint saw Op., Demolition & wrecking laborer	6.20	.35	.35	.40		
Class 4						
Hot tar caulker & corker, Labs. on swing stage line scaffold (excl. "Patent" scaffolding), Automatic tamper Op., Chipping hammer Op., Paving buster, Mortar mixer, Concrete vibrator Op., Sheeting setter & driver on Heavy Bldg. excavation, Jackhammer men	6.25	.35	.35	.40		
Class 5						
Underground work	6.35	.35	.35	.40		
Class 6						
Pipe layer	6.40	.35	.35	.40		
Class 7						
Caisson work, Underpinning	6.45	.35	.35	.40		
Class 8						
Nozzlemen	6.50	.35	.35	.40		
Class 9						
Dynamite men, Power drillers for blasting Purposes	6.805	.35	.35	.40		

MODIFICATIONS P. 24

MINN-9-LAB-2-3- F ARRA I (1-2)

LABORERS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS I						
UNSKILLED LABORERS; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Powder monkey; Reinforced steel laborer; Reinforced steel setter (pavement); Salamander heater & blower tender; Carpenter tender; Winch handler (manual)	$6.05	.35	.35	.40		
CLASS II						
LABORER, WRECKING & DEMOLITION; Bituminous batcherman (stationary plant); Bituminous shoveler; Blacksmith helper; Bottom man (sewer, water or gas trench); Bricklayer tender; Cement handler (bulk or bag); Cement coverman (batch trucks); Compaction equipment (hand operated); Concrete shoveler, tamper & puddler (paving); Concrete vibrator; Concrete batcherman (proportioning plant); Concrete longitudinal floatman (manual bull float on paving); Conduit layers (w/o wiring); Chipping hammer; Curb setter (stone or precast concrete); Dumper (wagon, truck, etc.); Dump man; Dump man (paver-batch truck, etc.); Form setter (municipal type curb & sidewalk); Formsetter (pavement); Hydrant & valve setter; Joint filler (concrete pavement); Kettleman (bituminous or lead); Service connection maker (water or gas); Power buggy; Joint sawer; Squeegeeman (bituminous brick or block); Stabilizing batcherman (stationary plant); Stonemason tender; Drill runner (heavy, incl. churn drill)	6.15	.35	.35	.40		
CLASS III						
CHAINSAW MAN; Concrete mixer (1 bag); Jackhammer man & paving buster; Mortar mixer; Pipe handler (water, gas, cast iron); Pipe derrickman (triped, manual)	6.20	.35	.35	.40		

MINN-9-LAB-2-3- (7-2)

LABORERS CONTINUED:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS VI						
BOTTOM MAN (sewer, water or gas trench, more than 8 ft. below starting level of manual work); Tunnel laborer (atmospheric pressure); Underground laborers; cofferdam work; Tunnel work; Underpinning work; Caisson work; Other work more than 8 ft. below starting level of manual work; Open ditch work	6.30	.35	.35	.40		
CLASS V						
BITUMINOUS TAMPER; Pipelayer (sewer, water, gas); Sand cushion & bed maker	6.35	.35	.35	.40		
CLASS VI						
CEMENT GUN (1½ in. & over); Leadman	6.40	.35	.35	.40		
CLASS VII						
NOZZLEMEN (gunite)	6.45	.35	.35	.40		
CLASS VIII						
BRICK OR BLOCK PAVING SETTER	6.48	.35	.35	.40		
CLASS IX						
BITUMINOUS RAKER, FLOATER & UTILITY MAN	6.50	.35	.35	.40		
CLASS X						
Tunnel Man (Air Pressure)	6.73	.35	.35	.40		
Tunnel miner						
CLASS XI						
PONDERMAN	6.68	.35	.35	.40		

MINN-1-PEO-1- G

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
CLASS 1						
HELICOPTER OPERATORS (Hoisting material)	$11.50	.35	.25			
CLASS 2						
TRUCK & CRAWLER CRANES with 200' of boom & over inc. JIB	9.10	.35	.25			
CLASS 3						
TRUCK & CRAWLER CRANES with 150' of boom incl. JIB up to 200' of boom	8.75	.35	.25			
CLASS 4						
TRAVELING TOWER CRANE	8.65	.35	.25			
CLASS 5						
MASTER MECHANIC	8.55	.35	.25			
CLASS 6						
DERRICK (GUY & STIFF LEG); Hoist engineer (3 drums or more); Locomotive op., master mechanic; Overhead crane op. (inside building perimeter); Truck & crawler cranes up to 150" of boom incl. JIB	8.30	.35	.25			
CLASS 7						
AIR COMPRESSOR OPERATOR, Pump op. &/or Conveyor, 2 or more machines; Hoist engineer (2 drums); Mechanic or welder; Pumpcrete or Complaco type machine op.	8.18	.35	.25			
CLASS 8						
FORK LIFT OPERATOR	8.18	.35	.25			
CLASS 9						
BOOM TRUCK OPERATOR; Concrete mixer op.; Drill rigs (heavy duty rotary or churn drill when used for caisson drilling or when drilling for elevator cylinder on building construction); Fron end loader op.; Hoist engineer (1 drum); Power plant engineer (100 KWH & over); Straddle carrier op.; Tractor op. (over D-2); Well point pump op.	8.10	.35	.25			
CLASS 10						
CONCRETE BATCH PLANT OPERATOR; Gunite op.; Tractor op (D-2 or similar size & front end loader operator up to ½ cu. yd.)	7.83	.35	.25			
CLASS 11						
AIR COMPRESSOR OPERATOR, Pump &/or Conveyor op.; Fireman, Temporary heat; Brakeman; Pick up sweeper (combustion engine operated); Truck crane oiler	7.55	.35	.25			
CLASS 12						
MECHANIC SPACE HEATER (Temporary heat); Oiler or greaser	7.10	.35	.25			

TRUCK DRIVERS: (BUILDING CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I						
Truck driver (hauling machinery for employer's own use, including operator of hand & power operator winches) Truck drain; mechanic welder; tractor trailer, Off-Road truck drivers	$7.00	.35	.25			
GROUP II						
Tri-axle (including four axles)	6.70	.35	.25			
GROUP III						
Bituminous distributor driver, bituminous distributor (one man operation) Tandem axle trucks	6.60	.35	.25			
GROUP IV						
Bituminous distributor spray operator (rear end oiler) dumpman; greaser & truck serviceman; tank truck helper (gas, oil, road oil and water) teamster & stableman; tractor operator (wheel type used for any purpose) Pilot car driver; self propelled packer, Slurry operator; single axle trucks	6.40	.35	.25			
THE FOLLOWING CLASSIFICATIONS SHALL COME UNDER THE APPROPRIATE AXLE RATE WAGE GROUP:						
Dump truck driver						
Dry batch hauler driver						
Tank truck driver (gas, oil, road oil and water)						
Boom and "A" frame driver						
Ready mix concrete truck driver						
Slurry drivers						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-639 - Mod. #1 (38 FR 6544 - March 9, 1973) Carver, Hennepin & Scott Counties, Minnesota						
CHANGE:						
Under Building Construction:						
Bricklayers & Stonemasons	$7.81	.455	.23	.56		
Carpenters:						
Remainder of Area	7.56	.40	.20	.50	.02	
Millwrights & Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Under Site Preparation, Excavation & Incidential Paving:						
Carpenters	7.56	.40	.20	.50	.02	
Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.31	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			
OMIT:						
Under Building Construction: Schedule for Power Equipment Operators						
Truck Drivers	6.30	.25	.25			
Schedule for Laborers						
Under Site Preparation, Excavation & Incidential Paving: Schedule for Laborers						
ADD:						
Under Building Construction: Schedules for Laborers, Power Equipment Operators & Truck Drivers						
Under Site Preparation, Excavation & Incidential Paving: Schedule for Laborers						

MINN 27 LAB - B

Laborers: Building Construction	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Class 1 Common laborer, Steel joist handler (erection), Power buggy operator, Carpenter tender, Earth dumpman, flagman	$6.10	.35	.35	.40		
Class 2 Reinforced Steel Handler	6.15	.35	.35	.40		
Class 3 Men handling cement 2 Hrs. per day (bulk or sack, excluding mortar mixer), Mason tender, Concrete joint saw Op., Demolition & wrecking laborer	6.20	.35	.35	.40		
Class 4 Hot tar caulker & corker, Labs. on swing stage line scaffold (excl. "Patent" scaffolding), Automatic tamper Op., Chipping hammer Op., Paving buster, Mortar mixer, Concrete vibrator Op., Sheeting setter & driver on Heavy Bldg. excavation, Jackhammer men	6.25	.35	.35	.40		
Class 5 Underground work	6.35	.35	.35	.40		
Class 6 Pipe layer	6.40	.35	.35	.40		
Class 7 Caisson work, Underpinning	6.45	.35	.35	.40		
Class 8 Nozzlemen	6.50	.35	.35	.40		
Class 9 Dynamite men, Power drillers for blasting Purposes	6.805	.35	.35	.40		

MINN-9-LAB-2-3- F AREA I (1-2)

LABORERS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHR.
CLASS I UNSKILLED LABORERS; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Powder monkey; Reinforced steel laborer; Reinforced steel setter (pavement); Salamander heater & blower tender; Carpenter tender; Winch handler (manual)	$6.05	.35	.35	.40		
CLASS II LABORER, WRECKING & DEMOLITION; Bituminous batcherman (stationary plant); Bituminous shoveler; Blacksmith helper; Bottom man (sewer, water or gas trench); Bricklayer tender; Cement handler (bulk or bag); Cement coverman (batch trucks); Compaction equipment (hand operated); Concrete shoveler, tamper & puddler (paving); Concrete vibrator; Concrete batcherman (proportioning plant); Concrete longitudinal floatmen (manual bull float on paving); Conduit layers (w/o wiring); Chipping hammer; Curb setter (stone or precast concrete); Dumper (wagon, truck, etc.); Dump man; Dump man (paver-batch truck, etc.); Form setter (municipal type curb & sidewalk); Formsetter (pavement); Hydrant & valve setter; Joint filler (concrete pavement); Kettleman (bituminous or lead); Service connection maker (water or gas); Power buggy; Joint sawer; Squeegeeman (bituminous brick or block); Stabilizing batcherman (stationary plant); Stonemason tender; Drill runner (heavy, incl. churn drill)	6.15	.35	.35	.40		
CLASS III CHAINSAW MAN; Concrete mixer (1 bag); Jackhammer man & paving buster; Mortar mixer; Pipe handler (water, gas, cast iron); Pipe derrickman (triped, manual)	6.20	.35	.35	.40		

MODIFICATIONS P. 31

MINN-9-LAB-2-3- (2nd)

LABORERS CONTINUED:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS VI						
BOTTOM MAN (sewer, water or gas trench, more than 8 ft. below starting level of manual work); Tunnel laborer (atmospheric pressure); Underground laborers; cofferdam work; Tunnel work; Underpinning work; Caisson work; Other work more than 8 ft. below starting level of manual work; Open ditch work	6.30	.35	.35	.40		
CLASS V						
BITUMINOUS TAMPER; Pipelayer (sewer, water, gas); Sand cushion & bed maker	6.35	.35	.35	.40		
CLASS VI						
CEMENT GUN (1½ in. & over); Leadman	6.40	.35	.35	.40		
CLASS VII						
NOZZLEMEN (gunite)	6.45	.35	.35	.40		
CLASS VIII						
BRICK OR BLOCK PAVING SETTER	6.48	.35	.35	.40		
CLASS IX						
BITUMINOUS RAKER, FLOATER & UTILITY MAN	6.50	.35	.35	.40		
CLASS X						
Tunnel Man (Air Pressure)						
Tunnel miner	6.73	.35	.35	.40		
CLASS XI						
POWDERMAN	6.68	.35	.35	.40		

MODIFICATIONS P. 32

MINN-1-PED-1- G

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
CLASS 1						
HELICOPTER OPERATORS (Hoisting material)	†$11.50	.35	.25			
CLASS 2						
TRUCK & CRAWLER CRANES with 200' of boom & over inc. JIB	9.10	.35	.25			
CLASS 3						
TRUCK & CRAWLER CRANES with 150' of boom incl. JIB up to 200' of boom	8.75	.35	.25			
CLASS 4						
TRAVELING TOWER CRANE	8.65	.35	.25			
CLASS 5						
MASTER MECHANIC	8.55	.35	.25			
CLASS 6						
DERRICK (GUY & STIFF LEG); Hoist engineer (3 drums or more); Locomotive op., master mechanic; Overhead crane op. (inside building perimeter); Truck & crawler cranes up to 150" of boom incl. JIB	8.30	.35	.25			
CLASS 7						
AIR COMPRESSOR OPERATOR, Pump op. &/or Conveyor, 2 or more machines: Hoist engineer (2 drums); Mechanic or welder; Pumpcrete or Complaco type machine op.	8.18	.35	.25			
CLASS 8						
FORK LIFT OPERATOR	8.18	.35	.25			
CLASS 9						
BOOM TRUCK OPERATOR; Concrete mixer op.; Drill rigs (heavy duty rotary or churn drill when used for caisson drilling or when drilling for elevator cylinder on building construction); Fron end loader op.; Hoist engineer (1 drum); Power plant engineer (100 KWH & over); Straddle carrier op.; Tractor op. (over D-2); Well point pump op.	8.10	.35	.25			
CLASS 10						
CONCRETE BATCH PLANT OPERATOR; Gunite op.; Tractor op (D-2 or similar size & front end loader operator up to ¾ cu. yd.)	7.83	.35	.25			
CLASS 11						
AIR COMPRESSOR OPERATOR, Pump &/or Conveyor op.; Fireman, Temporary heat; Brakeman; Pick up sweeper (combustion engine operated); Truck crane oiler	7.55	.35	.25			
CLASS 12						
MECHANIC SPACE HEATER (Temporary heat); Oiler or greaser	7.10	.35	.25			

MINN-62-TD-1 A

TRUCK DRIVERS: (BUILDING CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I						
Truck driver (hauling machinery for employer's own use, including operator of hand & power operator winches) Truck drain; mechanic welder; tractor trailer, Off-Road truck drivers	$7.00	.35	.25			
GROUP II						
Tri-axle (including four axles)	6.70	.35	.25			
GROUP III						
Bituminous distributor driver, bituminous distributor (one man operation) Tandem axle trucks	6.60	.35	.25			
GROUP IV						
Bituminous distributor spray operator (rear end oiler) dumpman; greaser & truck serviceman; tank truck helper (gas, oil, road oil and water) teamster & stableman; tractor operator (wheel type used for any purpose) Pilot car driver; self propelled packer, Slurry operator; single axle trucks	6.40	.35	.25			
THE FOLLOWING CLASSIFICATIONS SHALL COME UNDER THE APPROPRIATE AXLE RATE WAGE GROUP:						
Dump truck driver						
Dry batch hauler driver						
Tank truck driver (gas, oil, road oil and water)						
Boom and "A" frame driver						
Ready mix concrete truck driver						
Slurry drivers						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-640 - Mod. #1 (38 FR 6548 - March 9, 1973) Dakota, Ramsey & Washington Counties, Minnesota						
CHANGE:						
Under Building Construction:						
Bricklayers & Stonemasons	$7.81	.455	.23	.56		
Carpenters, Millwrights & Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Under Site Preparation, Excavation & Incidential Paving:						
Carpenters	7.56	.40	.20	.50	.02	
Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.31	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			
OMIT:						
Under Building Construction:						
Schedule for Power Equipment Operators						
Truck Drivers	6.30	.25	.25			
Schedule for Laborers						
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						
ADD:						
Under Building Construction:						
Schedules for Laborers, Power Equipment Operators & Truck Drivers						
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						

MODIFICATIONS P. 35

MINN 27 LAB - B

Laborers: Building Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	O
Class 1 Common laborer, Steel joist handler (erection), Power buggy operator, Carpenter tender, Earth dumpman, flagman	$6.10	.35	.35	.40		
Class 2 Reinforced Steel Handler	6.15	.35	.35	.40		
Class 3 Men handling cement 2 Hrs. per day (bulk or sack, excluding mortar mixer), Mason tender, Concrete joint saw Op., Demolition & wrecking laborer	6.20	.35	.35	.40		
Class 4 Hot tar caulker & corker, Labs. on swing stage line scaffold (excl. "Patent" scaffolding), Automatic tamper Op., Chipping hammer Op., Paving buster, Mortar mixer, Concrete vibrator Op., Sheeting setter & driver on Heavy Bldg. excavation, Jackhammer men	6.25	.35	.35	.40		
Class 5 Underground work	6.35	.35	.35	.40		
Class 6 Pipe layer	6.40	.35	.35	.40		
Class 7 Caisson work, Underpinning	6.45	.35	.35	.40		
Class 8 Nozzleman	6.50	.35	.35	.40		
Class 9 Dynamite men, Power drillers for blasting Purposes	6.805	.35	.35	.40		

MODIFICATIONS P. 36

MINN-9-LAB-2-3- F ARRA I (1-2)

LABORERS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS: H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS I UNSKILLED LABORERS; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Powder monkey; Reinforced steel laborer; Reinforced steel setter (pavement); Salamander heater & blower tender; Carpenter tender; Winch handler (manual)	$6.05	.35	.35	.40		
CLASS II LABORER, WRECKING & DEMOLITION; Bituminous batcherman (stationary plant); Bituminous shoveler; Blacksmith helper; Bottom man (sewer, water or gas trench); Bricklayer tender; Cement handler (bulk or bag); Cement coverman (batch trucks); Compaction equipment (hand operated); Concrete shoveler, tamper & puddler (paving); Concrete vibrator; Concrete batcherman (proportioning plant); Concrete longitudinal floatmen (manual bull float on paving); Conduit layers (w/o wiring); Chipping hammer; Curb setter (stone or precast concrete); Dumper (wagon, truck, etc.); Dump man; Dump man (paver-batch truck, etc.); Form setter (municipal type curb & sidewalk); Formsetter (pavement); Hydrant & valve setter; Joint filler (concrete pavement); Kettleman (bituminous or lead); Service connection maker (water or gas); Power buggy; Joint sawer; Squeegeeman (bituminous brick or block); Stabilizing batcherman (stationary plant); Stonemason tender; Drill runner (heavy, incl. churn drill)	6.15	.35	.35	.40		
CLASS III CHAINSAW MAN; Concrete mixer (1 bag); Jackhammer man & paving buster; Mortar mixer; Pipe handler (water, gas, cast iron); Pipe derrickman (triped, manual)	6.20	.35	.35	.40		

MINN-9-LAB-2-3- (7-2)

LABORERS CONTINUED:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS VI						
BOTTOM MAN (sewer, water or gas trench, more than 8 ft. below starting level of manual work); Tunnel laborer (atmospheric pressure); Underground laborers; cofferdam work; Tunnel work; Underpinning work; Caisson work; Other work more than 8 ft. below starting level of manual work; Open ditch work	6.30	.35	.35	.40		
CLASS V						
BITUMINOUS TAMPER; Pipelayer (sewer, water, gas); Sand cushion & bed maker	6.35	.35	.35	.40		
CLASS VI						
CEMENT GUN (1½ in. & over); Leadman	6.40	.35	.35	.40		
CLASS VII						
NOZZLEMEN (gunite)	6.45	.35	.35	.40		
CLASS VIII						
BRICK OR BLOCK PAVING SETTER	6.48	.35	.35	.40		
CLASS IX						
BITUMINOUS RAKER, FLOATER & UTILITY MAN	6.50	.35	.35	.40		
CLASS X						
Tunnel Man (Air Pressure)	6.73	.35	.35	.40		
Tunnel miner						
CLASS XI						
POWDERMAN	6.68	.35	.35	.40		

MINN-1-FEQ-1- C

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
CLASS 1						
HELICOPTER OPERATORS (Hoisting material)	$11.50	.35	.25			
CLASS 2						
TRUCK & CRAWLER CRANES with 200' of boom & over inc. JIB	9.10	.35	.25			
CLASS 3						
TRUCK & CRAWLER CRANES with 150' of boom incl. JIB up to 200' of boom	8.75	.35	.25			
CLASS 4						
TRAVELING TOWER CRANE	8.65	.35	.25			
CLASS 5						
MASTER MECHANIC	8.55	.35	.25			
CLASS 6						
DERRICK (GUY & STIFF LEG); Hoist engineer (3 drums or more); Locomotive op., master mechanic; Overhead crane op. (inside building perimeter); Truck & crawler cranes up to 150' of boom incl. JIB	8.30	.35	.25			
CLASS 7						
AIR COMPRESSOR OPERATOR, Pump op. &/or Conveyor, 2 or more machines; Hoist engineer (2 drums); Mechanic or welder; Pumpcrete or Complaco type machine op.	8.18	.35	.25			
CLASS 8						
FORK LIFT OPERATOR	8.18	.35	.25			
CLASS 9						
BOOM TRUCK OPERATOR; Concrete mixer op.; Drill rigs (heavy duty rotary or churn drill when used for caisson drilling or when drilling for elevator cylinder on building construction); Fron end loader op.; Hoist engineer (1 drum); Power plant engineer (100 KWH & over); Straddle carrier op.; Tractor op. (over D-2); Well point pump op.	8.10	.35	.25			
CLASS 10						
CONCRETE BATCH PLANT OPERATOR; Gunite op.; Tractor op (D-2 or similar size & front end loader operator up to ¾ cu. yd.)	7.83	.35	.25			
CLASS 11						
AIR COMPRESSOR OPERATOR, Pump &/or Conveyor op.; Fireman, Temporary heat; Brakeman; Pick up sweeper (combustion engine operated); Truck crane oiler	7.55	.35	.25			
CLASS 12						
MECHANIC SPACE HEATER (Temporary heat); Oiler or greaser	7.10	.35	.25			

MODIFICATIONS P. 39

MINN-62-TD-1 A

TRUCK DRIVERS: (BUILDING CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
GROUP I						
Truck driver (hauling machinery for employer's own use, including operator of hand & power operator winches) Truck drain; mechanic welder; tractor trailer, Off-Road truck drivers	$7.00	.35	.25			
GROUP II						
Tri-axle (including four axles)	6.70	.35	.25			
GROUP III						
Bituminous distributor driver, bituminous distributor (one man operation) Tandem axle trucks	6.60	.35	.25			
GROUP IV						
Bituminous distributor spray operator (rear end oiler) dumpman; greaser & truck serviceman; tank truck helper (gas, oil, road oil and water) teamster & stableman; tractor operator (wheel type used for any purpose) Pilot car driver; self propelled packer, Slurry operator; single axle trucks	6.40	.35	.25			
THE FOLLOWING CLASSIFICATIONS SHALL COME UNDER THE APPROPRIATE AXLE RATE WAGE GROUP:						
Dump truck driver						
Dry batch hauler driver						
Tank truck driver (gas, oil, road oil and water)						
Boom and "A" frame driver						
Ready mix concrete truck driver						
Slurry drivers						

MODIFICATIONS P. 40

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-541 - Mod. #1 (38 FR 6552 - March 9, 1973) St. Louis County (Duluth Only) Minnesota						
CHANGE:						
Under Building Construction:						
Bricklayers & Stonemasons	$8.07	.25	.25	.50		
Under Site Preparation, Excavation & Incidential Paving:						
Carpenters	7.58	.25		.30		
Piledrivermen	7.58	.25		.30		
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.31	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			
OMIT:						
Under Building Construction:						
Schedule for Laborers						
Schedule for Power Equipment Operators						
Truck Drivers	6.30	.25	.25			
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						
ADD:						
Under Building Construction:						
Schedules for Laborers, Power Equipment Operators & Truck Drivers						
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						

MINN 27 LAB - B

Laborers: Building Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth.
Class 1 Common laborer, Steel joist handler (erection), Power buggy operator, Carpenter tender, Earth dumpman, flagman	$6.10	.35	.35	.40		
Class 2 Reinforced Steel Handler	6.15	.35	.35	.40		
Class 3 Men handling cement 2 Hrs. per day (bulk or sack, excluding mortar mixer), Mason tender, Concrete joint saw Op., Demolition & wrecking laborer	6.20	.35	.35	.40		
Class 4 Hot tar caulker & corker, Labs. on swing stage line scaffold (excl. "Patent" scaffolding), Automatic tamper Op., Chipping hammer Op., Paving buster, Mortar mixer, Concrete vibrator Op., Sheeting setter & driver on Heavy Bldg. excavation, Jackhammer men	6.25	.35	.35	.40		
Class 5 Underground work	6.35	.35	.35	.40		
Class 6 Pipe layer	6.40	.35	.35	.40		
Class 7 Caisson work, Underpinning	6.45	.35	.35	.40		
Class 8 Nozzleman	6.50	.35	.35	.40		
Class 9 Dynamite men, Power drillers for blasting Purposes	6.805	.35	.35	.40		

MINN-10-LAB-2-3 F Area 28

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth
CLASS I Unskilled Laborers; Laborers; wrecking & demolition; Bricklayer tender; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Pipehandler (water, gas, cast iron); Salamander heater & blower tender; Carpenter tender; Stonemason tender	$6.28	.15	.15	.25		
CLASS II Bituminous Shoveler; Bottom man (sewer, water or gas trench); Cement handler (bulk or bag); Cement coverman (batch trucks); Chain saw man; Compaction equipment (hand operated); Concrete mixer operator (1 bag); Concrete shoveler, tamper & puddler (paving) Concrete vibrator; Conduit layers (w/o wiring); Dumper (wagon, truck, etc.); Formsetter (municipal type curb & side walk) Formsetter (pavement); Jackhammer man & paving busters; Kettleman (bituminous or lead); Mortar mixer; Power buggy; Joint sawer; Tunnel Laborer (atmospheric pressure)	6.38	.15	.15	.25		
CLASS III Bituminous Tamper; Cofferdam work; Caisson work	6.53	.15	.15	.25		
CLASS IV Drill Runner (heavy, including churn-drill)	6.58	.15	.15	.25		
CLASS V Bituminous Raker, Floater & Utility Man; Pipelayer (sewer, water, gas); Leadman	6.63	.15	.15	.25		
CLASS VI Nozzleman (Gunite)	6.68	.15	.15	.25		
CLASS VII Powderman	6.78	.15	.15	.25		
CLASS VIII Tunnel Miner	6.88	.15	.15	.25		

MODIFICATIONS P. 43

MINN-1-PRO-1- G

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS 1						
HELICOPTER OPERATORS (Hoisting material)	$11.50	.35	.25			
CLASS 2						
TRUCK & CRAWLER CRANES with 200' of boom & over inc. JIB	9.10	.35	.25			
CLASS 3						
TRUCK & CRAWLER CRANES with 150' of boom incl. JIB up to 200' of boom	8.75	.35	.25			
CLASS 4						
TRAVELING TOWER CRANE	8.65	.35	.25			
CLASS 5						
MASTER MECHANIC	8.55	.35	.25			
CLASS 6						
DERRICK (GUY & STIFF LEG); Hoist engineer (3 drums or more); Locomotive op., master mechanic; Overhead crane op. (inside building perimeter); Truck & crawler cranes up to 150' of boom incl. JIB	8.30	.35	.25			
CLASS 7						
AIR COMPRESSOR OPERATOR, Pump op. &/or Conveyor, 2 or more machines: Hoist engineer (2 drums); Mechanic or welder; Pumpcrete or Conplaco type machine op.	8.18	.35	.25			
CLASS 8						
FORK LIFT OPERATOR	8.18	.35	.25			
CLASS 9						
BOOM TRUCK OPERATOR; Concrete mixer op.; Drill rigs (heavy duty rotary or churn drill when used for caisson drilling or when drilling for elevator cylinder on building construction); Fron end loader op.; Hoist engineer (1 drum); Power plant engineer (100 KWH & over); Straddle carrier op.; Tractor op. (over D-2); Well point pump op.	8.10	.35	.25			
CLASS 10						
CONCRETE BATCH PLANT OPERATOR; Gunite op.; Tractor op (D-2 or similar size & front end loader operator up to ½ cu. yd.)	7.83	.35	.25			
CLASS 11						
AIR COMPRESSOR OPERATOR, Pump &/or Conveyor op.; Fireman, Temporary heat; Brakeman; Pick up sweeper (combustion engine operated); Truck crane oiler	7.55	.35	.25			
CLASS 12						
MECHANIC SPACE HEATER (Temporary heat); Oiler or greaser	7.10	.35	.25			

MODIFICATIONS P. 44

MINN-62-TD-1 A

TRUCK DRIVERS: (BUILDING CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I						
Truck driver (hauling machinery for employer's own use, including operator of hand & power operator winches) Truck drain; mechanic welder; tractor trailer, Off-Road truck drivers	$7.00	.35	.25			
GROUP II						
Tri-axle (including four axles)	6.70	.35	.25			
GROUP III						
Bituminous distributor driver, bituminous distributor (one man operation) Tandem axle trucks	6.60	.35	.25			
GROUP IV						
Bituminous distributor spray operator (rear end oiler) dumpman; greaser & truck serviceman; tank truck helper (gas, oil, road oil and water) teamster & stableman; tractor operator (wheel type used for any purpose) Pilot car driver; self propelled packer, Slurry operator; single axle trucks	6.40	.35	.25			
THE FOLLOWING CLASSIFICATIONS SHALL COME UNDER THE APPROPRIATE AXLE RATE WAGE GROUP:						
Dump truck driver						
Dry batch hauler driver						
Tank truck driver (gas, oil, road oil and water)						
Boom and "A" frame driver						
Ready mix concrete truck driver						
Slurry drivers						

DECISION #AP-642 - Mod. #1
(38 FR 6556 - March 9, 1973)
Anoka, Carver, Dakota, Hennepin, Ramsey, Scott & Washington Counties, Minnesota

CHANGE:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Carpenters & Piledrivermen	$7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.31	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			

OMIT:
Schedule for Laborers

ADD:
Schedule for Laborers

MINN-9-LAB-2-3- P AMPA I (1-2)

LABORERS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS I						
UNSKILLED LABORERS; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Powder monkey; Reinforced steel laborer; Reinforced steel setter (pavement); Salamander heater & blower tender; Carpenter tender; Winch handler (manual)	$6.05	.35	.35	.40		
CLASS II						
LABORER, WRECKING & DEMOLITION; Bituminous batcherman (stationary plant); Bituminous shoveler; Blacksmith helper; Bottom man (sewer, water or gas trench); Bricklayer tender; Cement handler (bulk or bag); Cement coverman (batch trucks); Compaction equipment (hand operated); Concrete shoveler, tamper & puddler (paving); Concrete vibrator; Concrete batcherman (proportioning plant); Concrete longitudinal floatmen (manual bull float on paving); Conduit layers (w/o wiring); Chipping hammer; Curb setter (stone or precast concrete); Dumper (wagon, truck, etc.); Dump man; Dump man (paver-batch truck, etc.); Form setter (municipal type curb & sidewalk); Formsetter (pavement); Hydrant & valve setter; Joint filler (concrete pavement); Kettleman (bituminous or lead); Service connection maker (water or gas); Power buggy; Joint sawer; Squeegeeman (bituminous brick or block); Stabilizing batcherman (stationary plant); Stonemason tender; Drill runner (heavy, incl. churn drill)	6.15	.35	.35	.40		
CLASS III						
CHAINSAW MAN; Concrete mixer (1 bag); Jackhammer man & paving buster; Mortar mixer; Pipe handler (water, gas, cast iron); Pipe derrickman (triped, manual)	6.20	.35	.35	.40		

MODIFICATION P. 47

MINN-9-LAB-2-3- (7-2)

LABORERS CONTINUED:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS VI						
BOTTOM MAN (sewer, water or gas trench, more than 8 ft. below starting level of manual work); Tunnel laborer (atmospheric pressure); Underground laborers; coffardam work; Tunnel work; Underpinning work; Caisson work; Other work more than 8 ft. below starting level of manual work; Open ditch work	6.30	.35	.35	.40		
CLASS V						
BITUMINOUS TAMPER; Pipelayer (sewer, water, gas); Sand cushion & bed maker	6.35	.35	.35	.40		
CLASS VI						
CEMENT GUN (1½ in. & over); Leadman	6.40	.35	.35	.40		
CLASS VII						
NOZZLEMEN (gunite)	6.45	.35	.35	.40		
CLASS VIII						
BRICK OR BLOCK PAVING SETTER	6.48	.35	.35	.40		
CLASS IX						
BITUMINOUS RAKER, FLOATER & UTILITY MAN	6.50	.35	.35	.40		
CLASS X						
Tunnel Man (Air Pressure)						
Tunnel miner	6.73	.35	.35	.40		
CLASS XI						
POWDERMAN	6.68	.35	.35	.40		

MODIFICATIONS P. 48

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-643 - Mod. #1						
(38 FR 6559 - March 9, 1973)						
Cook, Lake & St. Louis Counties						
Minnesota						
CHANGE:						
Carpenters & Piledrivermen	$7.58	.25		.30		
Cement Masons	7.85	.15				
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.31	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			
OMIT:						
Schedule for Laborers						
ADD:						
Schedule for Laborers						

MINN-10-LAB-2-3 F Area 23

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
CLASS I						
Unskilled Laborers; Laborers; wrecking & demolition; Bricklayer tender; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Pipehandler (water, gas, cast iron); Salamander heater & blower tender; Carpenter tender; Stonemason tender	$6.28	.15	.15	.25		
CLASS II						
Bituminous Shoveler; Bottom man (sewer, water or gas trench); Cement handler (bulk or bag); Cement coverman (batch trucks); Chain saw man; Compaction equipment (hand operated); Concrete mixer operator (1 bag); Concrete shoveler, tamper & puddler (paving) Concrete vibrator; Conduit layers (w/o wiring); Dumper (wagon, truck, etc.); Formsetter (municipal type curb & side walk) Formsetter (pavement); Jackhammer man & paving busters; Kettleman (bituminous or lead); Mortar mixer; Power buggy; Joint sawer; Tunnel Laborer (atmospheric pressure)	6.38	.15	.15	.25		
CLASS III						
Bituminous Tamper; Cofferdam work; Caisson work	6.53	.15	.15	.25		
CLASS IV						
Drill Runner (heavy, including churn-drill)	6.58	.15	.15	.25		
CLASS V						
Bituminous Raker, Floater & Utility Man; Pipelayer (sewer, water, gas); Leadman	6.63	.15	.15	.25		
CLASS VI						
Nozzleman (Gunite)	6.68	.15	.15	.25		
CLASS VII						
Powderman	6.78	.15	.15	.25		
CLASS VIII						
Tunnel Miner	6.88	.15	.15	.25		

DECISION #AP-644 - Mod. #1
(38 FR 6562 - March 9, 1973)
Anoka County, Minnesota

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
CHANGE:						
Under Building Construction:						
Bricklayers & Stonemasons	$7.81	.455	.23	.56		
Carpenters, Millwrights & Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Under Site Preparation, Excavation & Incidential Paving:						
Carpenters	7.56	.40	.20	.50	.02	
Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.31	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			
OMIT:						
Under Building Construction:						
Schedule for Power Equipment Operators						
Truck Drivers	6.30	.25	.25			
Schedule for Laborers						
ADD:						
Under Building Construction:						
Schedules for Laborers, Power Equipment Operators & Truck Drivers						
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						

MODIFICATIONS P. 51

MINN 27 LAB - B

Laborers: Building Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
Class 1						
Common laborer, Steel joist handler (erection), Power buggy operator, Carpenter tender, Earth dumpman, flagman	$6.10	.35	.35	.40		
Class 2						
Reinforced Steel Handler	6.15	.35	.35	.40		
Class 3						
Men handling cement 2 Hrs. per day (bulk or sack, excluding mortar mixer), Mason tender, Concrete joint saw Op., Demolition & wrecking laborer	6.20	.35	.35	.40		
Class 4						
Hot tar caulker & corker, Labs. on swing stage line scaffold (excl. "Patent" scaffolding), Automatic tamper Op., Chipping hammer Op., Paving buster, Mortar mixer, Concrete vibrator Op., Sheeting setter & driver on Heavy Bldg. excavation, Jackhammer men	6.25	.35	.35	.40		
Class 5						
Underground work	6.35	.35	.35	.40		
Class 6						
Pipe layer	6.40	.35	.35	.40		
Class 7						
Caisson work, Underpinning	6.45	.35	.35	.40		
Class 8						
Nozzlemen	6.50	.35	.35	.40		
Class 9						
Dynamite men, Power drillers for blasting Purposes	6.805	.35	.35	.40		

MODIFICATIONS P. 52

MINN-9-LAB-2-3- F AREA I (1-2)

LABORERS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS: H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS I						
UNSKILLED LABORERS; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Powder monkey; Reinforced steel laborer; Reinforced steel setter (pavement); Salamander heater & blower tender; Carpenter tender; Winch handler (manual)	$6.05	.35	.35	.40		
CLASS II						
LABORER, WRECKING & DEMOLITION; Bituminous batcherman (stationary plant); Bituminous shoveler; Blacksmith helper; Bottom man (sewer, water or gas trench); Bricklayer tender; Cement handler (bulk or bag); Cement coverman (batch trucks); Compaction equipment (hand operated); Concrete shoveler, tamper & puddler (paving); Concrete vibrator; Concrete batcherman (proportioning plant); Concrete longitudinal floatmen (manual bull float on paving); Conduit layers (w/o wiring); Chipping hammer; Curb setter (stone or precast concrete); Dumper (wagon, truck, etc.); Dump man; Dump man (paver-batch truck, etc.); Form setter (municipal type curb & sidewalk); Formsetter (pavement); Hydrant & valve setter; Joint filler (concrete pavement); Kettleman (bituminous or lead); Service connection maker (water or gas); Power buggy; Joint sawer; Squeegeeman (bituminous brick or block); Stabilizing batcherman (stationary plant); Stonemason tender; Drill runner (heavy, incl. churn drill)	6.15	.35	.35	.40		
CLASS III						
CHAINSAW MAN; Concrete mixer (1 bag); Jackhammer man & paving buster; Mortar mixer; Pipe handler (water, gas, cast iron); Pipe derrickman (triped, manual)	6.20	.35	.35	.40		

LABORERS CONTINUED:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHERS
CLASS VI						
BOTTOM MAN (sewer, water or gas trench, more than 8 ft. below starting level of manual work); Tunnel laborer (atmospheric pressure); Underground laborers; cofferdam work; Tunnel work; Underpinning work; Caisson work; Other work more than 8 ft. below starting level of manual work; Open ditch work	6.30	.35	.35	.40		
CLASS V						
BITUMINOUS TAMPER; Pipelayer (sewer, water, gas); Sand cushion & bed maker	6.35	.35	.35	.40		
CLASS VI						
CEMENT GUN (1½ in. & over); Leadman	6.40	.35	.35	.40		
CLASS VII						
NOZZLEMEN (gunite)	6.45	.35	.35	.40		
CLASS VIII						
BRICK OR BLOCK PAVING SETTER	6.48	.35	.35	.40		
CLASS IX						
BITUMINOUS RAKER, FLOATER & UTILITY MAN	6.50	.35	.35	.40		
CLASS X						
Tunnel Man (Air Pressure)	6.73	.35	.35	.40		
Tunnel miner						
CLASS XI						
POWDERMAN	6.68	.35	.35	.40		

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
CLASS 1						
HELICOPTER OPERATORS (Hoisting material)	$11.50	.35	.25			
CLASS 2						
TRUCK & CRAWLER CRANES with 200' of boom & over inc. JIB	9.10	.35	.25			
CLASS 3						
TRUCK & CRAWLER CRANES with 150' of boom incl. JIB up to 200' of boom	8.75	.35	.25			
CLASS 4						
TRAVELING TOWER CRANE	8.65	.35	.25			
CLASS 5						
MASTER MECHANIC	8.55	.35	.25			
CLASS 6						
DERRICK (GUY & STIFF LEG); Hoist engineer (3 drums or more); Locomotive op., master mechanic; Overhead crane op. (inside building perimeter); Truck & crawler cranes up to 150' of boom incl. JIB	8.30	.35	.25			
CLASS 7						
AIR COMPRESSOR OPERATOR, Pump op. &/or Conveyor, 2 or more machines: Hoist engineer (2 drums); Mechanic or welder; Pumpcrete or Complaco type machine op.	8.18	.35	.25			
CLASS 8						
FORK LIFT OPERATOR	8.18	.35	.25			
CLASS 9						
BOOM TRUCK OPERATOR; Concrete mixer op.; Drill rigs (heavy duty rotary or churn drill when used for caisson drilling or when drilling for elevator cylinder on building construction); Fron end loader op.; Hoist engineer (1 drum); Power plant engineer (100 KWH & over); Straddle carrier op.; Tractor op. (over D-2); Well point pump op.	8.10	.35	.25			
CLASS 10						
CONCRETE BATCH PLANT OPERATOR; Gunite op.; Tractor op (D-2 or similar size & front end loader operator up to ½ cu. yd.)	7.83	.35	.25			
CLASS 11						
AIR COMPRESSOR OPERATOR, Pump &/or Conveyor op.; Fireman, Temporary heat; Brakeman; Pick up sweeper (combustion engine operated); Truck crane oiler	7.55	.35	.25			
CLASS 12						
MECHANIC SPACE HEATER (Temporary heat); Oiler or greaser	7.10	.35	.25			

TRUCK DRIVERS: (BUILDING CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
GROUP I						
Truck driver (hauling machinery for employer's own use, including operator of hand & power operator winches) Truck drain; mechanic welder; tractor trailer, Off-Road truck drivers	$7.00	.35	.25			
GROUP II						
Tri-axle (including four axles)	6.70	.35	.25			
GROUP III						
Bituminous distributor driver, bituminous distributor (one man operation) Tandem axle trucks	6.60	.35	.25			
GROUP IV						
Bituminous distributor spray operator (rear end oiler) dumpman; greaser & truck serviceman; tank truck helper (gas, oil, road oil and water) teamster & stableman; tractor operator (wheel type used for any purpose) Pilot car driver; self propelled packer, Slurry operator; single axle trucks	6.40	.35	.25			
THE FOLLOWING CLASSIFICATIONS SHALL COME UNDER THE APPROPRIATE AXLE RATE WAGE GROUP:						
Dump truck driver						
Dry batch hauler driver						
Tank truck driver (gas, oil, road oil and water)						
Boom and "A" frame driver						
Ready mix concrete truck driver						
Slurry drivers						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-645 - Mod. #1 (38 FR 6566 - March 9, 1973) Carver & Hennepin Counties, Minnesota						
CHANGE:						
Under Building Construction:						
Bricklayers & Stonemasons	$7.81	.455	.23	.56		
Carpenters:						
Remainder of Area	7.56	.40	.20	.50	.02	
Millwrights & Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Under Site Preparation, Excavation & Incidential Paving:						
Carpenters	7.56	.40	.20	.50	.02	
Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.31	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			
OMIT:						
Under Building Construction:						
Schedule for Laborers						
Schedule for Power Equipment Operators						
Truck Drivers	6.30	.25	.25			
ADD:						
Under Building Construction:						
Schedules for Laborers, Power Equipment Operators & Truck Drivers						
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						

MINN 27 LAB - B

Laborers: Building Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
Class 1						
Common laborer, Steel joist handler (erection), Power buggy operator, Carpenter tender, Earth dumpman, flagman	$6.10	.35	.35	.40		
Class 2						
Reinforced Steel Handler	6.15	.35	.35	.40		
Class 3						
Men handling cement 2 Hrs. per day (bulk or sack, excluding mortar mixer), Mason tender, Concrete joint saw Op., Demolition & wrecking laborer	6.20	.35	.35	.40		
Class 4						
Hot tar caulker & corker, Labs. on swing stage line scaffold (excl. "Patent" scaffolding), Automatic tamper Op., Chipping hammer Op., Paving buster, Mortar mixer, Concrete vibrator Op., Sheeting setter & driver on Heavy Bldg. excavation, Jackhammer men	6.25	.35	.35	.40		
Class 5						
Underground work	6.35	.35	.35	.40		
Class 6						
Pipe layer	6.40	.35	.35	.40		
Class 7						
Caisson work, Underpinning	6.45	.35	.35	.40		
Class 8						
Nozzleman	6.50	.35	.35	.40		
Class 9						
Dynamite men, Power drillers for blasting Purposes	6.805	.35	.35	.40		

MINN-9-LAB-2-3- F ANNA I (1-2)

LABORERS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS: H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS I						
UNSKILLED LABORERS; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Powder monkey; Reinforced steel laborer; Reinforced steel setter (pavement); Salamander heater & blower tender; Carpenter tender; Winch handler (manual)	$6.05	.35	.35	.40		
CLASS II						
LABORER, WRECKING & DEMOLITION; Bituminous batcherman (stationary plant); Bituminous shoveler; Blacksmith helper; Bottom man (sewer, water or gas trench); Bricklayer tender; Cement handler (bulk or bag); Cement coverman (batch trucks); Compaction equipment (hand operated); Concrete shoveler, tamper & puddler (paving); Concrete vibrator; Concrete batcherman (proportioning plant); Concrete longitudinal floatmen (manual bull float on paving); Conduit layers (w/o wiring); Chipping hammer; Curb setter (stone or precast concrete); Dumper (wagon, truck, etc.); Dump man; Dump man (paver-batch truck, etc.); Form setter (municipal type curb & sidewalk); Formsetter (pavement); Hydrant & valve setter; Joint filler (concrete pavement); Kettleman (bituminous or lead); Service connection maker (water or gas); Power buggy; Joint sawer; Squeegeeman (bituminous brick or block); Stabilizing batcherman (stationary plant); Stonemason tender; Drill runner (heavy, incl. churn drill)	6.15	.35	.35	.40		
CLASS III						
CHAINSAW MAN; Concrete mixer (1 bag); Jackhammer man & paving buster; Mortar mixer; Pipe handler (water, gas, cast iron); Pipe derrickman (triped, manual)	6.20	.35	.35	.40		

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MISN-9-LAB-2-3- (7-2)

LABORERS CONTINUED:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHER:
CLASS VI						
BOTTOM MAN (sewer, water or gas trench, more than 8 ft. below starting level of manual work); Tunnel laborer (atmospheric pressure); Underground laborers; cofferdam work; Tunnel work; Underpinning work; Caisson work; Other work more than 8 ft. below starting level of manual work; Open ditch work	6.30	.35	.35	.40		
CLASS V						
BITUMINOUS TAMPER; Pipelayer (sewer, water, gas); Sand cushion & bed maker	6.35	.35	.35	.40		
CLASS VI						
CEMENT GUN (1½ in. & over); Leadman	6.40	.35	.35	.40		
CLASS VII						
NOZZLEMEN (gunite)	6.45	.35	.35	.40		
CLASS VIII						
BRICK OR BLOCK PAVING SETTER	6.48	.35	.35	.40		
CLASS IX						
BITUMINOUS RAKER, FLOATER & UTILITY MAN	6.50	.35	.35	.40		
CLASS X						
Tunnel Man (Air Pressure)						
Tunnel miner	6.73	.35	.35	.40		
CLASS XI						
POWDERMAN	6.68	.35	.35	.40		

MODIFICATIONS P. 60

MISN-1-PEO-1- G

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
CLASS 1						
HELICOPTER OPERATORS (Hoisting material)	$11.50	.35	.25			
CLASS 2						
TRUCK & CRAWLER CRANES with 200' of boom & over inc. JIB	9.10	.35	.25			
CLASS 3						
TRUCK & CRAWLER CRANES with 150' of boom incl. JIB up to 200' of boom	8.75	.35	.25			
CLASS 4						
TRAVELING TOWER CRANE	8.65	.35	.25			
CLASS 5						
MASTER MECHANIC	8.55	.35	.25			
CLASS 6						
DERRICK (GUY & STIFF LEG); Hoist engineer (3 drums or more); Locomotive op., master mechanic; Overhead crane op. (inside building perimeter); Truck & crawler cranes up to 150' of boom incl. JIB	8.30	.35	.25			
CLASS 7						
AIR COMPRESSOR OPERATOR, Pump op. &/or Conveyor, 2 or more machines: Hoist engineer (2 drums); Mechanic or welder; Pumpcrete or Couplaco type machine op.	8.18	.35	.25			
CLASS 8						
FORK LIFT OPERATOR	8.18	.35	.25			
CLASS 9						
BOOM TRUCK OPERATOR; Concrete mixer op.; Drill rigs (heavy duty rotary or churn drill when used for caisson drilling or when drilling for elevator cylinder on building construction); Fron end loader op.; Hoist engineer (1 drum); Power plant engineer (100 KWH & over); Straddle carrier op.; Tractor op. (over D-2); Well point pump op.	8.10	.35	.25			
CLASS 10						
CONCRETE BATCH PLANT OPERATOR; Gunite op.; Tractor op (D-2 or similar size & front end loader operator up to ½ cu. yd.)	7.83	.35	.25			
CLASS 11						
AIR COMPRESSOR OPERATOR, Pump &/or Conveyor op.; Fireman, Temporary heat; Brakeman; Pick up sweeper (combustion engine operated); Truck crane oiler	7.55	.35	.25			
CLASS 12						
MECHANIC SPACE HEATER (Temporary heat); Oiler or greaser	7.10	.35	.25			

TRUCK DRIVERS: (BUILDING CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Oth:
GROUP I						
Truck driver (hauling machinery for employer's own use, including operator of hand & power operator winches) Truck drain; mechanic welder; tractor trailer, Off-Road truck drivers	$7.00	.35	.25			
GROUP II						
Tri-axle (including four axles)	6.70	.35	.25			
GROUP III						
Bituminous distributor driver, bituminous distributor (one man operation) Tandem axle trucks	6.60	.35	.25			
GROUP IV						
Bituminous distributor spray operator (rear end oiler) dumpman; greaser & truck serviceman; tank truck helper (gas, oil, road oil and water) teamster & stableman; tractor operator (wheel type used for any purpose) Pilot car driver; self propelled packer, Slurry operator; single axle trucks	6.40	.35	.25			
THE FOLLOWING CLASSIFICATIONS SHALL COME UNDER THE APPROPRIATE AXLE RATE WAGE GROUP:						
Dump truck driver						
Dry batch hauler driver						
Tank truck driver (gas, oil, road oil and water)						
Boom and "A" frame driver						
Ready mix concrete truck driver						
Slurry drivers						

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-646 - Mod. #1 (38 FR 6570 - March 9, 1973) Dakota & Ramsey Counties, Minnesota						
CHANGE:						
Under Building Construction:						
Bricklayers & Stonemasons	$7.81	.455	.23	.56		
Carpenters, Millwrights & Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Under Site Preparation, Excavation & Incidential Paving:						
Carpenters	7.56	.40	.20	.50	.02	
Piledrivermen	7.56	.40	.20	.50	.02	
Cement Masons	8.08	.30	.25			
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.31	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			
OMIT:						
Under Building Construction:						
Schedule for Laborers						
Schedule for Power Equipment Operators						
Truck Drivers	6.30	.25	.25			
ADD:						
Under Building Construction:						
Schedules for Laborers, Power Equipment Operators & Truck Drivers						
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						

MODIFICATIONS P. 63

MINN 27 LAB - B

Laborers: Building Construction	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Othe
Class 1 Common laborer, Steel joist handler (erection), Power buggy operator, Carpenter tender, Earth dumpman, flagman	$6.10	.35	.35	.40		
Class 2 Reinforced Steel Handler	6.15	.35	.35	.40		
Class 3 Men handling cement 2 Hrs. per day (bulk or sack, excluding mortar mixer), Mason tender, Concrete joint saw Op., Demolition & wrecking laborer	6.20	.35	.35	.40		
Class 4 Hot tar caulker & corker, Labs. on swing stage line scaffold (excl. "Patent" scaffolding), Automatic tamper Op., Chipping hammer Op., Paving buster, Mortar mixer, Concrete vibrator Op., Sheeting setter & driver on Heavy Bldg. excavation, Jackhammer men	6.25	.35	.35	.40		
Class 5 Underground work	6.35	.35	.35	.40		
Class 6 Pipe layer	6.40	.35	.35	.40		
Class 7 Caisson work, Underpinning	6.45	.35	.35	.40		
Class 8 Nozzlemen	6.50	.35	.35	.40		
Class 9 Dynamite men, Power drillers for blasting Purposes	6.805	.35	.35	.40		

MODIFICATIONS P. 64

MINN-9-LAB-2-3- P AREA I (1-2)

LABORERS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS: H & W	PENSIONS	VACATION	APP. TR.	OTHER
CLASS I UNSKILLED LABORERS; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Powder monkey; Reinforced steel laborer; Reinforced steel setter (pavement); Salamander heater & blower tender; Carpenter tender; Winch handler (manual)	$6.05	.35	.35	.40		
CLASS II LABORER, WRECKING & DEMOLITION; Bituminous batchman (stationary plant); Bituminous shoveler; Blacksmith helper; Bottom man (sewer, water or gas trench); Bricklayer tender; Cement handler (bulk or bag); Cement coverman (batch trucks); Compaction equipment (hand operated); Concrete shoveler, tamper & puddler (paving); Concrete vibrator; Concrete batchman (proportioning plant); Concrete longitudinal floatmen (manual bull float on paving); Conduit layers (w/o wiring); Chipping hammer; Curb setter (stone or precast concrete); Dumper (wagon, truck, etc.); Dump man; Dump man (paver-batch truck, etc.); Form setter (municipal type curb & sidewalk); Formsetter (pavement); Hydrant & valve setter; Joint filler (concrete pavement); Kettleman (bituminous or lead); Service connection maker (water or gas); Power buggy; Joint sawer; Squeegeman (bituminous brick or block); Stabilizing batchman (stationary plant); Stonemason tender; Drill runner (heavy, incl. churn drill)	6.15	.35	.35	.40		
CLASS III CHAINSAW MAN; Concrete mixer (1 bag); Jackhammer man & paving buster; Mortar mixer; Pipe handler (water, gas, cast iron); Pipe derrickman (triped, manual)	6.20	.35	.35	.40		

MINN-9-LAB-2-3- (2-2)

LABORERS CONTINUED:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHERS
CLASS VI						
BOTTOM MAN (sewer, water or gas trench, more than 8 ft. below starting level of manual work); Tunnel laborer (atmospheric pressure); Underground laborers; cofferdam work; Tunnel work; Underpinning work; Caisson work; Other work more than 8 ft. below starting level of manual work; Open ditch work	6.30	.35	.35	.40		
CLASS V						
BITUMINOUS TAMPER; Pipelayer (sewer, water, gas); Sand cushion & bed maker	6.35	.35	.35	.40		
CLASS VI						
CEMENT GUN (1½ in. & over); Leadman	6.40	.35	.35	.40		
CLASS VII						
NOZZLEMEN (gunite)	6.45	.35	.35	.40		
CLASS VIII						
BRICK OR BLOCK PAVING SETTER	6.48	.35	.35	.40		
CLASS IX						
BITUMINOUS RAKER, FLOATER & UTILITY MAN	6.50	.35	.35	.40		
CLASS X						
Tunnel Man (Air Pressure)	6.73	.35	.35	.40		
Tunnel miner	6.68	.35	.35	.40		
CLASS XI						
POWDERMAN						

MINN-1-FED-1- G

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
CLASS 1						
HELICOPTER OPERATORS (Hoisting material)	$11.50	.35	.25			
CLASS 2						
TRUCK & CRAWLER CRANES with 200' of boom & over inc. JIB	9.10	.35	.25			
CLASS 3						
TRUCK & CRAWLER CRANES with 150' of boom incl. JIB up to 200' of boom	8.75	.35	.25			
CLASS 4						
TRAVELING TOWER CRANE	8.65	.35	.25			
CLASS 5						
MASTER MECHANIC	8.55	.35	.25			
CLASS 6						
DERRICK (GUY & STIFF LEG); Hoist engineer (3 drums or more); Locomotive op., master mechanic; Overhead crane op. (inside building perimeter); Truck & crawler cranes up to 150' of boom incl. JIB	8.30	.35	.25			
CLASS 7						
AIR COMPRESSOR OPERATOR, Pump op. &/or Conveyor, 2 or more machines; Hoist engineer (2 drums); Mechanic or welder; Pumpcrete or Complaco type machine op.	8.18	.35	.25			
CLASS 8						
FORK LIFT OPERATOR	8.18	.35	.25			
CLASS 9						
BOOM TRUCK OPERATOR; Concrete mixer op.; Drill rigs (heavy duty rotary or churn drill when used for caisson drilling or when drilling for elevator cylinder on building construction); Front end loader op.; Hoist engineer (1 drum); Power plant engineer (100 KW & over); Straddle carrier op.; Tractor op. (over D-2); Well point pump op.	8.10	.35	.25			
CLASS 10						
CONCRETE BATCH PLANT OPERATOR; Gunite op.; Tractor op (D-2 or similar size & front end loader operator up to ½ cu. yd.)	7.83	.35	.25			
CLASS 11						
AIR COMPRESSOR OPERATOR, Pump &/or Conveyor op.; Fireman, Temporary heat; Brakeman; Pick up sweeper (combustion engine operated); Truck crane oiler	7.55	.35	.25			
CLASS 12						
MECHANIC SPACE HEATER (Temporary heat); Oiler or greaser	7.10	.35	.25			

MODIFICATIONS P. 67

MINN-62-TD-1 A

TRUCK DRIVERS: (BUILDING CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I						
Truck driver (hauling machinery for employer's own use, including operator of hand & power operator winches) Truck drain; mechanic welder; tractor trailer, Off-Road truck drivers	$7.00	.35	.25			
GROUP II						
Tri-axle (including four axles)	6.70	.35	.25			
GROUP III						
Bituminous distributor driver, bituminous distributor (one man operation) Tandem axle trucks	6.60	.35	.25			
GROUP IV						
Bituminous distributor spray operator (rear end oiler) dumpman; greaser & truck serviceman; tank truck helper (gas, oil, road oil and water) teamster & stableman; tractor operator (wheel type used for any purpose) Pilot car driver; self propelled packer, Slurry operator; single axle trucks	6.40	.35	.25			
THE FOLLOWING CLASSIFICATIONS SHALL COME UNDER THE APPROPRIATE AXLE RATE WAGE GROUP:						
Dump truck driver						
Dry batch hauler driver						
Tank truck driver (gas, oil, road oil and water)						
Boom and "A" frame driver						
Ready mix concrete truck driver						
Slurry drivers						

MODIFICATIONS P. 68

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-647 - Mod. #1 (38 FR 6574 - March 9, 1973) St. Louis County, (Duluth Only) Minnesota						
CHANGE:						
Under Building Construction:						
Bricklayers & Stonemasons	$8.07	.25	.25	.50		
Under Site Preparation, Excava- & Incidential Paving:						
Carpenters	7.58	.25		.30		
Piledrivermen	7.58	.25		.30		
Power Equipment Operators:						
Group 1	11.60	.35	.25			
Group 2	8.41	.35	.25			
Group 3	8.05	.35	.25			
Group 4	7.93	.35	.25			
Group 5	7.83	.35	.25			
Group 6	7.15	.35	.25			
Group 7	6.85	.35	.25			
Truck Drivers:						
Group I	7.00	.35	.25			
Group II	6.70	.35	.25			
Group III	6.60	.35	.25			
Group IV	6.40	.35	.25			
OMIT:						
Under Building Construction:						
Schedule for Laborers						
Schedule for Power Equipment Operators						
Truck Drivers	6.30	.25	.25			
ADD:						
Under Building Construction:						
Schedules for Laborers, Power Equipment Operators & Truck Drivers						
Under Site Preparation, Excavation & Incidential Paving:						
Schedule for Laborers						

MINN 27 LAB - E

Laborers: Building Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Class 1 Common laborer, Steel joist handler (erection), Power buggy operator, Carpenter tender, Earth dumpman, flagman	$6.10	.35	.35	.40		
Class 2 Reinforced Steel Handler	6.15	.35	.35	.40		
Class 3 Men handling cement 2 Hrs. per day (bulk or sack, excluding mortar mixer), Mason tender, Concrete joint saw Op., Demolition & wrecking laborer	6.20	.35	.35	.40		
Class 4 Hot tar caulker & corker, Labs. on swing stage line scaffold (excl. "Patent" scaffolding), Automatic tamper Op., Chipping hammer Op., Paving buster, Mortar mixer, Concrete vibrator Op., Sheeting setter & driver on Heavy Bldg. excavation, Jackhammer men	6.25	.35	.35	.40		
Class 5 Underground work	6.35	.35	.35	.40		
Class 6 Pipe layer	6.40	.35	.35	.40		
Class 7 Caisson work, Underpinning	6.45	.35	.35	.40		
Class 8 Nozzlemen	6.50	.35	.35	.40		
Class 9 Dynamite men, Power drillers for blasting Purposes	6.805	.35	.35	.40		

MINN-10-LAB-2-3 F Area 28

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I Unskilled Laborers; Laborers; wrecking & demolition; Bricklayer tender; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Pipehandler (water, gas, cast iron); Salamander heater & blower tender; Carpenter tender; Stonemason tender	$6.28	.15	.15	.25		
CLASS II Bituminous Shoveler; Bottom man (sewer, water or gas trench); Cement handler (bulk or bag); Cement coverman (batch trucks); Chain saw man; Compaction equipment (hand operated); Concrete mixer operator (1 bag); Concrete shoveler, tamper & puddler (paving) Concrete vibrator; Conduit layers (w/o wiring); Dumper (wagon, truck, etc.); Formsetter (municipal type curb & side walk) Formsetter (pavement); Jackhammer man & paving busters; Kettleman (bituminous or lead); Mortar mixer; Power buggy; Joint sawer; Tunnel Laborer (atmospheric pressure)	6.38	.15	.15	.25		
CLASS III Bituminous Tamper; Cofferdam work; Caisson work	6.53	.15	.15	.25		
CLASS IV Drill Runner (heavy, including churn-drill)	6.58	.15	.15	.25		
CLASS V Bituminous Raker, Floater & Utility Man; Pipelayer (sewer, water, gas); Leadman	6.63	.15	.15	.25		
CLASS VI Nozzleman (Gunite)	6.68	.15	.15	.25		
CLASS VII Powderman	6.78	.15	.15	.25		
CLASS VIII Tunnel Miner	6.88	.15	.15	.25		

MODIFICATIONS P. 71

MINN-1-PEQ-1- G

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS 1						
HELICOPTER OPERATORS (Hoisting material)	$11.50	.35	.25			
CLASS 2						
TRUCK & CRAWLER CRANES with 200' of boom & over inc. JIB	9.10	.35	.25			
CLASS 3						
TRUCK & CRAWLER CRANES with 150' of boom incl. JIB up to 200' of boom	8.75	.35	.25			
CLASS 4						
TRAVELING TOWER CRANE	8.65	.35	.25			
CLASS 5						
MASTER MECHANIC	8.55	.35	.25			
CLASS 6						
DERRICK (GUY & STIFF LEG); Hoist engineer (3 drums or more); Locomotive op., master mechanic; Overhead crane op. (inside building perimeter); Truck & crawler cranes up to 150' of boom incl. JIB	8.30	.35	.25			
CLASS 7						
AIR COMPRESSOR OPERATOR, Pump op. &/or Conveyor, 2 or more machines; Hoist engineer (2 drums); Mechanic or welder; Pumpcrete or Complaco type machine op.	8.18	.35	.25			
CLASS 8						
FORK LIFT OPERATOR	8.18	.35	.25			
CLASS 9						
BOOM TRUCK OPERATOR; Concrete mixer op.; Drill rigs (heavy duty rotary or churn drill when used for caisson drilling or when drilling for elevator cylinder on building construction); Fron end loader op.; Hoist engineer (1 drum); Power plant engineer (100 KWH & over); Straddle carrier op.; Tractor op. (over D-2); Well point pump op.	8.10	.35	.25			
CLASS 10						
CONCRETE BATCH PLANT OPERATOR; Gunite op.; Tractor op (D-2 or similar size & front end loader operator up to ¾ cu. yd.)	7.83	.35	.25			
CLASS 11						
AIR COMPRESSOR OPERATOR, Pump &/or Conveyor op.; Fireman, Temporary heat; Brakeman; Pick up sweeper (combustion engine operated); Truck crane oiler	7.55	.35	.25			
CLASS 12						
MECHANIC SPACE HEATER (Temporary heat); Oiler or greaser	7.10	.35	.25			

MODIFICATIONS P. 72

MINN-62-TD-1 A

TRUCK DRIVERS: (BUILDING CONSTRUCTION)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
GROUP I						
Truck driver (hauling machinery for employer's own use, including operator of hand & power operator winches) Truck drain; mechanic welder; tractor trailer, Off-Road truck drivers	$7.00	.35	.25			
GROUP II						
Tri-axle (including four axles)	6.70	.35	.25			
GROUP III						
Bituminous distributor driver, bituminous distributor (one man operation) Tandon axle trucks	6.60	.35	.25			
GROUP IV						
Bituminous distributor spray operator (rear end oiler) dumpman; greaser & truck serviceman; tank truck helper (gas, oil, road oil and water) teamster & stableman; tractor operator (wheel type used for any purpose) Pilot car driver; self propelled packer, Slurry operator; single axle trucks	6.40	.35	.25			
THE FOLLOWING CLASSIFICATIONS SHALL CONE UNDER THE APPROPRIATE AXLE RATE WAGE GROUP:						
Dump truck driver						
Dry batch hauler driver						
Tank truck driver (gas, oil, road oil and water)						
Boom and "A" frame driver						
Ready mix concrete truck driver						
Slurry drivers						

DECISION #AP-286 - Mod. #1
(38 FR 8908 - April 6, 1973)
Big Horn, Custer, Dawson, Richland, Roosevelt, Rosebud & Yellowstone Cos., Montana

MODIFICATIONS P. 73

MON-2-PEO-1- f (1-3)

Changes
Power Equipment Operators(Big Horn, Custer, Rosebud and Yellowstone Cos.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth.
ASPHALT PAVING MACHINE; Air doctor; Bit grinder; Bituminous mixer; Bulldozers; Boring machine, large; Concrete finish machine, paving; Concrete float & spreader; Crusher and/or screening plant, portable; Distributor; Elevating grader; Front end loader, rubber-tired, 1 yd. & incl. 3 yds; Heavy duty rotary drills; Quarry master; Hoist, two or more drums; Hot plant fireman; Industrial locomotive; Mucking Machine; Pavement breaker, Emsco & similar type; Paver mixer, single or double drum; Power saw, self-propelled, multiple cut; Pumpcrete or grout machine; Roller, finish high type pavement; Ross & similar type carriers, on construction site; Roller, 25 tons or over; Screed; Shovel, incl. all attachs., under 1 yd.; Track-type tractor with or without attachs., incl. track-type loader, front-end up to & incl. 5 cu. yds.; Traxcavator, & Athey type loader; Wagner roller & similar type	6.87	.45	.45		.02	
A-FRAME TRUCK CRANE; Hoist; single drum	6.62	.45	.45		.02	
AIR COMPRESSOR, SINGLE; Crusher and/or screening plant helper, if over 2 units	6.36	.45	.45		.02	
AIR COMPRESSOR, TWO OR MORE; Front-end loader, rubber-tired, under 1 yd.; Roller, grade or finish	6.56	.45	.45		.02	
BELT FINISHING	6.54	.45	.45		.02	
BORING MACHINE, small; Firemen; Mixer, concrete, 3 bags or under; Retort	6.43	.45	.45		.02	
CABLEWAY	7.39	.45	.45		.02	
CEMENT SILO	6.64	.45	.45		.02	
CONCRETE BATCH PLANT; Crusher and/or screening plant, stationary	6.76	.45	.45		.02	

MODIFICATIONS P. 74

DECISION #AP-286 (Cont'd)

MON-2-PEO-1- f (2-3)

POWER EQUIPMENT OPERATORS (CONT'D):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth.
HELICOPTER HOIST	7.37	.45	.45		.02	
CONVEYOR; Chip & gravel spreader	6.57	.45	.45		.02	
CRANE OPERATORS:						
To & incl. 80' w/jibs	7.03	.45	.45		.02	
81' to 130' boom	7.18	.45	.45		.02	
131' to 150' boom	7.23	.45	.45		.02	
151' boom & over	7.28	.45	.45		.02	
ELECTRIC OVERHEAD CRANE; Euclid loader & similar type; Shovels, incl. all attachs., 1 yd. to & incl. 4 yds.; Tournapull, DW 20, 21, & similar type scrapers	7.06	.45	.45		.02	
CRANE OILER-DRIVER, rubber tired	6.42	.45	.45		.02	
DRILLING MACHINE, does not incl. jackhammer, wagon driller, or water liner; Field equipment serviceman; Winch truck with hydraulic boom	6.77	.45	.45		.02	
FORK LIFT, on construction site	6.66	.45	.45		.02	
FRONT-END LOADER, rubber-tired, over 3 yds. & incl. 5 yds.; LeTourneau, single & similar type; Motor patrol; Automatic finegrader, gurries & similar type	7.00	.45	.45		.02	
FRONT-END LOADERS, rubber-tired, over 5 yds. to & incl. 10 yds.; Scraper, twin-engine; Track-type front-end loaders, over 5 cu. yds. to & incl. 10 cu. yds.	7.10	.45	.45		.02	
FRONT-END LOADERS, rubber-tired, 10 yds. to & incl. 15 yds.; Track-type front-end loaders to & incl. 15 cu. yds.	7.20	.45	.45		.02	
FRONT-END LOADERS, rubber-tired, over 15 yds. (factory struck rating, not to include sideboards); Track-type front-end loaders, over 15 cu. yds.	7.30	.45	.45		.02	
GRADE SETTER; Herman Nelson heaters and similar type	6.33	.45	.45		.02	
LETOURNEAU, Tandem & similar type;						

MODIFICATIONS P. 75

DECISION #AP-286 (Cont'd)

MON-2-PSO-1- [illegible] (3-3)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	O
POWER EQUIPMENT OPERATORS (CONT'D):						
LOADERS, BARBER GREEN & similar type	6.51	.45	.45		.02	
MECHANIC AND/OR WELDER, on job site	6.97	.45	.45		.02	
MECHANIC AND/OR WELDER, HELPER; Heavy duty rotary drill helper; Oiler	6.32	.45	.45		.02	
MIXER, CONCRETE, 3 bags & under	6.43	.45	.45		.02	
MIXER, CONCRETE, 4 bags & over	6.68	.45	.45		.02	
MIXERMOBILE	6.96	.45	.45		.02	
PUMPMAN	6.37	.45	.45		.02	
SHOVELS, over 4 yds.; Stiff leg, Guy derrick; Scraper, tandem 3 engines	7.36	.45	.45		.02	
TRACTOR, rubber-tired, (Industrial)	6.31	.45	.45		.02	
TOWER CRANE	7.36	.45	.45		.02	
TRENCHING MACHINE	6.81	.45	.45		.02	

MODIFICATIONS P. 76

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-524 - Mod. #1 (38 FR 8861 - April 6, 1973) Douglas and Sarpy Counties, Nebraska						
Change:						
Bricklayers, Stonemasons	7.50	.20	.20	.225		
DECISION #AP-526 - Mod. #1 (38 FR 9937 - April 20, 1973) Douglas and Saryp Counties, Nebraska						
Add:						
CHANNEL STABILIZATION WORK INCLUDING DREDGING & ROCKFILLED PILE DIKES AND REVETMENTS:						
LABORERS:						
Laborers & deckhands unloading barge; piledriver towboat	3.55	.125	.10			
Piledriver deckhand and piledriver leadsman	3.75	.125	.10			
POWER EQUIPMENT OPERATORS:						
Boiler (or fireman); oiler	3.80	.125	.10			
Winch or boom truck; winch (power operated)	3.90	.125	.10			
Dozer; front end loader or high lift; scoop or similar equipment	4.15	.125	.10			
Engineer on dredge (12" up to 18"); mechanic or welder	4.20	.125	.10			
Piledriver (or engine man)	4.45	.125	.10			
Derrick; dragline, clam bucket, orange peel, or crane; dredge operator or leverman; engineer on dredge (18" and over); side boom; towboat operator	4.50	.125	.40			
Change:						
BRICKLAYERS, Stonemasons	7.50	.20	.20	.225		
Marble setters	6.95	b	.20			
Tile setters; terrazzo workers	6.95	b	.20			

MODIFICATIONS P. 77

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-267 - Mod. #2 (38 FR 6612 - March 9, 1973) Statewide, North Dakota						
Add:						
Cement Masons	$4.00					
Electricians:						
Fargo(Cass County); Grand Forks (Grand Forks County)	7.15	.20	1%	6%	1½%	
Bismark(Burleigh County); Minot (Ward County)	7.00	.20	1%	6%	1½%	
DECISION #AP-277 - Mod. #2 (38 FR 7692 - March 23, 1973) Multnomah County, Oregon						
Change:						
Electricians	$8.40	.25	1%+.40		.02	

MODIFICATIONS P. 78

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-284 - Mod. #1 (38 FR 8927 - April 6, 1973) Statewide, Oregon						
Change:						
Electricians:						
Clackamas; Clatsop; Columbia; Hood River; Multnomah; Sherman; Tillamook; Wasco; Washington; N½ of Yamhill Counties						
Electricians	8.05	.25	1%+.40		.02	
Cable splicers	8.70	.25	1%+.40		.02	
Harney; Jackson; Josephine; Klamath; Lake; That portion of Douglas lying east of a line running north and south from the corner of Coos County to the southeast corner of Lincoln Co.						
Electricians	8.40	.25	1%		.04	
Cable splicers	8.95	.25	1%		.04	
Sheet Metal Workers:						
Benton, Clackamas, Clatsop, Columbia, Crook, Deschutes, Gillian, Grant, Harney, Hood River, Jefferson, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Wasco, Washington, Wheeler, Yamhill Cos.	6.94	.33	.24	.28	.02	
Tile Setters & Terrazzo Workers:						
Clatsop, Clackamas, Columbia, Gillian, Harney, Hood River, N½ of Lincoln, Marion, Morrow, Multnomah, Polk, Sherman, Wasco (north of the City of Maupin), Washington, Tillamook, Yamhill Counties	7.24	.35	.35			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-139 - Mod. #3 (37 FR 25640 - December 1, 1972) Hamilton County, Tennessee						
Change:						
Ironworkers:						
Reinforcing	$6.60	.15	.25		.5%	
Leadburners	7.80	.30		c	.01	
Plasterers	6.60					
DECISION #AP-154 - Mod. #2 (38 FR 5776 - March 2, 1973) Knox County, Tennessee						
Change:						
Bricklayers and Stonemasons	7.63				.02	
Carpenters	6.33		.20		.02	
Ironworkers:						
Structural & ornamental	6.685	.125	.10		.02	
Reinforcing	6.565	.125	.10		.02	
Fence erector	6.685	.125	.10		.02	
Leadburners	7.80	.30		c	.01	
Millwrights	6.79		.20		.02	
Piledrivermen	6.58		.20		.02	
Soft floor layers	6.33		.20		.02	
DECISION #AP-713 - Mod. #1 (38 FR 9948 - April 20, 1973) Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Lampasas, Limestone, McLennan and Navarro Counties, Texas						
Change:						
Power Equipment Operators:						
Motor grader operator, fine grade	$4.00					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-254 - Mod. #2 (37 FR 26255 - December 8, 1972) Statewide, Utah						
Change:						
Asbestos Workers	$7.48	.50	.65		-	
Boilermakers	7.45	.60	1.00	.50	.02	
Bricklayers	7.83	.24	.22		.01	
Electricians:						
Zone I						
Cache, Davis (north of 41st parallel) and Weber County:						
Electricians	8.30	.30	1%		1%	
Cable splicers	8.55	.30	1%		1%	
Zone II						
Box Elder(east of 112.5° longitude) and Morgan County:						
Electricians	8.80	.30	1%		1%	
Cable splicers	9.05	.30	1%		1%	
Zone III						
Box Elder(west of 112.5° longitude) and Rich County:						
Electricians	10.30	.30	1%		1%	
Cable splicers	10.55	.30	1%		1%	
Electrical contracts not exceeding $35,000, Zone I rates shall apply.						
Line Construction:						
Lineman	7.03	.25	1%		3/4%	
Cable splicers	7.72	.25	1%		3/4%	
Line equipment operators	6.34	.25	1%		3/4%	
Groundman	5.25	.25	1%		3/4%	
Line equipment mechanic; Line equipment serviceman	6.24	.25	1%		3/4%	
Painters:						
Remaining part of State:						
Brush; Roller	6.02	.21	.18		.02	
Brush, swing stage; Brush, steel and bridge; Spray; Sandblaster; Steeple jack; Wall covering hanger	6.27	.21	.18		.02	
Spray, swing stage; Spray, steel; Bridge; Sandblaster, swing stage	6.52	.21	.18		.02	
Plumbers:						
Plumbers; Pipefitters:						
Zone 1 - 15 mi. radius from center of each city, namely Salt Lake City, Ogden and Provo	7.31	.31	.30		.04	
Zone 2 - Zone 1 plus 15 miles	7.61	.31	.30		.04	
Zone 3 - Zone 2 plus 15 miles	7.96	.31	.30		.04	
Zone 4 - All areas beyond Zone 3	8.81	.31	.30		.04	

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-468 - Mod. #4 (38 FR 4177 - February 9, 1973) The Cities of Norfolk, Chesapeake, Portsmouth and Virginia Beach, Virginia						
Change:						
Millwrights	$6.90	.20	.20		.01	
DECISION #AP-499 - Mod. #1 (38 FR 8410 - March 30, 1973) Henrico County and the City of Richmond, Virginia						
Change:						
Millwrights	6.90	.20	.20		.01	
Painters:						
Brush	5.15					
Structural steel	5.40					
Spray	5.65					
DECISION #AP-802 - Mod. #1 (38 FR 9956 - April 20, 1973) Statewide, except Rutland County, Vermont						
Change:						
Truck drivers:						
Two axle equipment	$5.00					
Three axle equipment	5.15					
Specialized earth moving equipment	5.25					

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-283 - Mod. #2 (37 FR 8920 - April 6, 1973) Statewide, Washington						
Change:						
Electricians:						
Clark, Klickitat and Skamania Cos.						
Electricians	$8.05	.25	1%+.40		.02	
Cable splicers	8.70	.25	1%+.40		.02	
DECISION #AP-491 - Mod. #3 (38 FR 6651 - March 9, 1973) Washington, D. C.						
Change:						
Ironworkers, reinforcing	$7.95	.35	.25		.03	
Lathers	8.135	.30	.30		.025	

SUPERSEDEAS DECISION

STATE: Alabama
COUNTY: Montgomery
DECISION NUMBER: AP-184
DATE: Date of Publication
Supersedes Decision No. AP-115 dated August 11, 1972, in 37 FR 16263
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
Air conditioning mechanics	$4.60					
Asbestos workers	6.50					
Bricklayers	5.70					
Carpenters	4.86					
Cement masons	4.95					
Electricians	6.55		1%		.5 of 1%	
Glaziers	4.46					
Ironworkers, structural	7.15					
Lathers	4.70					
Laborers:						
Unskilled	2.45					
Mason tenders	2.50					
Power saw operator	2.50					
Painters:						
Brush and roller	5.00					
Paperhangers	5.25					
Sandblasters	6.25					
Spray and structural steel	6.25					
Plasterers	4.75					
Plumbers	4.74					
Roofers	3.75					
Sheet metal workers	4.52					
Soft floor layers	4.58					
Steamfitters	5.49					
Stone mason	5.70					
Tile setters	4.55					
Truck drivers	2.86					
Welders - Rate for Craft.						
POWER EQUIPMENT OPERATORS:						
Asphalt raker	2.45					
Asphalt spreader (paver)	3.40					
Backhoes	3.25					
Bulldozers	3.50					
Cranes	3.75					
Blade grader	4.50					
Front end loaders	3.30					
Motor grader	4.00					
Oilers	3.025					
Rollers	3.00					
Scrapers	3.30					
Tractors	2.50					
Trenching machine	3.50					

SUPERSEDEAS DECISION

STATE: Colorado
COUNTIES: Adams; Arapahoe; Boulder; Denver; Douglas; Elbert; Jefferson; Larimer and Weld
DECISION NUMBER: AP-298
DATE: Date of Publication
Supersedes Decision No. AP-234 dated September 15, 1972, in 37 FR 18868
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$8.00	.25	.72			
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; Stonemasons (Elbert County only)	7.27	.30	.50		.04	
BRICKLAYERS; Stonemasons (Remaining Counties)	8.25	.45	.50	.25	.05	
CARPENTERS:						
Carpenters	6.965	.45	.40	.30	.03	
Millwrights	6.66	.45	.40	.40	.03	
CEMENT MASONS:						
Cement masons	6.60	.30	.50	.60	.06	
Working with composition materials and color; Working on scaffold, swing stage or temporary platform over 25'; Power troweling and floor grinding machine	6.85	.30	.50	.60	.06	
ELECTRICIANS:						
Electricians (Elbert County only)	8.10	.32	1%		.01	
Electricians (Remaining Counties)	8.00	.22	1%+.16	.18	2/10%	
Cable splicers (Remaining Counties)	8.25	.22	1%+.16	.18	2/10%	
ELEVATOR CONSTRUCTORS	7.76	.345	.23	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.345	.23	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	5.98					
IRONWORKERS	7.25	.50	.60		.04	
MARBLE MASONS; Terrazzo Workers; Tile Layers	7.20	.43	.35	.25		
PAINTERS:						
Brush and roller	7.41	.40	.15		.01	
Drywall finisher; Paperhanger	7.61	.40	.15		.01	
Spray; Swing stage	7.89	.40	.15		.01	
PLASTERERS	7.69			.50	.01	
PLUMBERS; Pipefitters	7.70	.45	.40	.40	.05	
ROOFERS	7.19	.37			.02	
SHEET METAL WORKERS	7.57	.30	.30		.07	
SOFT FLOOR LAYERS	6.60	.35	.30	.25	.03	
SPRINKLER FITTERS	8.75	.30	.50		.05	

FOOTNOTE:
a. Employer contributes 4% basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Carpenters	$6.07	.45	.40	.30	.03	
Underground Carpenters	6.22	.45	.40	.30	.03	
Working on creosoted material; High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continously assigned to 1½ HP saws at jobsite	6.32	.45	.40	.30	.03	
Cement Masons Construction (Outside Denver Metropolitan Area)	5.80	.30	.50	.30	.06	
Cement Masons Construction (Denver Metropolitan Area)	5.95	.30	.50	.30	.06	

BUILDING CONSTRUCTION

1-CO-1AB-1 (1-3)

Area A LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Adams, Arapahoe, Boulder, Denver, Larimer & Weld Counties. That part of Douglas and Jefferson Counties lying North of the South line of Township 7 South; That part of Elbert County lying West of the East line of Range 65 West and North of the South line of Township 7 South):						
ZONE 1 - 0 to 30 miles from nearest basing point						
General laborers; Underpinning and shoring: 0 to 8' below working surface	$4.75	.37	.40		.05	
Underpinning and shoring 8' below working surface to any depth below working surface; Power tool operators of all mechanical, air, gas and electrical tools including self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sand-blasters	5.03	.37	.40		.05	
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.05	.37	.40		.05	
Pipelayers	5.25	.37	.40		.05	
Jackhammer operator; Underpinning and shoring over 12' below working surface;						
Beller and stemmers on caisson work	5.30	.37	.40		.05	
Mason tenders, brick and plaster	5.35	.37	.40		.05	
ZONE 2 - 30 to 70 miles from nearest basing point						
General laborers; Underpinning and shoring 0' to 8' below working surface	5.20	.37	.40		.05	
Underpinning and shoring 8' below working surface to any depth below working surface; Power tool operators of all mechanical, air, gas and electrical tools including self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sand-blasters	5.48	.37	.40		.05	
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.50	.37	.40		.05	
Pipelayers	5.90	.37	.40		.05	
Jackhammer operator; Underpinning and shoring over 12' below working surface;						
Bellers and stemmers on caisson work	5.75	.37	.40		.05	
Mason tenders, brick and plaster	5.80	.37	.40		.05	

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1-CO-LAB-1 (2-3)

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ZONE 3 - 70 miles and over from nearest basing point						
General laborers; Underpinning and shoring 0' to 8' below working surface	$5.65	.37	.40		.05	
Underpinning and shoring 8' below working surface to any depth below working surface; Power tool operators of all mechanical, air, gas and electrical tools including self-propelled buggies and cement finisher tenders; Gunnite nozzleman and sandblasters	5.93	.37	.40		.05	
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	6.95	.37	.40		.05	
Pipelayers	6.15	.37	.40		.05	
Jackhammer operator; Underpinning and shoring over 12' below working surface	6.20	.37	.40		.05	
Bellers and stemmers on caisson work	6.25	.37	.40		.05	
Mason tenders, brick and plaster						
AREA B						
LABORERS (Remaining portions of Douglas, Elbert and Jefferson Counties):						
ZONE 1 - 0 to 30 miles from nearest basing point						
General laborers; Underpinning and shoring 0' to 8' below working surface	4.55	.37	.40		.05	
Power tool operators of all mechanical, air, gas and electrical tools incl. self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sandblasters	4.70	.37	.40		.05	
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	4.75	.37	.40		.05	
Underpinning and shoring 8' below working surface to any depth below working surface	4.83	.37	.40		.05	
Jackhammer operator; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	4.87	.37	.40		.05	
Pipelayers	5.03	.37	.40		.05	
Mason tenders, brick and plaster	5.35	.37	.40		.05	

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1-CO-LAB-1 (3-3)

LABORERS: (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
ZONE 2 - 30 to 70 miles from nearest basing point						
General laborers; Underpinning and shoring 0' to 8' below working surface	$5.00	.37	.40		.05	
Power tool operators of all mechanical air, gas and electrical tools incl. self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sandblasters	5.15	.37	.40		.05	
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.20	.37	.40		.05	
Underpinning and shoring 8' below working surface to any depth below working surface	5.28	.37	.40		.05	
Jackhammer operators; Underpinning and shoring over 12' below working surface;						
Bellers and stemmers on caisson work	5.32	.37	.40		.05	
Pipelayers	5.48	.37	.40		.05	
Mason tenders, brick and plaster	5.60	.37	.40		.05	
ZONE 3 - 70 miles and over from nearest basing point						
General laborers; Underpinning and shoring 0' to 8' below working surface	5.45	.37	.40		.05	
Power tool operators of all mechanical, air, gas, and electrical tools incl. self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sandblasters	5.60	.37	.40		.05	
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.65	.37	.40		.05	
Underpinning and shoring 8' below working surface to any depth below working surface	5.73	.37	.40		.05	
Jackhammer operators; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	5.77	.37	.40		.05	
Pipelayers	5.93	.37	.40		.05	
Mason tenders, brick and plaster	6.05	.37	.40		.05	

HEAVY & HIGHWAY - SITE PREPARATION - SEWER CONSTRUCTION

CO-2-LAB-2-3-a (1-3)

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
GROUP I Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man incl. seeding, mulching and planting of trees, shrubs and flowers; Stake chaser; Gabion baskets and Reno mattresses	$4.55	.37	.40		.05	
GROUP II Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers	4.60	.37	.40		.05	
GROUP III Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)	4.68	.37	.40		.05	
GROUP IV Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammers; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Stresser or stretcherman on post tension or prestressed concrete on or off jobsite; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammers; Vibrators; Paving breakers; Frostproofing	4.70	.37	.40		.05	

CO-2-LAB-2-3-a (2-3)

LABORERS: (cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
GROUP V Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle	$4.72	.37	.40		.05	
GROUP VI Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Formsetters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated)and center expansion machines; Sandblasters; Grade checkers if required by employer	4.83	.37	.40		.05	
GROUP VII Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator	4.93	.37	.40		.05	
GROUP VIII Pipelayer on truck pipe lines in connection with highway work	5.00	.37	.40		.05	
GROUP IX Wagon drills and air tracks; Jackhammer operators in caissons over 12'; Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air	5.13	.37	.40		.05	
GROUP X Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement	5.18	.37	.40		.05	

CO-3-LAB-2-3-a (3-3)

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
(PIPELINES)						
All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.						
GROUP I						
Pipe plants and yards; Stringing of pipe or skids; Handling and signaling on line work	$4.55	.37	.40		.05	
GROUP II						
Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers	4.60	.37	.40		.05	
GROUP III						
Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.	4.77	.37	.40		.05	
GROUP IV						
Sandblasters, powderman and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out	4.79	.37	.40		.05	
GROUP V (Relining Pipe)						
Relining pipe	4.88	.37	.40		.05	
Mixer man	4.93	.37	.40		.05	
GROUP VI						
Pipelayer	5.00	.37	.40		.05	

CO-3-LAB-2-3.1a (1-2)

LABORERS (TUNNELS):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Outside laborers	$4.55	.37	.40		.05	
GROUP I						
Minimum tunnel labor, dry house man	5.15	.37	.40		.05	
GROUP II						
Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators	5.25	.37	.40		.05	
GROUP III						
Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender	5.33	.37	.40		.05	
GROUP IV						
Cement finisher helper, applying of concrete processing materials	5.40	.37	.40		.05	
GROUP V						
Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; pump concrete placement men	5.55	.37	.40		.05	
(SHAFTS, RAISES, MISSILE SILOS AND ALL UNDERGROUND WORK OTHER THAN TUNNELS)						
GROUP I						
Laborers, Topmen, Bottommen, and Cagers	5.25	.37	.40		.05	
GROUP II						
Chucktenders, Concrete laborers, Whirley pumps operators	5.40	.37	.40		.05	

(2-2)

LABORERS (TUNNEL) (cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
GROUP III Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material	$5.50	.37	.40		.05	
GROUP IV Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required); All cutting and welding that is incidental to the miner's work; Liner plate setters; Vibrator men, internal and external	5.68	.37	.40		.05	
GROUP V Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men	5.78	.37	.40		.05	
GROUP VI Any employee performing work under ground from a bos'n chair, swinging stage, life belt or block and tackle	5.83	.37	.40		.05	

Colo 1 - PEO-1-2-3-4 (1-2)

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Other
GROUP I Asphalt screed; Brakeman; Drill operator, smaller than William MF and similar; Helper to heavy duty mechanic and/or Welder; Tractor operator (under 70 HP), with or without attachments; Oiler	$5.60	.37	.45	.20	.03	
GROUP II Air compressor; Ditch witch trenching machine and similar; Equipment lubricating and service engineer; Fork lift; Haulage motorman (brakeman); Operators of five or more light plants, welding machines, compressors 360 C.F.M. or less, pumps, generators; Pugmill operator; Pugmill; Pumps; Portable screening plant with or without a spray bar; Screening plants-with classifier; Self-propelled rollers - 5 tons and under; Vacuum well point system	5.95	.37	.45	.20	.03	
GROUP III Asphalt plant; Backfiller; Bituminous spreader or laydown machine; Cableway signalman; Caissons drill; (William MF, similar and larger; C.M.I. and similar; Concrete finish machine; Concrete gang saws on concrete paving; Concrete Mixer (less than 1 yd.); Concrete placement pumps (under 8 in.); Conveyor (handling building materials); Distributors, bituminous surfaces; Drill, (diamond or core); Drill rigs (rotary, churn or cable tool); Elevating graders; Engineer fireman; Fireman or tank heater, Road; Grout machine; Gunnite machine; Hoists (1 drum); Loader (Barber Greene, etc.); Loader (up to and including 6 cu. yd.); Machine doctor mechanic; Motor grader (blade); Road stablization machine; Rollers-self-propelled-all types over 5 tons; Sandblasting machine; Scrapers-Single Bowl-under 40 cu. yds.; Single unit portable crusher-with or without washer; Tile tamper, Wheel mounted; Tractor (70 h.p. & over) (with or without attachments); Trenching machine; Welder; Winch op. on truck; Concrete batching plants	6.30	.37	.45	.20	.03	

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Colo 1 PED--1-2-3-d (2-2)

POWER EQUIPMENT OPERATORS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP IV						
Concrete mixer (over 1 cu. yd.); Concrete paver 34 E or similar; Concrete placement pumps (8 in. and over); Crane (50 tons and under); Hoists (2 drums); Loader - over 6 cu. yd.; Mechanic-Welder (heavy duty); Mixermobile; Multiple unit portable crusher-with or without washer; Pile driver; Fireman; Cable-operated crane, truck mounted, 25 tons and over; Cable - operated power shovels, dragline; Clamshell, and backhoes (5 cu. yds. and under); Hydraulic backhoes, 1½ cu. yd. and over); Special utility operator; Scooper; Scraper-all tandem bowls; Scraper-Single bowl including pups 40 cu. yd. and over; Self-propelled hydrocrane; Tractor with side boom; Truck mounted hydrocrane	$6.45	.37	.45	.20	.03	
GROUP V						
Crane operator - over 50 tons; Derrick; Electric rail type tower crane; Hoist (3 drum or more); Cable-operated power shovels, draglines, clamshells and backhoes (over 5 cu. yd.); Quad nine and similar push unit	6.60	.37	.45	.20	.03	
GROUP VI						
Cableway; Crawler or truck mounted tower crane; Wheel excavator; Climbing tower crane	6.75	.37	.45	.20	.03	

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Colo. 2-PED-1-2-3-d (1-1)

POWER EQUIPMENT OPERATORS (For work in Tunnels, Shafts, and Raises)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
BRAKEMAN	$5.75	.37	.45	.20	.03	
MOTORMAN	6.10	.37	.45	.20	.03	
COMPRESSOR (900 CFM & Over), Serving tunnels, shafts and raises	6.20	.37	.45	.20	.03	
AIR TRACTORS; Grout machine; Gunnite machine; Jumbo form; Mechanic; Welder	6.45	.37	.45	.20	.03	
CONCRET PLACEMENT PUMPS 8" and OVER DISCHARGE; Mechanic-Welder (heavy duty); Mucking machine and frontend loaders underground; Slusher	6.60	.37	.45	.20	.03	
MOLE	7.00	.37	.45	.20	.03	

Line Construction - Colorado	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Cable splicers	8.44	.25	1%		3/4%	
Lineman	7.87	.25	1%		3/4%	
Equipment operator	6.71	.25	1%		3/4%	
Line equipment maintenance man	6.71	.25	1%		3/4%	
Groundman	5.55	.25	1%		3/4%	

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$4.90	.30	.20	.10		
DUMP TRUCKS, TO & INCL. 6 CU. YDS.; Sweeper; Flatrack, single axle; Liquid & bulk tankers, single axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers, if used	5.00	.30	.20	.10		
DUMP TRUCKS, OVER 6 CU. YDS. TO & INCL. 12 CU. YDS.; Flatrack tandem axle; Battery men; Mechanic helpers; Material checkers; Cardex men; Expeditors; Man haul shuttle truck or bus	5.10	.30	.20	.10		
STRADDLE TRUCK; Lumber carrier; Liquid & bulk tankers, tandem axle	5.15	.30	.20	.10		
FORK LIFT; Fuel truck; Grease truck; Combination fuel & grease; Tiremen	5.20	.30	.20	.15		
DUMP TRUCKS, OVER 12 CU. YDS., TO & INCL. 19 CU. YDS.; Distributor; Cement mixer; Agitator truck to & incl. 10 cu. yds.; Liquid & bulk tankers, semi or combination	5.25	.30	.20	.10		
MULTI-PURPOSE TRUCK - Specialty & Hoisting	5.30	.30	.20	.10		
HIGH BOY; Lowboy; Floats; Semi; Cab operated distributor-semi; Liquid & bulk tankers, euclid, electric or similar; Dumptor, Youngbuggy, Jumbo & similar type equipment	5.35	.30	.20	.10		
MECHANICS	5.40	.30	.20	.10		
DUMP TRUCKS, OVER 19 CU. YDS. TO & INCL. 29 CU. YDS.; Truck driver snow plow	5.45	.30	.20	.10		

TRUCK DRIVERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
CEMENT MIXER, Agitator over 10 cu. yds. to & incl. 15 cu. yds.	$5.50	.30	.20	.10		
DUMP TRUCKS, OVER 29 CU. YDS. TO & INCL. 39 CU. YDS.; Heavy duty diesel mechanics; Body men; Welders or combination men	5.60	.30	.20	.10		
CEMENT MIXER, Agitator over 15 cu. yds.	5.75	.30	.20	.10		
DUMP TRUCKS, OVER 39 CU. YDS. TO & INCL. 54 CU. YDS.	5.80	.30	.20	.10		

SUPERSEDEAS DECISION

STATE: Colorado
DECISION NUMBER #AP-299
COUNTY: Statewide
DATE: Date of Publication
Supersedes Decision No. #AP-232, dated September 15, 1972 in 37 FR 18854
DESCRIPTION OF WORK: Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Carpenters	6.07	.45	.40	.30	.03	
Cement Masons:						
Denver Metropolitan Area	5.95	.30	.50	.30	.06	
Outside Denver Metropolitan Area	5.80	.30	.50	.30	.06	
Electricians:						
Adams, Arapahoe, Boulder, Clear Creek, Douglas, Eagle, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Logan, Morgan, Phillips, Denver, Sedgwick, Summit, Washington and Weld Counties						
Electricians	$8.00	.22	1%+.16	.18	2/10%	
Cable splicers	8.25	.22	1%+.16	.18	2/10%	
Delta, Dolores, Garfield, Gunnison, Hinsdale, La Plata, Mesa, Moffat, Montezuma, Montrose, Ouray, Pitkins, Rio Blanco, Routh, San Juan and San Miguel Counties						
Electricians	8.15	.32	1%		3/10%	
Cable splicers	8.40	.32	1%		3/10%	
Archuleta, Baca, Bent, Chaffee, Crowley, Custer, Fremont, Huerfano, Kiowa, La Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande Counties						
Zone 1 (Within 12 miles Pueblo Main Post Office)						
Electricians	7.95	.32	1%+.25		1/10%	
Cable splicers	8.75	.32	1%+.25		1/10%	
Zone 2 (12 to 20 miles from Pueblo Main Post Office)						
Electricians	8.35	.32	1%+.25		1/10%	
Cable splicers	9.15	.32	1%+.25		1/10%	
Zone 3 (20 to 40 miles from Pueblo Main Post Office)						
Electricians	8.70	.32	1%+.25		1/10%	
Cable splicers	9.50	.32	1%+.25		1/10%	
Zone 4 (40 miles and over from Pueblo Main Post Office)						
Electricians	9.45	.32	1%+.25		1/10%	
Cable splicers	10.25	.32	1%+.25		1/10%	
Zone 3 and 4 less than $5,000						
Electricians	5.61	.32	1%+.25		1/10%	
Cheyenne, Elbert, El Paso, Kit Carson, Lincoln, Park and Teller Counties						
Electricians	8.10	.32	1%		.01	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
IRONWORKERS:						
Adams, Arapahoe, Boulder, Northern part of Chaffee, Clear Creek, Delta, Denver, Dolores, Douglas, Eagle, Northern part of Elbert, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Jackson, Jefferson, Northern part of Kit Carson, Lake, La Plata, Larimer, Northern part of Lincoln, Logan, Mesa, Moffat, Montezuma, Montrose, Morgan, Ouray, Northern 2/3 part of Park, Phillips, Pitkins, Rio Blanco, Routt, San Juan, San Miguel, Sedgwick, Summit, Northern part of Teller, Washington, Weld and El Paso Counties:						
Structural, ornamental, reinforcing, fence erectors	$7.25	.50	.60		.04	
IRONWORKERS:						
Archuleta, Baca, Bent, Southern part of Chaffee, Cheyenne, Crowley, Custer, Southern part of Elbert, Fremont, Huerfano, Kiowa, Southern part of Kit Carson, Las Animas, Southern part of Lincoln, Mineral, Otero, Southern 1/3 part of Park, Prowers, Pueblo, Southern part of Teller Counties:						
Structural, ornamental, reinforcing, fence erectors	7.25	.50	.60		.04	
PAINTERS:						
Adams, Arapahoe, Boulder, Clear Creek, Denver, Dolores, Douglas, Gilpin, Grand, Jackson, Jefferson, Lake, La Plata, Larimer, Logan, Moffat, Montezuma, Morgan, Ouray, Phillips, Rio Grande, Routt, San Juan, San Miguel, Sedgwick, Washington, Weld, Northern parts of Eagle, Elbert and Summit Counties:						
Spray	7.89	.40	.15		.01	
Brush	7.41	.40	.15		.01	
PAINTERS:						
Baca, Bent, Crowley, Custer, Fremont, Huerfano, Kiowa, Las Animas, Otero, Prowers and Pueblo Counties:						
Brush	5.08	.20	.20		.02	
Structural steel	5.58	.20	.20		.02	
Spray	6.08	.20	.20		.02	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS:						
Archuleta, Chaffee, Cheyenne, El Paso, Gunnison, Hinsdale, Lincoln, Mineral, Park, Pitkin, Kit Carson, Teller, Southern parts of Eagle, Elbert, and Summit Counties:						
Brush	6.10	.40	.20		.02	
Spray and steel	6.60	.40	.20		.02	
PAINTERS:						
Delta, Garfield, Mesa, Montrose and Rio Blanco Counties:						
Brush	7.41	.40	.15		.01	
Spray	7.89	.40	.15		.01	
PILEDRIVERMEN	5.97	.35	.35	.25	.015	

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I						
Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man incl. seeding, mulching and planting of trees, shrubs and flowers; Stake chaser; Gabion baskets and Reno mattresses	$4.55	.37	.40		.05	
GROUP II						
Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers	4.60	.37	.40		.05	
GROUP III						
Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)	4.68	.37	.40		.05	
GROUP IV						
Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammers; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Stresser or stretcherman on post tension or prestressed concrete on or off jobsite; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jack-hammers; Vibrators; Paving breakers; Frostproofing	4.70	.37	.40		.05	

CO-2-LAB-2-3-a (2-3)

LABORERS: (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP V						
Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle	$4.72	.37	.40		.05	
GROUP VI						
Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Formsetters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated)and center expansion machines; Sandblasters; Grade checkers if required by employer	4.83	.37	.40		.05	
GROUP VII						
Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator	4.93	.37	.40		.05	
GROUP VIII						
Pipelayer on truck pipe lines in connection with highway work	5.00	.37	.40		.05	
GROUP IX						
Wagon drills and air tracks; Jackhammer operators in caissons over 12'; Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air	5.13	.37	.40		.05	
GROUP X						
Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement	5.18	.37	.40		.05	

CO-2-LAB-2-3-a (3-3)

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
(PIPELINES)						
All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.						
GROUP I						
Pipe plants and yards; Stringing of pipe or skids; Handling and signaling on line work	$4.55	.37	.40		.05	
GROUP II						
Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers	4.60	.37	.40		.05	
GROUP III						
Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.	4.77	.37	.40		.05	
GROUP IV						
Sandblasters, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out	4.79	.37	.40		.05	
GROUP V (Relining Pipe)						
Relining pipe	4.88	.37	.40		.05	
Mixer man	4.93	.37	.40		.05	
GROUP VI						
Pipelayer	5.00	.37	.40		.05	

CO-3-[AB-2-3-1a (1-2)

LABORERS (TUNNELS):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Outside laborers	$4.55	.37	.40		.05	
GROUP I						
Minimum tunnel labor, dry house man	5.15	.37	.40		.05	
GROUP II						
Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators	5.25	.37	.40		.05	
GROUP III						
Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender	5.33	.37	.40		.05	
GROUP IV						
Cement finisher helper, applying of concrete processing materials	5.40	.37	.40		.05	
GROUP V						
Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; pump concrete placement men	5.55	.37	.40		.05	
(SHAFTS, RAISES, MISSILE SILOS AND ALL UNDERGROUND WORK OTHER THAN TUNNELS)						
GROUP I						
Laborers, Topmen, Bottommen, and Cagers	5.25	.37	.40		.05	
GROUP II						
Chucktenders, Concrete laborers, Whirley pumps operators	5.40	.37	.40		.05	

CO-3-[AB-2-3-1a (2-2)

LABORERS (TUNNEL) (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP III						
Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material	$5.50	.37	.40		.05	
GROUP IV						
Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required); All cutting and welding that is incidental to the miner's work; Liner plate setters; Vibrator men, internal and external	5.68	.37	.40		.05	
GROUP V						
Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men	5.78	.37	.40		.05	
GROUP VI						
Any employee performing work under ground from a bos'n chair, swinging stage, life belt or block and tackle	5.83	.37	.40		.05	

Colo 1 - PBO-1-2-3-d (1-2)

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I						
Asphalt screed; Brakeman; Drill operator, smaller than William MF and similar; Helper to heavy duty mechanic and/or Welder; Tractor operator (under 70 HP), with or without attachments; Oiler	$5.60	.37	.45	.20	.03	
GROUP II						
Air compressor; Ditch witch trenching machine and similar; Equipment lubricating and service engineer; Fork lift; Haulage motorman (brakeman); Operators of five or more light plants, welding machines, compressors 360 C.F.M. or less, pumps, generators; Pugmill operator; Pugmill; Pumps; Portable screening plant with or without a spray bar; Screening plants-with classifier; Self-propelled rollers - 5 tons and under; Vacuum well point system	5.95	.37	.45	.20	.03	
GROUP III						
Asphalt plant; Backfiller; Bituminous spreader or laydown machine; Cableway signalman; Caissons drill; (William MF, similar and larger; C.M.I. and similar; Concrete finish machine; Concrete gang saws on concrete paving; Concrete Mixer (less than 1 yd.); Concrete placement pumps (under 8 in.); Conveyor (handling building materials); Distributors, bituminous surfaces; Drill, (diamond or core); Drill rigs (rotary, churn or cable tool); Elevating graders; Engineer fireman; Fireman or tank heater, Road; Grout machine; Gunnite machine; Hoists (1 drum); Loader (Barber Greene, etc.); Loader (up to and including 6 cu. yd.); Machine doctor mechanic; Motor grader (blade); Road stablization machine; Rollers-self-propelled-all types over 5 tons; Sand-blasting machine; Scrapers-Single Bowl-under 40 cu. yds.; Single unit portable crusher-with or without washer; Tile tamper, Wheel mounted; Tractor (70 h.p. & over) (with or without attachments); Trenching machine; Welder; Winch op. on truck; Concrete batching plants	6.30	.37	.45	.20	.03	

Colo 1 PBO - 1-2-3-d (2-2)

POWER EQUIPMENT OPERATORS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP IV						
Concrete mixer (over 1 cu. yd.); Concrete paver 34 E or similar; Concrete placement pumps (8 in. and over); Crane (50 tons and under); Hoists (2 drums); Loader - over 6 cu. yd.; Mechanic-Welder (heavy duty); Mixer-mobile; Multiple unit portable crusher-with or without washer; Pile driver; Fireman; Cable-operated crane, truck mounted, 25 tons and over; Cable - operated power shovels, dragline; Clam-shell, and backhoes (5 cu. yds. and under); Hydraulic backhoes, 1½ cu. yd. and over); Special utility operator; Scooper; Scraper-all tandem bowls; Scraper-Single bowl including pups 40 cu. yd. and over; Self-propelled hydrocrane; Tractor with side boom; Truck mounted hydrocrane	$6.45	.37	.45	.20	.03	
GROUP V						
Crane operator - over 50 tons; Derrick; Electric rail type tower crane; Hoist (3 drum or more); Cable-operated power shovels, draglines, clamshells and backhoes (over 5 cu. yd.); Quad nine and similar push unit	6.60	.37	.45	.20	.03	
GROUP VI						
Cableway; Crawler or truck mounted tower crane; Wheel excavator; Climbing tower crane	6.75	.37	.45	.20	.03	

Colo. 2-FEO-1-2-3-d (1-1)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (For work in Tunnels, Shafts, and Raises)						
BRAKEMAN	$5.75	.37	.45	.20	.03	
MOTORMAN	6.10	.37	.45	.20	.03	
COMPRESSOR (900 CFM & Over), Serving tunnels, shafts and raises	6.20	.37	.45	.20	.03	
AIR TRACTORS; Grout machine; Gunnite machine; Jumbo form; Mechanic; Welder	6.45	.37	.45	.20	.03	
CONCRET PLACEMENT PUMPS 8" and OVER DISCHARGE; Mechanic-Welder (heavy duty); Mucking machine and frontend loaders underground; Slusher	6.60	.37	.45	.20	.03	
MOLE	7.00	.37	.45	.20	.03	

CO-1-TD-1-2-3-b (1-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
TRUCK DRIVERS:						
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$4.90	.30	.20	.10		
DUMP TRUCKS, TO & INCL. 6 CU. YDS.; Sweeper; Flatrack, single axle; Liquid & bulk tankers, single axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers, if used	5.00	.30	.20	.10		
DUMP TRUCKS, OVER 6 CU. YDS. TO & INCL. 12 CU. YDS.; Flatrack tandem axle; Battery men; Mechanic helpers; Material checkers; Cardex men; Expeditors; Man haul shuttle truck or bus	5.10	.30	.20	.10		
STRADDLE TRUCK; Lumber carrier; Liquid & bulk tankers, tandem axle	5.15	.30	.20	.10		
FORK LIFT; Fuel truck; Grease truck; Combination fuel & grease; Tiremen	5.20	.30	.20	.15		
DUMP TRUCKS, OVER 12 CU. YDS., TO & INCL. 19 CU. YDS.; Distributor; Cement mixer; Agitator truck to & incl. 10 cu. yds.; Liquid & bulk tankers, semi or combination	5.25	.30	.20	.10		
MULTI-PURPOSE TRUCK - Specialty & Hoisting	5.30	.30	.20	.10		
HIGH BOY; Lowboy; Floats; Semi; Cab operated distributor-semi; Liquid & bulk tankers, euclid, electric or similar; Dumptor, Youngbuggy, Jumbo & similar type equipment	5.35	.30	.20	.10		
MECHANICS	5.40	.30	.20	.10		
DUMP TRUCKS, OVER 19 CU. YDS. TO & INCL. 29 CU. YDS.; Truck driver snow plow	5.45	.30	.20	.10		

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CO-1-TR-1-2-3-b (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
TRUCK DRIVERS (cont'd)						
CEMENT MIXER, Agitator over 10 cu. yds. to & incl. 15 cu. yds.	$5.50	.30	.20	.10		
DUMP TRUCKS, OVER 29 CU. YDS. TO & INCL. 39 CU. YDS.; Heavy duty diesel mechanics; Body men; Welders or combination men	5.60	.30	.20	.10		
CEMENT MIXER, Agitator over 15 cu. yds.	5.75	.30	.20	.10		
DUMP TRUCKS, OVER 39 CU. YDS. TO & INCL. 54 CU. YDS.	5.80	.30	.20	.10		

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Line Construction - Colorado						
Cable splicers	8.44	.25	1%		3/4%	
Lineman	7.87	.25	1%		3/4%	
Equipment operator	6.71	.25	1%		3/4%	
Line equipment maintenance man	6.71	.25	1%		3/4%	
Groundman	5.55	.25	1%		3/4%	

SUPERSEDEAS DECISION

STATE: Florida COUNTY: *See below*
DECISION NUMBER: AP-176 DATE: Date of Publication
Supersedes Decision No. AM-462 dated August 20, 1971 in 36 FR 16406.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

Florida 1 - 8

*Counties:
Alachua, Dixie, Gilchrist, Lafayette, Levy, Marion, & Union.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Accoustical Mechanic	$3.70					
Bricklayers	4.50					
Carpenters	3.00					
Cement Masons	3.75					
Dry Wall Installers	3.50					
Electricians	4.80		1%		1%	
Glaziers	4.15					
Insulation Installers	3.00					
Laborers:						
Laborers	1.60					
Mason Tenders	1.85	.15				
Mixers	1.85	.15				
Pipelayers (con. & clay)	1.885					
Plasterers' Tenders	1.65					
Lathers	3.00					
Painters, brush	3.00					
Plasterers	3.50	.15			.05	
Plumbers	4.75	.15			.05	
Refrigeration Mechanic	3.00					
Roofers	3.00					
Sheet Metal Workers	3.00					
Terrazzo Workers	3.75					
Tile Setters	3.75					
Truck Drivers	1.75					
Power Equipment Operators:						
Backhoe	2.00					
Bulldozers	2.00					
Cranes	3.00					
Front End Loader	2.00					
Scrapers	2.00					
Tractors, farm	1.85					

SUPERSEDEAS DECISION

STATE: Florida
DECISION NUMBER: AP-177
COUNTY: See below*
DATE: Date of Publication
Supersedes Decision No. AM-463 dated August 20, 1971 in 36 FR 16407.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties:
Baker, Clay, Duval, Nassau, Putnam, St. John, & Suwannee.

Florida 16-B

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Conditioning Mechanic	$3.25					
Carpenters	4.54					
Cement Masons	4.35					
Electricians	6.45	.20	1%		1%	
Laborers	2.58					
Mason Tenders	2.75					
Lathers	4.25					
Painters	3.75					
Roofers	3.00					
Sheet Metal Workers	3.00					
Tile Setters	4.50					

SUPERSEDEAS DECISION

STATE: Florida
DECISION NUMBER: AP-178
COUNTY: Escambia
DATE: Date of Publication
Supersedes Decision No. AM-464 dated August 20, 1971 in 36 FR 16408.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

Florida 17-B

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Conditioning Mechanic	$4.25					
Bricklayers	5.50					
Carpenters	4.00					
Cement Masons	3.60					
Electricians	3.50					
Laborers:						
Laborers	1.92					
Mason Tenders	2.00					
Lathers	2.89					
Painters	3.25					
Plasterers	3.57					
Plumbers	4.50					
Roofers	3.17					
Roofers, Kettlemen	2.25					
Sheet Metal Workers	4.45					

SUPERSEDEAS DECISION

STATE: Florida
DECISION NUMBER: AP-179
COUNTY: See below*
DATE: Date of Publication
Supersedes Decision No. AM-465 dated August 20, 1971 in 36 FR 16409.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

Florida 37 - B 1 of 1

*Counties:
Gadsden, Jefferson, Leon, Madison & Taylor.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Conditioning Mechanics	$3.75					
Bricklayers	5.25					
Carpenters	3.71					
Cement Masons	3.50					
Electricians	4.54					
Laborers	1.75					
Soft Floor Layers	3.75					
Terrazzo Workers	4.25					
Terrazzo Grinder	3.00					
Tile Setters	4.25					
Truck Driver	2.10					
Power Equipment Operator	3.75					

SUPERSEDEAS DECISION

STATE: Florida
DECISION NUMBER: AP-180
COUNTY: See below*
DATE: Date of Publication
Supersedes Decision No. AM-466 dated August 20, 1971 in 36 FR 16410.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

Florida 57-B 1 of 1

*Counties:
Okaloosa, Santa Rosa, and Walton.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Bricklayers	$4.50					
Carpenters	4.00					
Cement Masons	3.38					
Electricians	4.00					
Laborers	1.92					
Lathers	2.88					
Painters	3.00					
Plasterers	3.57					
Plumbers	4.35					
Roofers	3.17					
Sheet Metal Workers	4.45					
Soft Floor Layers	3.50					
Tile Setters	4.00					
Truck Drivers	2.25					
Power Equipment Operators:						
Backhoe	3.00					
Mechanic	2.60					
Trencher	3.00					

SUPERSEDES DECISION

STATE: Florida
DECISION NUMBER: AP-181
COUNTY: See below*
DATE: Date of Publication
Supersedes Decision No. AM-467 dated August 20, 1971 in 36 FR 16411.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

Florida 59-B 1 of 1

*Counties:
Lake, Orange, Osceola, and Seminole.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Conditioning Mechanics	$3.15					
Bricklayers	4.95					
Carpenters	4.40					
Cement Masons	4.80					
Concrete Laborer	2.50					
Electricians	4.74					
Laborers	2.45					
Mason Tenders	2.85					
Painters	3.50					
Plasterers	5.25					
Plumbers	4.00					
Roofers	3.75					
Kettlemen	3.15					
Sheet Metal Workers	3.50					
Tile Setters	4.50					
Power Equipment Operators:						
Backhoe	5.51					
Bulldozer and Loader	3.00					
Grader	2.95					
Pan Operator	2.75					
Roller	2.00					
Tractor	2.80					
Truck Drivers	1.90					

SUPERSEDES DECISION

STATE: Florida
DECISION NUMBER: AP-182
COUNTY: Pinellas
DATE: Date of Publication
Supersedes Decision No. AM-468 dated August 20, 1971 in 36 FR 16412.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

Florida 52 - B 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$3.25					
Bricklayers	4.50					
Carpenters	3.75					
Cement Masons	4.25					
Dry Wall Applicators	3.50					
Dry Wall Sanders & Finishers	3.25					
Electricians	3.00					
Ironworkers, structural & ornamental	4.25					
Ironworkers, reinforcing	3.75					
Laborers:						
Air tool op. (jackhammer, vibrator)	2.50					
Laborers	2.25					
Mason Tenders	2.50					
Mortar Mixers	2.75					
Pipelayers (concrete & clay)	3.25					
Plasterers' Tenders	2.75					
Lathers	3.25					
Marble Setters	3.75					
Painters, brush	3.25					
Painters, spray	3.50					
Piledrivermen	4.50					
Plasterers	4.25					
Plumbers	4.25					
Refrigeration Mechanics	3.50					
Roofers	3.25					
Sheet Metal Workers	3.75					
Terrazzo Workers	3.50					
Tile Setters	3.50					
Truck Drivers	2.00					
Welders	3.75					
Power Equipment Operators:						
Air Compressors	2.75					
Backhoe; Bulldozers; Cranes; Derricks; Draglines; Graders, blade; Hoists; Loaders; Motor Graders; & Rollers	3.25					
Distributors; Oilers	2.50					
Finishing Machines	3.50					
Gradeall; Mechanics	4.00					
Mixers	2.75					
Piledrivers	4.50					

SUPERSEDEAS DECISION

STATE: Delaware
COUNTY: Statewide
DECISION No.: AP-804
DATE: Date of Publication
Supersedes Decision No. AP-444, dated November 17, 1972, in 37 FR 24517.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4-stories) heavy and highway construction.

1-DEL-1-2-3- I

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$8.55	.20	.50		.01	
Boilermakers (New Castle Co.)	8.50	.40	.90		.01	
Boilermakers (Kent and Sussex Cos.)	7.65	.30	.70	.20	.01	
Bricklayers	8.25	.60	.85			
Carpenters, Building and Heavy:						
New Castle and Kent Cos.:	8.65	.48	.40		.02	
Sussex Co.	6.80		.18			
Carpenters, Highway Construction	5.10	.25	.15	.15		
Cement masons	6.60	.485	.21			
Electricians	9.25	5%	4%			
Elevator constructors	9.15	.195	.20	1-½%+a+b	.005	
Elevator constructors' helpers	6.405	.195	.20	1-½%+a+b	.005	
Elevator constructors' helpers (prob.)	4.575					
Glaziers	8.38	.35	.30		.01	
Ironworkers:						
Structural, ornamental, reinforcing, Riggers and machinery movers	7.15	f			.05	
Laborers: (New Castle Co., Bldg.)						
General construction, dumpmen & truck spotters	6.35	.30	.30			
Caulkers, opers. of pneumatic & electric tools, vibrating machines, concrete saws. pumps, pot tenders, sewer pipe layers, demolition (use of hand tools), driller (except core, diamond or multiple wagon), mason & plasterers tenders, cement workers, mobile buggy opers., opers., of power saws (portable), scaffold builders, hookup men, signal men, stripping of flat arch & form work & cleaning & oiling thereof, tool room attendant & welder	6.58	.30	.30			
Burners, driller (core, daimond, or multiple wagon) sandblaster (nozzleman)	6.95	.30	.30			
Blasters	7.60	.30	.30			
Gunite workers:						
Industrial fume stack men, nozzlemen & rodmen	6.85	.30	.30			
Laborers: (Kent & Sussex Co., Bldg.)						
General construction dumpmen & truck spotters	6.15	.30	.30			
Caulkers, opers., of pneumatic & electric tools, vibrating machines, concrete saws, pumps, pot tenders, sewer pipe layers, demolition (use of hand tools), driller (except core, diamond or multiple wagon), mason & plasterers tenders, cement workers, mobile buggy						

1-DEL-1-2-3-I

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
opers., opers., of power saws (portable), scaffoldbuilders, hookup men, signal men, stripping of lfat arch & form work & cleaning & oiling thereof, tool room attendant & welder	$6.40	.30	.30			
Burners, driller (core, diamond, or multiple wagon) sandblaster (nozzleman)	6.45	.30	.30			
Blasters	7.40	.30	.30			
Gunite Workers:						
Industrial fume stack men, nozzlemen & rodmen	6.45	.30	.30			
Laborers (New Castle County - Heavy and Highway						
Common laborers; landscapers; planters seeders; aborists; asphalt tampers & rakers; concrete pitmen; puddlers; rubber magazine tenders; railroad trackmen; signal men	3.00	.40	.20			
Pipelayers	3.15	.40	.20			
Wagon drill; daimond point drill; gunnite nozzlemen; form setters blasters; caisson & cofferdam, (open-air, below 8')	3.30	.40	.20			
Laborers (Kent & Sessex Counties - Heavy and Highway						
Common laborers; landscapers; planters seeders; aborists; asphalt tampers & rakers; concrete pitmen; puddlers, rubber magazine tenders; railroad trackmen; signal men	2.85	.40	.20			
Pipelayers	3.00	.40	.20			
Wagon drill; diamond point drill; gunnite nozzlemen, forms setters blasters; caisson & cofferdam, (open air, below 8')	3.15	.40	.20			
Lathers	7.90	.20	.15		.01	
Line Construction:						
Line men, cable splicers	9.45	.15	1%		½%	
Winch truck operator	6.62	.15	1%		½%	
Groundmen	5.67	.15	1%		½%	
Marble setters	8.25	.60	.85			
Millwrights (New Castle & Kent Cos.)	9.37	.47	.52			
Painters:						
Brush	6.94	.50	.15		.01	
Tanks, sandblasting & spray	7.44	.50	.15		.01	
Piledrivermen, wharf & dock builders	9.22	1.08	.40		.07	
Plasterers	8.42	.25			.01	
Plumbers (New Castle Co. & Kent Co., North of the Southern Boundary of Dover City)	7.94	.55	.50	9% + j	.05	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Plumbers (Sussex & Kent Cos., South of the Southern Boundary of Dover City)	$7.50	.45	.35	1.25+d	.02	
Roofers:						
Composition, damp and waterproofing	8.425	.80	.55	e		
Helper	4.70	.80	.55	e		
Sheet metal workers	8.40	.25	.20			
Soft floor layers (Sussex County)	6.80		.18			
Soft floor layers (New Castle and Kent Cos. only)	8.65	.48	.40		.02	
Sprinkler fitters	8.75	.30	.50		.05	
Steamfitters & pipe fitters (New Castle and Kent County, North of the Southern Boundary of Dover City)	8.77	.30	.55	.081364+c	.05	
Steamfitters (Sussex Co. & Kent Co. South of the Southern Boundary of Dover City)	7.50	.45	.35	1.25+d	.02	
Stone masons	8.25	.70	.75			
Terrazzo workers	7.73	.60	.90			
Tile setters	7.73	.60	.90			
Truck Drivers: Building						
Fork lifts, pickups, panel trucks flatbody material truck, dump trucks, dumpsters, form trucks, rubber tired, truck helpers, material checkers receivers, greasers, tiremen, mechanical helpers	3.60	g	h			
Tandems & batch truck, A-frame, semi-trailers, low boy trucks, asphalt distributor trucks, agitator or mixer trucks, mechanics, dispatcher	3.75	g	h			
Specialized earth moving equipment, euclid or similar off-highway equipment, off-highway tandem back-dump, twin engine equipment, double-hitched equipment, water tank sprinkler trucks, winch trucks	3.85	g	h			
Truck Drivers: (New Castle County Only Heavy and Highway)						
Helpers, pickups, panels, flat material, dumps (single axle), dumpsters, greasers, tiremen & mechanic helpers, rubber-tired (towing or pushing flatbody vehicles, form trucks	2.75	g	h			
Tandems, batch trucks, mechanics, dispatchers, A-frame, semi-trailers, lowboys, asphalt distributors, agitators, mixers	2.90	g	h			
Special earth moving equipment (Euclids)	3.00	g	h			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers (Kent and Sussex Counties Heavy and Highway)						
Helpers, pickups, panels flat material dumps (single axle), dumpsters, greasers, tiremen & mechanic helpers, rubber-tired (towing or pushing flatboy vehicles), form trucks	2.00					
Tandem, batch trucks, mechanics, dispatchers, A-frame, semi-trailers, low boys, asphalt distributors, agitators, mixers	2.40					
Special earth moving equipment (Euclids)	2.50					

PAID HOLIDAYS (Where Applicable)

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. 6 paid holidays: A through F.

c. One paid holiday: Labor Day, providing employee is currently on payroll and would be scheduled to work the holiday, also employee must work the day prior to and after the holiday.

d. A through F, provided that the employee worked the days preceding and following the holiday.

e. Election Day paid holiday.

f. Employer contributes $.90 to Health and Welfare and Pension Fund.

g. $4.00 per week for Health and Welfare and $1.00 per week for life insurance contribution.

h. $6.00 per week for those on the payroll for over 90 days.

j. Paid Holidays: A through F for employee currently employed by the employer at the time the holiday occurs, and who would otherwise be scheduled to work and would work on such day if it were not observed as a holiday, and who has worked under working conditions, the last regularly scheduled workday after the holiday.

SUPERSEDEAS DECISION

STATE: Iowa COUNTY: Black Hawk (City of Waterloo and abutting municipalities)

DECISION NO.: AP-527 DATE: Date of Publication

Supersedes Decision No. AP-510, dated November 10, 1972, in 37 FR 23980.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

7-IOWA-BHA-1 k (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$7.70	.25	.25		.10	
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS-STONEMASONS	7.19	.25	.37			
CARPENTERS:						
Carpenters; Piledrivermen	6.25	.25	.35		.01	
Millwrights	6.60	.25	.35		.01	
CEMENT MASONS	6.04	.25	.35			
ELECTRICIANS:						
Electricians	7.45	.20	1%		1%	
Cable splicers	7.90	.20	1%		1%	
ELEVATOR CONSTRUCTORS	6.54	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS(PROB.)	50%JR					
IRONWORKERS:						
Ornamental; Reinforcing; Structural	7.80					
LABORERS:						
Common laborers; Carpenters' helpers; Moving; Wrecking & demolition	5.12	.25				
Mason tenders; Hod carriers; Machine and air tool operators	5.22	.25				
Powderman	5.37	.25				
LATHERS	6.54	.25				
PAINTERS:						
Brush, roller	5.10					
Tapers	5.20					
Spray	5.60					
PLASTERERS	6.74	.25				
PLUMBERS-STEAMFITTERS	7.95				.08	
ROOFERS	6.22					
SHEET METAL WORKERS	7.10	.35	.10			
SOFT FLOOR LAYERS	6.25	.25	.35		.01	
SPRINKLER FITTERS	8.00	.25	.40		.05	
TRUCK DRIVERS:						
Up to 6 tons	5.14	.25	.30			
Helpers	4.97	.25	.30			
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others

FOOTNOTE:
a - Employer contributes 4% of basic hourly rate for over 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six paid Holidays: A through F.

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
CLASSIFICATION 1 Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes & cherry pickers over 15 ton rated capacity; Derricks; Pile drivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3-drum hoist; Welders; Mechanics; Locomotive; Dredge (levermen)	$7.20	.30	.30		.01	
CLASSIFICATION 2 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixers; Farm type tractors (with loaders, backhoes attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Classification #1; Motor patrol; Bulldozers; Push cat; Truck cranes & cherry pickers (15 ton and under); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pumps; Temporary hoist cage operated; Second man on locomotive	7.10	.30	.30		.01	
CLASSIFICATION 3 Tractors (under 35 h.p.) with or without attachments; Endloaders (under 35 h.p.) with or without attachments; Air compressors (over 125 cfm); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW and over); Fork lifts (other than above Classification #2); Gunite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"	6.50	.30	.30		.01	

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
CLASSIFICATION 4						
Oilers; Mechanical Heaters; Truck Crane Drivers; Permanent elevators	$6.30	.30	.30		.01	

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CARPENTERS; PILEDRIVERMEN	$5.91	.25				
CEMENT MASONS	5.65					
LABORERS:						
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line, or block & tackle; Drill op. of air tracs, wagon drills & similar drills	5.30	.15	.10			
Tree climber; Form setters; Bakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning & shoring; Caissons (Over 12'); Grade checker & cutting torches on demolition work	5.05	.15	.10			
Power buggyman; Concrete & paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chain-saw man; Mechanical grouters; Boring machine; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or prestressed concrete (on or off the job); Powdermen helpers	4.89	.15	.10			
Form tamper; Air, gas & electric tool op., vibrator; Barco hammer, paving breaker, spader, tamper, electric drills, hammer & jack-hammer; Tree groundmen; Chuck tender; Drill helpers, tool room men & checkers; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	4.65	.15	.10			
Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen, tending to carpenters; Hot asphalt labor; Stringman on paving work	4.55	.15	.10			

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS:						
Power shovel & crane type equipment (1/2 cy & over); Central mix plant op. (concrete 5 cy & over); Dredge op. & leverman; Concrete mixer, paver; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Pile-driver machine	$6.05	.30	.30		.01	
Asphalt plant; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull, TW 10 & all similar equipment, over 10 cy struck cap.; All self-loading scrapers; Tractors, bulldozers, push cat or pulling scraper or rooter; Sideboom tractor; Churn or rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy); Asphalt spreader; Group equipment greaser; Automatic subgrade machine; Slip form paving	5.90	.30	.30		.01	
Motor patrol (other than finish); Asphalt roller (high type surfacing); Concrete curb breaking machine; Concrete widening machine; Elevating grader & athey loader; Tournapull, TW 10 & all similar equipment under 10 cy struck cap.; Paving breaker (drop or pneumatic); Spreader box (self-propelled or tractor-pushed); Subgrade stab. (P&H & similar sizes); Boiler (2 or one boiler & dryer); Subgrading machine (CMI); Asphalt paver, Backhoe under 3/8 cy	5.65	.30	.30		.01	

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (CONT'D):						
Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader, concrete; Tank car heater (combination boiler & booster); Self-propelled vibrating compactor; Trenching machine (other); Pumps on well points & deep wells for dewatering; Mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Motor crane combination driver & oiler; Concrete curing machine	$5.45	.30	.30		.01	
Boiler (single); Apprentice engineer or oil or mechanics' helper or group greaser helper; Self-propelled tractor (pullingdisc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck	5.25	.30	.30		.01	
Batching plant (dry); Front end loader, rubbertired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller	4.95	.30	.30		.01	
TRUCK DRIVERS:						
Truck drivers (not otherwise specified); Warehousemen; Drivers on: 4-wheel service trucks, bus hauling men, carry all & winch trucks, dumpcretes & scoopmobiles	4.65	.25				
Semi & tandem; Ready mix; Dumpster; Tandem axle service; Korking & similar dumpsters, track trucks, euclids, bug bottom drums, tournapulls or similar equipment used for transportation; Drivers on pavement breakers, pole trailers or air compressors and welding machines, including those pulled by separate units	4.75	.25				

SUPERSEDEAS DECISION

STATE: Iowa

COUNTY: Des Moines (City of Burlington and abutting municipalities and Burlington Ordnance Plant)

DECISION NO.: AP-528

DATE: Date of Publication

Supersedes Decision No. AP-511, dated November 10, 1972, in 37 FR 23984.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

29-IOWA-DMO-1 c (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$7.70	.25	.25		.10	
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS-STONEMASONS	7.35		.20			
CARPENTERS:						
Carpenters & soft floor layers	6.35	.35	.30		.01	
Millwrights	7.00	.35	.30		.01	
Piledrivermen	6.85	.35	.30		.01	
CEMENT MASONS	7.15					
ELECTRICIANS	7.90	.28	1%		1%	
GLAZIERS	6.8048	.35	.50			
IRONWORKERS:						
Ornamental; Reinforcing; Structural	7.25	.30	.30			
LABORERS:						
Common laborers; Signal man; Wrecking, deck hand	5.20	.20				
Plaster tender; Mortar mixer; Mason tender; Stone & marble setter tender; Drill op.; Jackhammer man; Air tamper; Air spade (electric or pneumatic); Spraying equipment & all mechanical operated tools; Excavation work over 6' deep below ground level or basement level	5.35	.20				
Tile layers (sewers)	5.45	.20				
Gunniting & sandblasting	5.55	.20				
Tunnel & sewer mucker & miner over 6' deep; Caisson worker & drill op. in tunnel & caisson; Powderman	5.65	.20				
PAINTERS:						
Brush	5.50					
Rollers	5.60					
Sign	6.00					
Spray; Structural steel; Swing stage	6.50					
PLASTERERS	6.80					

29-IOWA-DMO-1 c (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PLUMBERS-STEAMFITTERS	$7.10	.27	.37		.05	
ROOFERS	5.40			.10		
SHEET METAL WORKERS	7.33	.17			.005	
SPRINKLER FITTERS	8.00	.25	.40		.05	
TRUCK DRIVERS:						
Warehouseman; Helpers; Teamsters; Mechanic helpers; Greasers; Single axle flat beds & dump trucks; Pulling air compressors & welding machines; Batch trucks 2-34E batches or less; Chip spreaders	5.35	8.50p/w				
Chester axle; Tandems; 6 wheel trucks; Semi-trailers; Carryall; Winch; Mixers; Batch over 2-34E batches; "A" Frame; Pole trailers	5.55	8.50p/w				
Track trucks; Euclid type truck; Oil distributors; Front & rear; All types of dumpsters; Pavement breakers	5.65	8.50p/w				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
All steel hoists and/or steel erection equipment	$8.40	.30	.50		.08	
Cranes; Shovels; Clamshells; Draglines; Backhoes; Derricks; Cableways; Dual drum pavers; Concrete spreaders (behind 2 pavers); Asphalt spreaders; Asphalt mixer plant engineers; Dipper dredge op.; Dipper dredge cranemen; Dual purpose trucks (boom or winch) levermen or engine men (hydraulic dredge); Mechanics; Paving mixers (16-E to 34-E) paving mixers with tower attached (2 operators required); Pile drivers; Boom tractors; Stationary, portable or floating mixing plants; Trenching machines; Building hoists (2 drums); Hot paint wrapping machines; Cleaning and priming machines; End loaders (1/2 cu. yd. or over); On basement excavating work; Backfillers (throw bucket); Locomotive engineers	7.98	.30	.50		.08	
Athey; Barber greene; Euclid or haise loaders; Asphalt pugmills; Firemen & drivers; Concrete pumps; Concrete spreaders (behind 1 paver); Bulldozers; Endloaders (other than mentioned above); Fork lifts; Elevating graders; Group equipment greasers; LeTourneaupull & similar machines; Power blades; Power subgraders (on forms & similar machines); Push cats; Tractors pulling elevating graders or power blades; Tractors with power attachments; Rollers on asphalt or blacktop; Single drum hoists; Jaeger mix & place machines; Pipe bending machines; Welding machines (3 or 4); Puller Kenyon cement pumps or similar machines; Automatic cement & gravel batch plants (1 stop set-up)	7.81	.30	.50		.08	

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (CONT'D)						
Asphalt boosters; Firemen & pump op. at asphalt plants; Compressors (500 cu. ft. & over); Concrete finishing machines; Form graders with rollers on earth; Mixers (3 bag to 16-E); Power operating bull floats; Tractors without power attachments; Dope pots (agitating motor); Dope chop machines; Distributors (backend); Flexplanes; Boat op.; Hydrohammers; Power winch on paving work; Self-propelled earth rollers or compactors (other than paving work); Pump op. (more than 1 well point pump); Portable crusher operator	$6.92	.30	.50		.08	
Air compressors (under 500 cu. ft.); Drivers on truck cranes; Conveyors; Light plants; Mixers (1 or 2 bag); Power batching machines (cement auger or conveyor); Boilers engineer or firemen; Water pumps; Welding machines; Mechanical brooms; Automatic cement & gravel batch plants (2 or 3 stop set up); Small rubber-tired tractors	6.51	.30	.50		.08	
Oilers; Mechanics helpers; Water pumps (pumping water to paver); Mechanical heaters (other than steam boiler)	6.00	.30	.50		.08	

AP-528 P. 5 — 11a-IOWA-2,3 (1 - 3)

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CARPENTERS; PILEDRIVERMEN	$5.91	.25				
CEMENT MASONS	5.65					
LABORERS:						
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line, or block & tackle; Drill op. of air track, wagon drills & similar drills	5.30	.15	.10			
Tree climber; Form setters; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning & shoring; Caissons (over 12'); Grade checker & cutting torches on demolition work	5.05	.15	.10			
Power buggyman; Concrete & paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chain-saw man; Mechanical grouters; Boring machine; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or prestressed concrete (on or off the job); Powdermen helpers	4.80	.15	.10			
Form tamper; Air, gas & electric tool op., vibrator; Barco hammer, paving breaker, spader, tamper, electric drills, hammer & jack-hammer; Tree groundmen; Chuck tender; Drill helpers, tool room men & checkers; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	4.65	.15	.10			
Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen, tending to carpenters; Hot asphalt labor; Stringman on paving work	4.55	.15	.10			

AP-528 P. 6 — 11a-IOWA-2,3 (2 - 3)

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS:						
Power shovel & crane type equipment (1/2 cy & over); Central mix plant op. (concrete 5 cy & over); Dredge op. & leverman; Concrete mixer, paver; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Pile-driver machine	$6.05	.30	.30		.01	
Asphalt plant; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull; DW 10 & all similar equipment, over 10 cy struck cap.; All self-loading scrapers; Tractors, bulldozers; Push cat or pulling scraper or rooter; Sideboom tractor; Churn or rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy); Asphalt spreader; Group equipment greaser; Automatic sub grade machine; Slip form paving	5.90	.30	.30		.01	
Motor patrol (other than finish); Asphalt roller (high type surfacing); Concrete curb breaking machine; Concrete widening machine; Elevating grader & athey loader; Tournapull, DW 10 & all similar equipment under 10 cy struck cap.; Paving breaker (drop or pneumatic); Spreader box (self-propelled or tractor-pushed); Subgrade stab. (P&H & similar sizes); Boiler (2 or one boiler & dryer); Subgrading machine (CMI); Asphalt paver; Backhoe under 3/8 cy	5.65	.30	.30		.01	

AP-525 P. 7 — 11a-IOWA-2,3 (3 - 3)

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (CONT'D): Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader, concrete; Tank car heater (combination boiler & booster); Self-propelled vibrating compactor; Trenching machine (other); Pumps on well points & deep wells for dewatering; Mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Motor crane combination driver & oiler; Concrete curing machine	$5.45	.30	.30		.01	
Boiler (single); Apprentice engineer or oil or mechanics' helper or group greaser helper; Self-propelled tractor (pulling disc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck	5.25	.30	.30		.01	
Batching plant (dry); Front end loader, rubbertired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller	4.95	.30	.30		.01	
TRUCK DRIVERS: Truck drivers (not otherwise specified); Warehousemen; Drivers on: 4-wheel service trucks, bus hauling men, carry all & winch trucks, dumpcretes & scoopmobiles	4.65	.25				
Semi & tandem; Ready mix; Dumpsters; Tandem axle service; Korking & similar dumpsters, track trucks, euclids, hug bottom drums, tournapulls or similar equipment used for transportation; Drivers on pavement breakers, pole trailers or air compressors and welding machines, including those pulled by separate units	4.75	.25				

SUPERSEDEAS DECISION

STATE: Iowa — COUNTY: Linn (City of Cedar Rapids and abutting municipalities)

DECISION NO.: AP-529 — DATE: Date of Publication

Supersedes Decision No. AP-512, dated November 10, 1972, in 37 FR 23988.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction

57-IOWA-LIN-1 k (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$7.70	.25	.25		.10	
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; STONEMASONS	7.65	.35				
CARPENTERS:						
Carpenters	6.84	.25			.02	
Millwrights; Piledrivermen	7.19	.25			.02	
CEMENT MASONS	6.88	.21				
ELECTRICIANS	7.95	.18	1%		1%	
ELEVATOR CONSTRUCTORS	6.54	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	6.8048	.35	.50			
IRONWORKERS:						
Ornamental; Reinforcing; Structural	7.80					
LABORERS:						
Common laborers	5.64	.15	.15			
All water service; Mortar mixers; Sewer tile layers	5.765	.15	.15			
Air, electric or gasoline powered jackhammers; Chipping hammers; Machine rock drills; Power driven buggies; Tampers; Vibrators; Well point work	5.84	.15	.15			
LATHERS	5.30					
PAINTERS:						
Brush	6.60					
Paperhangers; Structural steel; Swing stage to 55'	6.85					
Spray	7.25					
PLASTERERS	7.28					
PLUMBERS-STEAMFITTERS	6.35	.20	.30		.01	
ROOFERS	5.95					
SHEET METAL WORKERS	5.15					
SOFT FLOOR LAYERS	6.84	.25			.02	
SPRINKLER FITTERS	8.00	.25	.40		.05	
TRUCK DRIVERS	5.64					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

AP-529 P. 2 57-IOWA-LIN-1 k (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
FOOTNOTE: a - Employer contributes 4% of basic hourly rate for over 5 years' service; 2% basic hourly rate for 6 months to 5 years service as Vacation Pay Credit. Six Paid Holidays: A through F.						
PAID HOLIDAYS: A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.						

AP-529 P. 3 5-IOWA-PEO-1 g (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
CLASSIFICATION 1 Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes & cherry pickers over 15 ton rated capacity; Derricks; Pile drivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3-drum hoist; Welders; Mechanics; Locomotive; Dredge (Leverman)	$7.20	.30	.30		.01	
CLASSIFICATION 2 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobilgs; Plant mixers; Farm type tractors (with loaders, backhoes attachments, etc.); Scrapers (tournapull, etc.); End loaders; Dredge (engineer); Side boom and winch truck other than Classification #1; Motor patrol; Bulldozers; Push cat; Truck cranes & cherry pickers (15 ton and under); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pumps; Temporary hoist cage operated; Second man on locomotive	7.10	.30	.30		.01	
CLASSIFICATION 3 Tractors (under 35 hp) with or without attachments; Endloaders (under 35 hp) with or without attachments; Air compressors (over 125 cfm); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW and over); Fork lifts (other than above Classification #2); Gunite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"	6.50	.30	.30		.01	

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
CLASSIFICATION 4						
Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators	$6.30	.30	.30		.01	

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
CARPENTERS; PILEDRIVERMEN	$5.91	.25				
CEMENT MASONS	5.65					
LABORERS:						
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line, or block & tackle; Drill op. of air tracs, wagon drills & similar drills	5.30	.15	.10			
Tree climber; Form setters; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning & shoring; Caissons (over 12'): Grade checker & cutting torches on demolition work	5.05	.15	.10			
Power buggyman; Concrete & paving sawmen; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chainsaw man; Mechanical grouters; Boring machine; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or prestressed concrete (on or off the job); Powdermen helpers	4.80	.15	.10			
Form tamper; Air, gas & electric tool op., vibrator; Barco hammer, paving breaker, spader, tamper, electric drills, hammer & jackhammer; Tree groundmen; Chuck tender; Drill helpers, tool room men & checkers; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	4.65	.15	.10			
Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen, tending to carpenters; Hot asphalt labor; Stringman on paving work	4.55	.15	.10			

AP-529 P. 6 — 11a-IOWA-2,3 (2 - 3)

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS:						
Power shovel & crane type equipment (1/2 cy & over); Central mix plant op. (concrete 5 cy & over); Dredge op. & leverman; Concrete mixer, paver; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Pile-driver machine	$6.05	.30	.30		.01	
Asphalt plant; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull; DW 10 & all similar equipment, over 10 cy struck cap.; All self-loading scrapers; Tractors, bulldozers; Push cat or pulling scraper or rooter; Sideboom tractor; Churn or rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy); Asphalt spreader; Group equipment greaser; Automatic subgrade machine; Slip form paving	5.90	.30	.30		.01	
Motor patrol (other than finish); Asphalt roller (high type surfacing); Concrete curb breaking machine; Concrete widening machine; Elevating grader & Athey loader; Tournapull, DW 10 & all similar equipment under 10 cy struck cap.; Paving breaker (drop or pneumatic); Spreader box (self-propelled or tractor-pushed); Subgrade stab. (P&H & similar sizes); Boiler (2 or one boiler & dryer); Subgrading machine (CMI); Asphalt paver; Backhoe under 3/8 cy	5.65	.30	.30		.01	

AP-529 P. 7 — 11a-IOWA-2,3 (3 - 3)

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (CONT'D):						
Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader, concrete; Tank car heater (combination boiler & booster); Self-propelled vibrating compactor; Trenching machine (other); Pump on well points & deep wells for dewatering; Mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Motor crane combination driver & oiler; Concrete curing machine	$5.45	.30	.30		.01	
Boiler (single); Apprentice engineer or oil or mechanics' helper or group greasor helper; Self-propelled tractor (pulling disc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck	5.25	.30	.30		.01	
Batching plant (dry); Front end loader, rubbertired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller	4.95	.30	.30		.01	
TRUCK DRIVERS:						
Truck drivers (not otherwise specified); Warehousemen; Drivers on: 4-wheel service trucks, bus hauling men, carry all & winch trucks, dumpcretes & scoopmobiles	4.65	.25				
Semi & tandem; Ready mix; Dumpster; Tandem axle service; Korking & similar dumpsters, track trucks, euclids, hug bottom drums, tournapull or similar equipment used for transportation; Drivers on pavement breakers, pole trailers or air compressors and welding machines, including those pulled by separate units	4.75	.25				

SUPERSEDEAS DECISION

STATE: Iowa COUNTY: Polk (City of Des Moines and abutting municipalities)

DECISION NO.: AP-530 DATE: Date of Publication

Supersedes Decision No. AP-513, dated November 10, 1972, in 37 FR 23992.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

77-IOWA-POL-1 m (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
ASBESTOS WORKERS	$7.95	.425	.25			
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; STONEMASONS	7.625	.325				
CARPENTERS:						
Carpenters	7.00	.25	.20		.04	
Millwrights; Piledrivermen	7.25	.25	.20		.04	
CEMENT MASONS:						
Cement masons	7.24					
Hanging, traveling scaffold slip form work machine travel; float operator; color work	7.365					
ELECTRICIANS	8.50	.25	1%		1%	
ELEVATOR CONSTRUCTORS	7.265	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	6.795		.25	2 weeks		
IRONWORKERS:						
Ornamental; Reinforcing; Structural	6.975	.26	.50		.02	
LABORERS:						
General laborers	6.185	.275	.275			
Mortar mixers; Motor buggies, when pouring concrete; Power tool ops. (Air tools, concrete vibrator, gunnite nozzlemen, electric drills & hammers)	6.285	.275	.275			
Plasterers' tenders	6.31	.275	.275			
Powdermen	6.335	.275	.275			
Air tool, power tampers & other similar self-powered tools weighing 50 lbs. & over	6.385	.275	.275			
All tunnel work	6.435	.275	.275			
Paving breakers weighing 50 lbs. and over	6.485	.275	.275			
LATHERS	7.10					
PAINTERS:						
Brush; Roller; Drywall finisher	7.20				.03	
Paperhangers	7.45				.03	
Spray; Structural steel; Sandblasting	7.70				.03	
Stack; Tower work over 100'	8.30				.03	

77-IOWA-POL-1 m (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
PLASTERERS	$7.35					
PLUMBERS; STEAMFITTERS	7.89	.30	.20		.10	
ROOFERS	6.885					
SHEET METAL WORKERS	7.875	.25	.20		.05	
SPRINKLER FITTERS	8.00	.25	.40		.05	
TRUCK DRIVERS	5.91					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTE:

a - Employer contributes 4% of basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

AP-530 P. 3 3-IOMA-PEO-1 k (1 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
CLASSIFICATION 1						
Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes & cherry pickers over 15 ton rated capacity; Derricks; Pile drivers and extractors; Caisson rigs; Side boom and winch trucks (used for erection of structural steel and moving and setting of heavy machinery); 3-drum hoist; Welders; Mechanics; Locomotive; Dredge (leverman)	$7.20	.30	.30		.01	
CLASSIFICATION 2						
1 and 2 drum hoist; Air and electric tuggers (on power plants or setting steel or grating); Economobile; Plant mixers; Farm type tractors (with loaders, backhoe attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Classification #1; Motor patrol; Bulldozers; Push cat; Truck cranes & cherry pickers (15 ton and under); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pumps; Temporary hoist cage operated; Second man on locomotive	7.10	.30	.30		.01	
CLASSIFICATION 3						
Tractors (under 35 hp) with or without attachments; Endloaders (under 35 hp) with or without attachments; Air compressors (over 125 cfm); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW and over); Fork lifts (other than above Classification #2); Gunite machine; Self-propelled rollers; Stump chippers; Self-propelled tamper; Air and electric tuggers (other than above); Ditching machine under 8"	6.50	.30	.30		.01	

AP-530 P. 4 3-IOMA-PEO-1 k (2 - 2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (CONT'D):						
CLASSIFICATION 4						
Oilers; Mechanical Heaters; Truck Crane Drivers; Permanent elevators	$6.30	.30	.30		.01	

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CARPENTERS; PILEDRIVERMEN	$5.91	.25				
CEMENT MASONS	5.65					
LABORERS:						
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line, or block & tackle; Drill op. of air tracs, wagon drills & similar drills	5.30	.15	.10			
Tree climber; Form setters; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning & shoring; Caissons (over 12'); Grade checker & cutting torches on demolition work	5.05	.15	.10			
Power buggyman; Concrete & paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chainsaw man; Mechanical grouters; Boring machine; Automatic concrete power curbing machines; Stressor or stretcherman on post-tension or pre-stressed concrete (on or off the job); Powdermen helpers	4.80	.15	.10			
Form tamper; Air, gas & electric tool op., vibrator; Barco hammer, paving breaker, spader, tamper, electric drills; Hammer & jackhammer; Tree groundmen; Chuck tender; Drill helpers, tool room men & checkers; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	4.65	.15	.10			
Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen, tending to carpenters; Hot Asphalt labor; Stringmen on paving work	4.55	.15	.10			

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS:						
Power shovel & crane type equipment (1/2 cy & over); Central mix plant op. (concrete 5 cy & over); Dredge op. & leverman; Concrete mixer, paver; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Piledriver machine	$6.05	.30	.30		.01	
Asphalt plant; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull, DW 10 & all similar equipment, over 10 cy struck cap.; All self-loading scrapers; Tractors, bulldozers; Push cat or pulling scraper or rooter; Sideboom tractor; Churn or rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy); Asphalt spreader; Group equipment greaser; Automatic subgrade machine; Slip form paving	5.90	.30	.30		.01	
Motor patrol (other than finish); Asphalt roller (high type surfacing); Concrete curb breaking machine; Concrete widening machine; Elevating grader & Athey loader; Tournapull, DW 10 & all similar equipment under 10 cy struck cap.; Paving breaker (drop or pneumatic); Spreader box (self-propelled or tractor-pushed); Subgrade stab. (P&H & similar sizes); Boiler (2 or one boiler & dryer); Subgrading machine (CMI); Asphalt paver; Backhoe under 3/8 cy	5.65	.30	.30		.01	

AP-530 P. 7 lla-HSA-2,3 (3 - 3)

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (CONT'D):						
Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader, concrete; Tank car heater (combination boiler & booster); Self-propelled vibrating compactor); Trenching machine (other); Pumps on well points & deep wells for dewatering; Mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Motor crane combination driver & oiler; Concrete curing machine	$5.45	.30	.30		.01	
Boiler (single); Apprentice engineer or oil or mechanics' helper or group greaser helper; Self-propelled tractor (pulling disc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck	5.25	.30	.30		.01	
Batching plant (dry); Front end loader, rubbertired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller	4.95	.30	.30		.01	
TRUCK DRIVERS:						
Truck drivers (not otherwise specified); Warehousemen; Drivers on: 4-wheel service trucks, bus hauling men, carry all & winch trucks, dumpcretes & scoopmobiles	4.65	.25				
Semi & tandem; Ready mix; Dumpster; Tandem axle service; Korking & similar dumpsters, track trucks, euclids, bug bottom drums, tournapulls or similar equipment used for transportation; Drivers on pavement breakers, pole trailers or air compressors and welding machines, including those pulled by separate units	4.75	.25				

SUPERSEDEAS DECISION

STATE: Kentucky COUNTY: See below*
DECISION NUMBER: AP-183 DATE: Date of Publication
Supercedes Decision No. AM-488 dated August 20, 1971 in 36 FR 16460.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Breckinridge, Bullitt, Hardin, Jefferson, Marion, Meade, Nelson, Oldham, Shelby, Spencer, and Washington.

56-Kentucky-5 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Bricklayers	$5.62					
Carpenters	4.56					
Cement Masons	6.18					
Drywall Hanger	3.50					
Drywall Sander	3.60					
Electricians	4.48					
Ironworkers	4.30					
Laborers:						
Laborers	2.93					
Form Setter	3.00					
Mortar Mixers	3.00					
Pipelayers (concrete & clay)	3.00					
Plasterers' Tenders	3.50					
Painters, brush	4.27					
Plumbers & Steamfitters	6.00					
Roofers	3.27					
Sheet Metal Workers	4.45					
Stonemasons	4.00					
Tile Setters	4.50					
Truck Drivers	3.70					
Power Equipment Operators:						
Backhoes	5.80					
Blade Graders	4.12					
Bulldozers	4.00					
Firemen, Oilers	4.55					
Fork Lift Operators	4.83					
Mixers	3.00					
Tractors	4.25					
Trenching Machines	5.00					

SUPERSEDEAS DECISION

STATE: Virginia

COUNTIES: Accomack, Greensville, Isle of Wight, James City, Hanseomond, Northampton, Southampton, Surry, Sussex and York. The Cities of Emporia, Franklin, Suffolk and Williamsburg.

DECISION NO. AP-805

DATE: Date of Publication

Supersedes Decision No. AM-1,872, dated August 20, 1971, in 36 FR 16340.

DESCRIPTION OF WORK: Highway Construction

5-VA-3-B

HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Carpenter, structure	$4.68					
Carpenter, structure helper	3.30					
Concrete finisher	4.25					
Ironworker, reinforcing	4.25					
Laborers:						
Asphalt raker	2.50					
Form setter road	3.25					
Piledriver leadsman	4.25					
Pipelayer	2.625					
Unskilled	2.40					
Power Equipment Operators:						
Asphalt distributor	3.00					
Asphalt paver	3.27					
Backhoe	4.06					
Bulldozer	3.44					
Bulldozer, utility	3.85					
Cranes, derricks & draglines (under 1 yd.)	4.10					
Cranes, derricks & draglines (over 1 yd.)	4.25					
Loaders (2 yds. and under)	3.00					
Loaders (over 2 yds.)	3.30					
Motor grader (fine grade)	4.00					
Motor grader (rough grade)	3.73					
Oiler, greaser	3.00					
Piledriver	4.25					
Power tool	3.00					
Roller operator	4.00					
Roller operator (finish)	3.00					
Scraper pan	3.29					
Subgrade machine	2.50					
Gradall	2.85					
Tractor, utility	2.30					

[FR Doc.73-8556 Filed 5-3-73;8:45 am]

INDEX TO AREA WAGE DETERMINATION DECISIONS AND MODIFICATIONS AS OF APRIL 13, 1973

There is set forth below an index to area wage determination decisions and modifications as published in the FEDERAL REGISTER pursuant to the Davis-Bacon and related Acts. The index lists area wage determination decisions and modifications by State and county. An updated index is published on the first Friday of each month.

The index is published for the convenience of the public and the Department of Labor will endeavor to keep it accurate and up to date. In the event the data in the index and published area decisions do not coincide, the published area decisions shall control.

ABBREVIATIONS

(B)—Building Construction.
(D)—Dredging Construction.
(F)—Flood Control Construction.
(H)—Heavy Construction.
(Hw)—Highway Construction.
(R)—Residential Construction.
Mod.—Modification.

Signed at Washington, D.C., this 27th day of April 1973.

WARREN D. LANDIS,
Assistant Administrator,
Wage and Hour Division.

ALABAMA

STATEWIDE
Decision #AM-8589 (D)
37 FR 5654 - 3-17-72
Mod. #1 - 37 FR 24506 - 11/17/72
AUTAUGA COUNTY
Decision #AP-119 (Hw)
37 FR 16733 - 8-18-72
Mod. #1 - 37 FR 24507 - 11/17/72
(D) - See Statewide
BALDWIN COUNTY
Decision #AM-554 (R)
36 FR 23101 - 12-3-71
Decision #AP-118 (Hw)
37 FR 18836 - 9/15/72
Mod. #1 - 37 FR 24507 - 11/17/72
(D) - See Statewide
BARBOUR COUNTY
(D) - See Statewide
(Hw) - See Autauga County
BIBB COUNTY
(D) - See Statewide
(Hw) - See Autauga County
BLOUNT COUNTY
Decision #AM-448 (R)
36 FR 16359 - 8-20-71
(D) - See Statewide
(Hw) - See Autauga County
BULLOCK COUNTY
(D)- See Statewide
(Hw)- See Autauga County
BUTLER COUNTY
(D)- See Statewide
(Hw)- See Augauga County
CALHOUN COUNTY
Decision #AP-117 (Hw)
37 FR 16732 - 8/18/72
Mod. #1 - 37 FR 24507 - 11/17/72
(D)-See Statewide
CHAMBERS COUNTY
(D)-See Statewide
(Hw)-See Autauga County
CHEROKEE COUNTY
(D)-See Statewide
(Hw)- See Autauga County
CHILTON COUNTY
(D)-See Statewide
(Hw)-See Autauga County
CHOCTAW COUNTY
(D)-See Statewide
(Hw)-See Autauga County

ALABAMA (cont'd)

CLARKE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CLAY COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CLEBURNE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
COFFEE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
COLBERT COUNTY
Decision #AP-116 (Hw)
37 FR 18835 - 9-15-72
Mod. #1 - 37 FR 24507 - 11/17/72
(D) - See Statewide
CONECUH COUNTY
(D) - See Statewide
(Hw) - See Autauga County
(R) - See Baldwin County
COOSA COUNTY
(D) - See Statewide
(Hw) - See Autauga County
COVINGTON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CRENSHAW COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CULLMAN COUNTY
(D) - See Statewide
(Hw) - See Autauga County
DALE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
DALLAS COUNTY
(D) - See Statewide
(Hw) - See Autauga County
DE KALB COUNTY
(D) - See Statewide
(Hw) - See Autauga County
ELMORE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
ESCAMBIA COUNTY
(D) - See Statewide
(Hw) - See Autauga County

ALABAMA (Cont'd)

ETOWAH COUNTY
(D) - See Statewide
(Hw) - See Calhoun County
FAYETTE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
FRANKLIN COUNTY
(D) - See Statewide
(Hw) - See Autauga County
GENEVA COUNTY
(D) - See Statewide
(Hw) - See Autauga County
GREENE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
HALE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
HENRY COUNTY
(D) - See Statewide
(Hw) - See Autauga County
HOUSTON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
JACKSON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
JEFFERSON COUNTY
Decision #AP-140 (B, Hw)
37 FR 25628 - 12/1/72
Mod. #1 - 38 FR 5754 - 3/2/73
(D) - See Statewide
(R) - See Blount County
LAMAR COUNTY
(D) - See Statewide
(Hw) - See Autauga County
LAUDERDALE COUNTY
(D) - See Statewide
(Hw) - See Colbert County
LAWRENCE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
LEE COUNTY
(D)-See Statewide
(Hw)-See Autauga County

ALABAMA (cont'd)

LIMESTONE COUNTY
(D)-See Statewide
(Hw)-See Autauga County
LOWNDES COUNTY
(D)-See Statewide
(Hw)-See Augauga County
MACON COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MADISON COUNTY
(D)-See Statewide
(Hw)- See Colbert Countyy
MARENGO COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MARION COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MARSHALL COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MOBILE COUNTY
Decision #AP-153 (B, Hw)
38 FR 4083 - 2/9/73
Mod. #1 - 38 FR 5754 - 3/2/73
(D)-See Statewide
MONROE COUNTY
(D)-See Statewide
(Hw)-See Autauga County
MONTGOMERY COUNTY
Decision #AP-115 (B)
37 FR 16263 - 8/11/72
(D)-See Statewide
(Hw)-See Baldwin County
MORGAN COUNTY
(D)-See Statewide
(Hw)-See Colbert County
PERRY COUNTY
(D)-See Statewide
(Hw)-See Autauga County
PICKENS COUNTY
(D)-See Statewide
(Hw)-See Autauga County

ALABAMA (Cont'd)

PIKE COUNTY
(D)-See Statewide
(Hw)-See Autauga County
RANDOLPH COUNTY
(D)-See Statewide
(Hw)-See Autauga County
RUSSELL COUNTY
(D)-See Statewide
(Hw)-See Autauga County
SAINT CLAIR COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
(R)-See Blount County
SHELBY COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
(R)-See Blount County
SUMTER COUNTY
(D)-See Statewide
(Hw)-See Autauga County
TALLADEGA COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
(R)-See Blount County
TALLAPOOSA COUNTY
(D)-See Statewide
(Hw)-See Autauga County
TUSCALOOSA COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
WALKER COUNTY
(D)-See Statewide
(Hw)-See Calhoun County
WASHINGTON COUNTY
(D)-See Statewide
(Hw)-See Autauga County
WILCOX COUNTY
(D)-See Statewide
(Hw)-See Autauga County
WINSTON COUNTY
(D)-See Statewide
(Hw)-See Autauga County

ALASKA

AREA I (North of the 63rd Parallel)
Decision #AP-251 (B, H, Hw, D)
37 FR 25118 - 11/25/72
Mod. #1 - 38 FR 5084 - 2/23/73
Decision #AP-252 (R)
37 FR 25124 - 11/25/72
Mod. #1 - 38 FR 5084 - 2/23/73
AREA II (South of the 63rd Parallel & West of the 141st Meridian)
Decision #AM-2506 (B, H, Hw, D)
36 FR 17168 - 8/27/72
Mod. #1 - 37 FR 6128 - 3/24/72
Mod. #2 - 37 FR 20385 - 9/29/72
Mod. #3 - 37 FR 25103 - 11/25/72
Mod. #4 - 38 FR 2568 - 1/26/73
Mod. #5 - 38 FR 5084 - 2/23/73
Decision #AM-6726 (R)
37 FR 9157 - 5/5/72
Mod. #1 - 37 FR 17307 - 8/25/72
Mod. #2 - 37 FR 20385 - 9/29/72
Mod. #3 - 37 FR 25103 - 11/25/72
Mod. #4 - 38 FR 2568 - 1/26/73
Mod. #5 - 38 FR 5084 - 2/23/73
AREA III (East of the 141st Meridian)
Decision #AM-2507 (B, H, Hw, D)
36 FR 17173 - 8/27/71
Mod. #1 - 37 FR 6168 - 3/24/72
Mod. #2 - 37 FR 20385 - 9/29/72
Mod. #3 - 37 FR 25103 - 11/25/72
Mod. #4 - 38 FR 2568 - 1/26/73
Mod. #5 - 38 FR 5084 - 2/23/73
Decision #AM-6727 (R)
37 FR 9160 - 5/5/72
Mod. #1 - 37 FR 17307 - 8/25/72
Mod. #2 - 37 FR 20385 - 9/29/72
Mod. #3 - 37 FR 25103 - 11/25/72
Mod. #4 - 38 FR 2568 - 1/26/73
Mod. #5 - 38 FR 5084 - 2/23/73

ARIZONA

STATEWIDE
Decision #AP-258 (H, Hw)
38 FR 1440 - 1/12/73

ARIZONA (Cont'd)

APACHE COUNTY
(H, Hw) - See Statewide
COCHISE COUNTY
(H, Hw) - See Statewide
Decision #AP-222 (B)
37 FR 16744 - 8/18/72
Mod. #1 - 37 FR 19871 - 9/22/72
Mod. #2 - 37 FR 21695 - 10/13/72
Mod. #3 - 37 FR 23497 - 11/3/72
Mod. #4 - 38 FR 2007 - 1/19/73
COCONINO COUNTY
(H, Hw) - See Statewide
GILA COUNTY
(H, Hw) - See Statewide
GRAHAM COUNTY
(H, Hw) - See Statewide
MARICOPA COUNTY
(H, Hw) - See Statewide
Decision #AP-221 (B)
37 FR 16737 - 8/18/72
Mod. #1 - 37 FR 21217 - 10/6/72
Mod. #2 - 37 FR 21694 - 10/13/72
Mod. #3 - 38 FR 2007 - 1/19/73
Decision #AP-259 (R)
38 FR 2022 - 1/19/73
MOHAVE COUNTY
(H, Hw) - See Statewide
NAVAJO COUNTY
(H, Hw) - See Statewide
PIMA COUNTY
(H, Hw) - See Statewide
(B) - See Cochise County
Decision #AP-260 (R)
38 FR 2027 - 1/19/73
PINAL COUNTY
(H, Hw) - See Statewide
SANTA CRUZ COUNTY
(H, Hw) - See Statewide
YAVAPAI COUNTY
(H, Hw) - See Statewide
YUMA COUNTY
(H, Hw) - See Statewide

ARKANSAS

STATEWIDE
Decision #AP-701 (Hw)
38 FR 4078 - 1/19/73
Decision #AM-8,589 (D)
37 FR 5654 - 3-17-72
Mod. #1 - 37 FR 24506 - 11/17/72
ARKANSAS COUNTY
(Hw) - See Statewide
(D) - See Statewide
Decision #AM-8588 (F)
37 FR 5654 - 3-17-72
Mod. #1 - 37 FR 8601 - 4-28-72
Mod. #2 - 37 FR 24506 - 11/17/72
ASHLEY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
BAXTER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
BENTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
BOONE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
BRADLEY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CALHOUN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CARROLL COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CHICOT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CLARK COUNTY
(Hw) - See Statewide

ARKANSAS (Cont'd)

CLARK COUNTY (Cont'd)
(D) - See Statewide
(F) - See Arkansas County
CLAY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CLEBURNE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CLEVELAND COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
COLUMBIA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CONWAY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CRAIGHEAD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CRAWFORD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CRITTENDEN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
CROSS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
DALLAS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
DESHA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

DREW COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
FAULKNER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
FRANKLIN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
FULTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
GARLAND COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
GRANT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
GREENE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
HEMPSTEAD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
HOT SPRING COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
HOWARD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
INDEPENDENCE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
IZARD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

JACKSON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
JEFFERSON COUNTY
(Hw) - See Statewide
(D) - See Statewide
JOHNSON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LAFAYETTE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LAWRENCE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LEE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LINCOLN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LITTLE RIVER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LOGAN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
LONOKE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MADISON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MARION COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

MILLER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MISSISSIPPI COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MONROE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MONTGOMERY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
NEVADA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
NEWTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
OUACHITA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PERRY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PHILLIPS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PIKE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
POINSETT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
POLK COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (cont'd)

POPE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
PRARIE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
PULASKI COUNTY
(Hw)-See Statewide
(D)-See Statelwde
Decision #AP-365 (B)
37 FR 26203 - 12/8/72
Mod. #1 - 38 FR 1434 - 1/2/73
Mod. #2 - 38 FR 5084 - 2/23/73
Mod. #3 - 38 FR 7694 - 3/23/73
Decision #AP-356 (R)
37 FR 23489 - 11/3/72
RANDOLPH COUNTY
(HW)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
ST. FRANCIS COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
SALINE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
SCOTT COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
SEARCY COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
SEBASTIAN COUNTY
(Hw)-See Statewide
(D)-See Statewide
SEVIER COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County

ARKANSAS (cont'd)

SHARP COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
STONE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
UNION COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
Decision #AP-703 (B)
38 FR 4623 - 2/16/73
Mod. #1 - 38 FR 4632 - 3/23/73
VAN BUREN COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
WASHINGTON COUNTY
(Hw)- See Statewide
(DO-See Statewide
(F)-See Arkansas County
WHITE COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
WOODRUFF COUNTY
(Hw)-See Statewide
(D)-See Statewide
(F)-See Arkansas County
YELL COUNTY
(Hw)- See Statewide
(D)-See Statewide
(F)-See Arkansas County

CALIFORNIA

ALAMEDA COUNTY
Decision #AP-287 (B,H,Hw,D)
38 FR 8874 - 4/6/73
Decision #AP-288 (R)
38 FR 8888 - 4/6/73
ALPINE COUNTY
(B-H-Hw-D) - See Alameda County
AMADOR COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
BUTTE COUNTY
(B-H-Hw-D) - See Alameda County
CALAVERAS COUNTY
(B-H-Hw-D) - See Alameda County
COLUSA COUNTY
(B-H-Hw-D) - See Alameda County
CONTRA COSTA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
DELNORTE COUNTY
(B-H-Hw-D) - See Alameda County
ELDORADO COUNTY
(B-H-Hw-D) - See Alameda County
FRESNO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County

CALIFORNIA (Cont'd)

GLENN COUNTY
(B-H-Hw-D) - See Alameda County
HUMBOLDT COUNTY
(B-H-Hw-D) - See Alameda County
IMPERIAL COUNTY
Decision #AP-280 (B-H-Hw-D)
38 FR 8361 - 3/30/73
Decision #AP-281 (R(
38 FR 8371 - 3/30/73
INYO COUNTY
(B-H-Hw-D) - See Imperial County
KERN COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
KING COUNTY
(B-H-Hw-D) - See Alameda County
LAKE COUNTY
(B-H-Hw-D) - See Alameda County
LASSEN COUNTY
(B-H-Hw-D) - See Alameda County
LOS ANGELES COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
MADERA COUNTY
(B-H-Hw-D) - See Alameda County
MARIN COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County

CALIFORNIA (Cont'd)

MARIPOSA COUNTY
(B-H-Hw-D) - See Alameda County
MENDOCINO COUNTY
(B-H-Hw-D) - See Alameda County
MERCED COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
MODOC COUNTY
(B-H-Hw-D) - See Alameda County
MONO COUNTY
(B-H-Hw-D) - See Imperial County
MONTERET COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
NAPA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
NEVADA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
ORANGE COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
PLACER COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
PLUMAS COUNTY
(B-H-Hw-D) - See Alameda County
RIVERSIDE COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
SACRAMENTO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SAN BENITO COUNTY
(B-H-Hw-D) - See Alameda County
SAN BERNARDINO COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
SAN DIEGO COUNTY
Decision #AP-255 (B-H-Hw-D)
37 FR 28808 - 12/29/72
Mod. #1 - 38 FR 4076 - 2/9/73

CALIFORNIA (Cont'd)

SAN DIEGO COUNTY (Cont'd)
Decision #AP-256 (R)
37 FR 28814 - 12/29/72
Mod. #1 - 38 FR 4076 - 2/9/73
SAN FRANCISCO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SAN JOAQUIN COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SAN LUIS OBISPO COUNTY
(B-H-Hw-D) - See Imperial County
SAN MATEO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SANTA BARBARA COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
SANTA CLARA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SANTA CRUZ COUNTY
(B-H-Hw-D) - See Alameda County
SHASTA COUNTY
(B-H-Hw-D) - See Alameda County
SIERRA COUNTY
(B-H-Hw-D) - See Alameda County
SISKIYOU COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SOLANO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
SONOMA COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
STANISLAUS COUNTY
(B-H-Hw-D) - See Alameda County
SUTTER COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
TEHAMA COUNTY
(B-H-Hw-D) - See Alameda County
TRINITY COUNTY
(B-H-Hw-D) - See Alameda County

CALIFORNIA (Cont'd)

TULARE COUNTY
(B-H-Hw-D) - See Alameda County
TUOLUMNE COUNTY
(B-H-Hw-D) - See Alameda County
VENTURA COUNTY
(B-H-Hw-D) - See Imperial County
(R) - See Imperial County
YOLO COUNTY
(B-H-Hw-D) - See Alameda County
(R) - See Alameda County
YUBA COUNTY
(B-H-Hw-D) -See Alameda County
(R) - See Alameda County

COLORADO

STATEWIDE
Decision #AP-232 (Hw)
37 - FR 18854 - 9-15-72
Mod. #1 - 37 FR 28343 - 12/22/72
Mod. #2 - 38 FR 5085 - 2/23/73
Mod. #3 - 38 FR 8357 - 3/30/73
Mod. #4 - 38 FR 9387 - 4/13/73
ADAMS COUNTY
(Hw) - See Statewide
Decision #AP-234 (B-H-Hw)
37 FR 18868 - 9-15-72
Mod. #1 - 37 FR 28348 - 12/22/72
Mod. #2 - 38 FR 5085 - 2/23/73
Mod. #3 - 38 FR 9317 - 4/13/73
Decision #AM-6,723 (R)
37 FR 7921 - 4-21-72
ALAMOSA COUNTY
(Hw) - See Statewide
ARAPAHOE COUNTY
(Hw) - See Statewide
(B-H-Hw) - See Adams County
(R) - See Adams County
ARCHULETA COUNTY
(Hw) - See Statewide
BACA COUNTY
(Hw) - See Statewide
BENT COUNTY
(Hw) - See Statewide
BOULDER COUNTY
(Hw) - See Statewide
(B-H-Hw)(Southeast Portion incl. City of Boulder) - See Adams Co.
(R) - See Adams County
CHAFFEE COUNTY
(Hw) - See Statewide
CHEYENNE COUNTY
(Hw) - See Statewide

COLORADO (cont'd)

CLEAR CREEK
(Hw) - See Statewide
(R) - See Adams County
CONEJOS COUNTY
(Hw) - See Statewide
COSTILLA COUNTY
(Hw) - See Statewide
CROWLEY COUNTY
(Hw) - See Statewide
CUSTER COUNTY
(Hw) - See Statewide
DELTA COUNTY
(Hw) - See Statewide
DENVER COUNTY
(Hw) - See Statewide
(B-H-Hw) - See Adams County
(R) - See Adams County
DOLORES COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
(B-H-Hw) - See Adams County (Northern Portion)
(R) - See Adams County
EAGLE COUNTY
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(B-H-Hw) (Northern Portion) See Adams County
(R) - See Adams County

EL PASO COUNTY
(Hw) - See Statewide
Decision #AP-233 (B, H, Hw)
37 FR 18861 - 9/15/72
Mod. #1 - 37 FR 28345 - 12/22/72
Mod. #2 - 38 FR 5085 - 2/23/73
Mod. #3 - 38 FR 9387 - 4/13/73
FREMONT COUNTY
(Hw) - See Statewide
GARFIELD COUNTY
(Hw) - See Statewide
GILPIN COUNTY
(Hw) - See Statewide
(R) - See Adams County
GRAND COUNTY
(Hw) - See Statewide
GUNNISON COUNTY
(Hw) - See Statewide
HINSDALE COUNTY
(Hw) - See Statewide
HUERFANO COUNTY
(Hw) - See Statewide

COLORADO (Cont'd)

JACKSON COUNTY
(Hw) - See Statewide
JEFFERSON COUNTY
(Hw) - See Statewide
(B-H-Hw) - See Adams County
(R) - See Adams County
KIOWA COUNTY
(Hw) - See Statewide
KIT COUNTY
(Hw) - See Statewide
LAKE COUNTY
(Hw) - See Statewide
LAPLATA COUNTY
(Hw) - See Statewide
LARIMER COUNTY
(Hw) - See Statewide
LAS ANIMAS COUNTY
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
MESA COUNTY
(Hw) - See Statewide
MINERAL COUNTY
(Hw) - See Statewide
MOFFAT COUNTY
(Hw) - See Statewide
MONTEZUMA COUNTY
(Hw) - See Statewide
MONTROSE COUNTY
(Hw) - See Statewide
MORGAN COUNTY
(Hw) - See Statewide
OTERO COUNTY
(Hw) - See Statewide
OURAY COUNTY
(Hw) - See Statewide

COLORADO (Cont'd)

PARK COUNTY
(Hw) - See Statewide
PHILLIPS COUNTY
(Hw) - See Statewide
PITKIN COUNTY
(Hw) - See Statewide
PROWERS COUNTY
(Hw) - See Statewide
PUEBLO COUNTY
(Hw) - See Statewide
RIO BLANCO COUNTY
(Hw) - See Statewide
RIO GRANDE COUNTY
(Hw) - See Statewide
ROUTT COUNTY
(Hw) - See Statewide
SAGUACHE COUNTY
(Hw) - See Statewide
SAN JUAN COUNTY
(Hw) - See Statewide
SAN MIGUEL COUNTY
(Hw) - See Statewide
SEDGWICK COUNTY
(Hw) - See Statewide
SUMMIT COUNTY
(Hw) - See Statewide
TELLER COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(Hw) - See Statewide
WELD COUNTY
(Hw) - See Statewide
(B-H-Hw)(Southwest Portion) - See Adams County
YUMA COUNTY
(Hw) - See Statewide

CONNECTICUT

FAIRFIELD COUNTY
Decision #AP-471 (B,H,Hw)
38 FR 6534 - 3/9/73
Mod. #1 - 38 FR 8866 - 4/6/73
Decision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
Mod. #2 - 38 FR 5097 - 2/23/73
HARTFORD COUNTY
Decison #AP-472 (B,H, Hw)
38 FR 7174 - 3/16/73
Mod. #1 - 38 FR 8866 - 4/6/73
LITCHFIELD COUNTY
Decision #AP-473 (B,H,Hw)
38 FR 7177 - 3/16/73
Mod. #1 - 38 FR 8866 - 4/6/73
MIDDLESEX COUNTY
Decision #AP-474 (B,H,Hw)
38 FR 7181 - 3/16/73
Mod. #1 - 38 FR 8866 - 4/6/73
(D) - See Fairfield County
NEW HAVEN COUNTY
Decision #AP-476 (B,H,Hw)
38 FR 7187 - 3/16/73
Mod. #1 - 38 FR 8867 - 4/6/73
(D) - See Fairfield County
NEW LONDON COUNTY
Decision #AP-475 (B,H,Hw)
38 FR 7184 - 3/16/73
Mod. #1 - 38 FR 8867 - 4/6/73
(D) - See Fairfield County
TOLLAND COUNTY
Decision #AP-477 (B,H,Hw)
38 FR 6528 - 3/9/73
Mod. #1 - 38 FR 8867 - 4/6/73
WINDHAM COUNTY
Decision #AP-478 (B, H, Hw)
38 FR 6531 - 3/9/73
Mod. #1 - 38 FR 8867 - 4/6/73

DELAWARE

STATEWIDE
Decision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
Mod. #2 - 38 FR 5097 - 2/23/73
Decision #AP-444 (B,H,Hw)
37 FR 24517 - 11/17/72
Mod. #1 - 37 FR 26198 - 12/8/72
Mod. #2 - 37 FR 28350 - 12/22/72
Mod. #3 - 37 FR 28799 - 12/29/72
Mod. #4 - 38 FR 3246 - 2/2/73
Mod. #5 - 38 FR 5758 - 3/2/73

DELAWARE (cont'd)

KENT COUNTY
(B,H,Hw,D) See Statewide
NEW CASTLE COUNTY
(D,B,H,Hw) - See Statewide
SUSSEX COUNTY
(B,H,Hw,D) - See Statewide

FLORIDA

ALACHUA COUNTY
Decision #AP-121 (B,H,Hw)
37 FR 21237 - 10-6-72
Mod. #1-37 FR 25104 - 11/25/72
Mod. #2-38 FR 3246 - 2/2/73
Mod. #3-38 FR 5086 - 2/23/73
Mod. #4-38 FR 7165 - 3/16/73
Decision #AM-462 (R)
37 FR 16406 - 8-20-71
BAKER COUNTY
Decision #AP-463 (R)
36 FR 16407 - 8-20-71
BAY COUNTY
Decision #AP-122 (B,H,Hw)
37 FR 21240 - 10-6-72
Mod. #1 - 38 FR 5086 - 2/23/73
Mod. #2 - 38 FR 7165 - 3/16/73
Decision #AM-8589 (D)
37 FR 5654 - 3-17-72
Mod. #1-37 FR 24506 - 11/17/72
BRADFORD COUNTY
None
BREVARD COUNTY (Cape Kennedy Kennedy Space Flight Center & Patrick AFB only)
Decision #AP-128 (B,H,Hw)
37 FR 24535 - 11/17/72
Mod. #1-37 FR 26778 - 12/15/72
Mod. #2-38 FR 7165 - 3/16/73
Decision #AM-8590 (D)
37 FR 5655 - 3-17-72
Mod. #1-37 FR 24506 - 11/17/72
BROWARD COUNTY
Decision #AP-123 (B,H,Hw)
37 FR 24521 - 11/17/72
Mod. #1-37 FR 26777 - 12/15/72
Mod. #2-38 FR 3246 - 2/2/73
Mod. #3-38 FR 5086 - 2/23/73
Mod. #4-38 FR 7165 - 3/16/73
Mod. #5-38 FR 9389 - 4/13/73
(D) - See Brevard County
CALHOUN COUNTY
None

FLORIDA (cont'd)

CHARLOTTE COUNTY
(D) - See Brevard County
CITRUS COUNTY
(D) - See Brevard County
CLAY COUNTY
(R) - See Baker County
COLLIER COUNTY
(D) - See Brevard County
COLUMBIA COUNTY
None
DADE COUNTY
Decision #AP-127 (B,H,Hw)
37 FR 24531 - 11/17/72
Mod. #1-37 FR 26777 - 12/15/72
Mod. #2-38 FR 2007 - 1/19/73
Mod. #3-38 FR 3246 - 2/2/73
Mod. #4-38 FR 5087 - 2/23/73
Mod. #5-38 FR 7165 - 3/16/73
Mod. #6-38 FR 9389 - 4/13/73
(D)-See Brevard County
DESOTO COUNTY
None
DIXIE COUNTY
(D)-See Brevard County
(R)-See Alachua County
DUVAL COUNTY
Decision #AP-131 (B, H, Hw)
37 FR 28362 - 12/22/72
Mod. #1-38 FR 3246 - 2/2/73
Mod. #2-38 FR 5087 - 2/23/73
Mod. #3-38 FR 7165 - 3/16/73
(D) - See Brevard County
(R) - See Baker County
ESCAMBIA COUNTY
Decision #AP-105 (B,H,Hw)
37 FR 13939 - 7-14-72
Mod. #1-37 FR 15795 - 8-4-72
Mod. #2-37 FR 17900 - 9-1-72
(Decision #AM-464 (R)
36 FR 16408 - 8-20-71
(D) - See Bay County
FLAGLER COUNTY
(D) - See Brevard County
FRANKLIN COUNTY
(D) - See Bay County
GADSDEN COUNTY
Decision #AM-465 (R)
36 FR 16409 - 8-20-71

FLORIDA (cont'd)

GILCHRIST COUNTY
(R) - See Alachua County
GLADES COUNTY
None
GULF COUNTY
(D) - See Bay County
HAMILTON COUNTY
None
HARDEE COUNTY
None
HENDRY COUNTY
None
HERNANDO COUNTY
(D) - See Brevard County
HIGHLANDS COUNTY
None
HILLSBOROUGH COUNTY
Decision #AP-172 (B, H, Hw)
38 FR 7701 - 3/23/73

(D) - See Brevard County
HOLMES COUNTY
None
INDIAN RIVER COUNTY
(D) - See Brevard County
JACKSON COUNTY
None
JEFFERSON COUNTY
(D) - See Bay County
(R) - See Gadsden County
LAFAYETTE COUNTY
(R) - See Alachua County
LAKE COUNTY
Decision #AM-467 (R)
36 FR 16411 - 8/20/71
LEE COUNTY
(D) - See Brevard County
LEON COUNTY
Decision #AP-142 (B, H, Hw)
37 FR 28365 - 12/22/72
Mod. #1 - 38 FR 5087 - 2/23/73
Mod. #2 - 38 FR 7166 - 3/16/73
(R) - See Gadsen County
LEVY COUNTY
(D) - See Brevard County
(R) - See Alachua County
LIBERTY COUNTY
None

FLORIDA (cont'd)

MADISON COUNTY
(R) - See Gadsden County
MANATEE COUNTY
(D) - See Brevard County
MARION COUNTY
(R) - See Alachua County
MARTIN COUNTY
(D) - See Brevard County
MONROE COUNTY
Decision #AP-124 (B, H, Hw)
37 FR 24524 - 11/17/72
Mod. #1 - 37 FR 26777 - 12/15/72
Mod. #2 - 38 FR 3246 - 2/2/73
Mod. #3 - 38 FR 5086 - 2/23/73
Mod. #4 - 38 FR 7156 - 3/16/73
Mod. #5 - 38 FR 9389 - 4/13/73
(D) - See Brevard County
NASSAU COUNTY
(D) - See Brevard County
(R) - See Baker County
OKALOOSA COUNTY
(B,H,Hw) - See Escambia
(D) - See Bay County
Decision #AM-466 (R)
36 FR 16410 - 8/20/71
OKEECHOBEE COUNTY
None
ORANGE COUNTY
Decision #AP-130 (B, H, Hw)
37 FR 28359 - 12/22/72
Mod. #1 - 38 3246 - 2/2/73
Mod. #2 - 38 FR 5087 - 2/23/73
Mod. #3 - 38 FR 5758 - 3/2/73
Mod. #4 - 38 FR 6521 - 3/9/73
(R) - See Lake County
OSCEOLA COUNTY
(R) - See Lake County
PALM BEACH COUNTY
Decision #AP-129 (B,H,Hw)
37 FR 26233 - 12/8/72
Mod #1 - 38 FR 3246 - 2/2/73
Mod.#2 - 38 FR 6521 - 3/9/73
(D) - See Brevard County
PASCO COUNTY
(D) - See Brevard County
PINELLAS COUNTY
Decision #AP-173 (B, H, Hw)
38 FR 7704 - 3/23/73
Decision #AM-468 (R) /72
36 FR 16412 - 8/20/71
(D) - See Brevard County

FLORIDA (cont'd)

POLK COUNTY
None
PUTNAM COUNTY
(R) - See Baker County
ST. JOHNS COUNTY
(D) - See Brevard County
(R) - See Baker County
ST. LUCIE COUNTY
(D) - See Brevard County
SANTA ROSA COUNTY
(B,H,Hw) - See Escambia County
(D) - See Bay County
(R) - See Okaloosa County
SARASOTA COUNTY
(D) - See Brevard County
SEMINOLE COUNTY
(R) - See Lake County
SUMTER COUNTY
None
SUWANNEE COUNTY
(R) - See Baker County
TAYLOR COUNTY
(D) - See Brevard County
(R) - See Gadsden County
UNION COUNTY
(R) - See Alachua County
VOLUSIA COUNTY (Cape Kennedy, Kennedy Space Flight Center & Patrick Air Force Base only)
(B, H, Hw) - See Brevard County
(D) - See Brevard County
WAKULLA COUNTY
(D) - See Bay County
WALTON COUNTY
(B, H, Hw) - See Escambia County
(D) - See Bay County
(R) - See Okaloosa County
WASHINGTON COUNTY
None

GEORGIA

APPLING COUNTY
Decision #AM-473 (Hw)
36 FR 16421 - 8/20/71
ATKINSON COUNTY
(Hw) - See Appling County
BACON COUNTY
(Hw) - See Appling County
BAKER COUNTY
(Hw) - See Appling County
BALDWIN COUNTY
Decision #AM-472 (Hw)
36 FR 16420 - 8/20/71
BANKS COUNTY
Decision AM-471 (Hw)
36 FR 16419 - 8/20 71
BARROW COUNTY
(Hw) - See Banks County
BARTOW COUNTY
(Hw) - See Banks County
BEN HILL COUNTY
(Hw) - See Appling Coounty
BERRIEN COUNTY
(Hw) - See Appling County
BIBB COUNTY
(hw) - See Baldwin County
BLECKLEY COUNTY
(Hw) - See Appling County
BRANTLEY COUNTY
(Hw) - See Appling County

GEORGIA (Cont'd)

BROOKS COUNTY
(Hw) - See Appling County
BRYAN COUNTY
Decision #AM-475 (Hw)
36 FR 16424 - 8-20-71
Decision #AP-439 (D)
37 FR 22701 - 10-20-72
BULLOCH COUNTY
(Hw) - See Appling County
BURKE COUNTY
(Hw) - See Baldwin County
BUTTS COUNTY
(Hw) - See Baldwin County
CALHOUN COUNTY
(Hw) - See Calhoun County
CAMDEN COUNTY
(D) - See Bryan County
(Hw) - See Appling County
CANDLER COUNTY
(Hw) - See Apoling County
CARROLL COUNTY
(Hw) - See Baldwin County
CATOOSA COUNTY
(Hw) - See Banks County
CHARLTON COUNTY
(Hw) - See Appling County
CHATHAM COUNTY
Decision #AP-148 (B, H, Hw)
38 FR 1457 - 1/12/73
Mod. #1 - 38 FR 4621 - 2/16/73
Mod. #2 - 38 FR 8869 - 4/6/73

GEORGIA (Cont'd)

CHATHAM COUNTY
Decision #AP-151 (R)
38 FR 4088 - 2/9/73
(D) - See Bryan County
CHATTAHOOCHEE COUNTY
(Hw) - See Baldwin County
CHATTOOGA COUNTY
(Hw) - See Banks County
CHEROKEE COUNTY
(Hw) - See Banks County
CLARKE COUNTY
(Hw) - See Baldwin County
CLAY COUNTY
(Hw) - See Appling County
CLAYTON COUNTY
Decision #AM-474 (Hw)
36 FR 16423 - 8-20-71
(B,H) - See Fulton County
(R) - See Fulton County
CLINCH COUNTY
(Hw) - See Appling County
COBB COUNTY
(B,H,Hw) - See Fulton County
(R) - See Fulton County
COFFEE COUNTY
(Hw) - See Appling County
COLQUITT COUNTY
(Hw) - See Appling County
COLUMBIA COUNTY
(Hw) - See Baldwin County
COOK COUNTY
(Hw) - See Appling County
COWETA COUNTY
(Hw) - See Baldwin County
CRAWFORD COUNTY
(Hw) - See Baldwin County
CRISP COUNTY
(Hw) - See Baldwin County
DADE COUNTY
(Hw) - See Banks County
DAWSON COUNTY
(Hw) - See Banks County
DECATUR COUNTY
(Hw) - See Appling County
DeKALB COUNTY
(B,H,Hw) - See Fulton County
(R) - See Fulton County

GEORGIA (Cont'd)

DODGE COUNTY
(Hw) - See Appling County
DOOLY COUNTY
(Hw) - See Baldwin County
DOUGHERTY COUNTY
(Hw) - See Appling County
DOUGLAS COUNTY
(Hw) - See Banks County
EARLY COUNTY
(Hw) - See Appling County
ECHOLS COUNTY
(Hw) - See Appling County
EFFINGHAM COUNTY
(Hw) - See Appling County
ELBERT COUNTY
(Hw) - See Banks County
EMANUEL COUNTY
(Hw) - See Baldwin County
EVANS COUNTY
(Hw) - See Appling County
FANNIN COUNTY
(Hw) - See Banks County
FAYETTE COUNTY
(Hw) - See Baldwin County
FLOYD COUNTY
(Hw) - See Banks County
FORSYTH COUNTY
(Hw) - See Banks County
FRANKLIN COUNTY
(Hw) - See Banks County
FULTON COUNTY
Decision #AP-149 (B, H, Hw)
38 FR 1453 - 1/12/73
Mod. #1 - 38 FR 4621 - 2/16/73
Mod. #2 - 38 FR 6521 - 3/9/73
Mod. #3 - 38 FR 8869 - 4/6/73
Decision #AP-150 (R)
38 FR 3254 - 2/2/73
Mod. #1 - 38 FR 5088 - 2/23/73
GILMER COUNTY
(Hw) - See Banks County
GLASCOCK COUNTY
(Hw) - See Baldwin County
GLYNN COUNTY
(D) - See Bryan County
(Hw) - See Appling County
GORDON COUNTY
(Hw) - See Banks County
GRADY COUNTY
(Hw) - See Appling County

GEORGIA (Cont'd)

GWINNETT COUNTY
(Hw) - See Banks County
HABERSHAM COUNTY
(Hw) - See Banks County
HALL COUNTY
(Hw) - See Banks County
HANCOCK COUNTY
(Hw) - See Baldwin County
HARALSON COUNTY
(Hw) - See Banks County
HARRIS COUNTY
(Hw) - See Baldwin County
HART COUNTY
(Hw) - See Banks County
HEARD COUNTY
(Hw) - See Baldwin County
HENRY COUNTY
(Hw) - See Clayton County
HOUSTON COUNTY
(Hw) - See Baldwin County
IRWIN COUNTY
(Hw) - See Appling County
JACKSON COUNTY
(Hw) - See Banks County
JASPER COUNTY
(Hw) - See Baldwin County
JEFF DAVIS COUNTY
(Hw) - See Appling County
JEFFERSON COUNTY
(Hw) - See Baldwin County
JENKINS COUNTY
(Hw) - See Baldwin County
JOHNSON COUNTY
(Hw) - See Baldwin County
JONES COUNTY
(Hw) - See Baldwin County
LAMAR COUNTY
(Hw) - See Baldwin County
LANIER COUNTY
(Hw) - See Appling County
LAURENS COUNTY
(Hw) - See Appling County
LEE COUNTY
(Hw) - See Appling County
LIBERTY COUNTY
(D) - See Bryan County
(Hw) - See Bryan County
LINCOLN COUNTY
(Hw) - See Baldwin County

GEORGIA (Cont'd)

LONG COUNTY
(Hw) - See Appling County
LOWNDES COUNTY
(Hw) - See Appling County
LUMPKIN COUNTY
(Hw) - See Banks County
McDUFFIE COUNTY
(Hw) - See Baldwin County
McINTOSH COUNTY
(D) - See Bryan County
(Hw) - See Appling County
MACON COUNTY
(Hw) - See Baldwin County
MADISON COUNTY
(Hw) - See Banks County
MARION COUNTY
(Hw) - See Baldwin County
MERIWETHER COUNTY
(Hw) - See Baldwin County
MILLER COUNTY
(Hw) - See Appling County
MITCHELL COUNTY
(Hw) - See Appling County
MONROE COUNTY
(Hw) - See Baldwin County
MONTGOMERY COUNTY
(Hw) - See Appling County
MORGAN COUNTY
(Hw) - See Baldwin County
MURRAY COUNTY
(Hw) - See Banks County
MUSCOGEE COUNTY
(Hw) - See Baldwin County
NEWTON COUNTY
(Hw) - See Baldwin County
OCONEE COUNTY
(Hw) - See Baldwin County
OGLETHORPE COUNTY
(Hw) - See Baldwin County
PAULDING COUNTY
(Hw) - See Banks County
PEACH COUNTY
(Hw) - See Baldwin County
PICKENS COUNTY
(Hw) - See Banks County
PIERCE COUNTY
(Hw) - See Appling County
PIKE COUNTY
(Hw) - See Baldwin County

GEORGIA (Cont'd)

POLK COUNTY
(Hw) - See Banks County
PULASKI COUNTY
(Hw) - See Baldwin County
PUTNAM COUNTY
(Hw) - See Baldwin County
QUITMAN COUNTY
(Hw) - See Appling County
RABUN COUNTY
(Hw) - See Banks County
RANDOLPH COUNTY
(Hw) - See Appling County
RICHMOND COUNTY
(Hw) - See Baldwin County
ROCKDALE COUNTY
(Hw) - See Baldwin County
SCHLEY COUNTY
(Hw) - See Baldwin County
SCREVEN COUNTY
(Hw) - See Baldwin County
SEMINOLE COUNTY
(Hw) - See Appling County
SPALDING COUNTY
(Hw) - See Baldwin County
STEPHENS COUNTY
(Hw) - See Banks County
STEWART COUNTY
(Hw) - See Baldwin County
SUMTER COUNTY
(Hw) - See Baldwin County
TALBOT COUNTY
(Hw) - See Baldwin County
TALIAFERRO COUNTY
(Hw) - See Baldwin County
TATTNALL COUNTY
(Hw) - See Appling County
TAYLOR COUNTY
(Hw) - See Baldwin County
TELFAIR COUNTY
(Hw) - See Appling County
TERRELL COUNTY
(Hw) - See Appling County
THOMAS COUNTY
(Hw) - See Appling County
TIFT COUNTY
(Hw) - See Appling County
TOOMBS COUNTY
(Hw) - See Appling County

GEORGIA (Cont'd)

TOWNS COUNTY
(Hw) - See Banks County
TREUTLEN COUNTY
(Hw) - See Appling County
TROUP COUNTY
(Hw) - See Baldwin County
TURNER COUNTY
(Hw) - See Appling County
TWIGGS COUNTY
(Hw) - See Baldwin County
UNION COUNTY
(Hw) - See Banks County
UPSON COUNTY
(Hw) - See Baldwin County
WALKER COUNTY
(Hw) - See Banks County
WALTON COUNTY
(Hw) - See Baldwin County
WARE COUNTY
Decision #AP-155 (B)
38 FR 4073 - 2/9/73
Mod. #1 - 38 FR 5088 - 2/23/73
Decision #AP-160 (R)
38 FR 5083 - 2/23/73
(Hw) - See Appling County
WARREN COUNTY
(Hw) - See Baldwin County
WASHINGTON COUNTY
(Hw) - See Baldwin COunty
WAYNE COUNTY
(Hw) - See Appling County
WEBSTER COUNTY
(Hw) - See Baldwin County
WHEELER COUNTY
(Hw) - See Appling County
WHITE COUNTY
(Hw) - See Banks County
WHITFIELD COUNTY
(Hw) - See Banks County
WILCOX COUNTY
(Hw) - See Baldwin County
WILKES COUNTY
(Hw) - See Baldwin County
WILKINSON COUNTY
(Hw) - See Baldwin County
WORTH COUNTY
(Hw) - See Appling County

HAWAII

STATEWIDE
Decision #AP-292 (R)
38 FR 9409 - 4/13/73
Decision #AP-291 (B, H, Hw)
38 FR 9404 - 4/13/73
HAWAII COUNTY
(B-H-Hw) - See Statewide
(R) - See Statewide
HONOLULU COUNTY
(B-H-Hw) - See Statewide
(R) - See Statewide
KAUAI COUNTY
(B-H-Hw) - See Statewide
(R)-See Statewide
MAUI COUNTY
(B-H-Hw) - See Statewide
(R)-See Statewide

IDAHO

ADA COUNTY
Decision #AP-274 (B, H, Hw)
38 FR 7717 - 3/23/73
Decision #AP-275 (R)
38 FR 7723 - 3/23/73
ADAMS COUNTY
(B-H-Hw) - See Ada County
BANNOCK COUNTY
Decision #AP-276 (B, H, Hw)
38 FR 7727 - 3/23/73
BEAR LAKE COUNTY
(B-H-Hw) - See Bannock County
BENEWAH COUNTY
Decision #AP-273 (B, H, Hw)
38 FR 7707 - 3/23/73
BINGHAM COUNTY
(B-H-Hw) - See Bannock County

IDAHO (cont'd)

BLAINE COUNTY
(B-H-Hw) - See Ada County
BOISE COUNTY
(B-H-Hw) - See Ada County
BONNER COUNTY
(B-H-Hw) - See Benewah County
BONNEVILLE COUNTY
(B-H-Hw) - See Bannock County
BOUNDARY COUNTY
(B-H-Hw) - See Benewah County
BUTTE COUNTY
(B-H-Hw) - See Ada County
CAMAS COUNTY
(B-H-Hw) - See Ada County
CANYON COUNTY
(B-H-Hw) - See Ada County
CARIBOU COUNTY
(B-H-Hw) - See Bannock County
CASSIA COUNTY
(B-H-Hw) - See Ada County
CLARK COUNTY
(B-H-Hw) - See Bannock County
CLEARWATER COUNTY
(B-H-Hw) - See Benewah County
CUSTER COUNTY
(B-H-Hw) - See Ada County
ELMORE COUNTY
(B-H-Hw) - See Ada County
FRANKLIN COUNTY
(B-H-Hw) - See Bannock County
FREMONT COUNTY
(B-H-Hw) - See Bannock County
GEM COUNTY
(B-H-Hw) - See Ada County
GOODING COUNTY
(B-H-Hw) - See Ada County
IDAHO COUNTY
(B-H-Hw) - See Benewah County
JEFFERSON COUNTY
(B-H-Hw) - See Bannock County
JEROME COUNTY
(B-H-Hw) - See Ada County
KOOTENAI COUNTY
(B-H-Hw) - See Benewah County
LATAH COUNTY
(B-H-Hw) - See Benewah County

IDAHO (Cont'd)

LEMHI COUNTY
(B-H-Hw) - See Ada County
LEWIS COUNTY
(B-H-Hw) - See Benewah County
LINCOLN COUNTY
(B-H-Hw) - See Ada County
MADISON COUNTY
(B-H-Hw) - See Bannock County
MINIDOKA COUNTY
(B-H-Hw) - See Ada County
NEZ PERCE COUNTY
(B-H-Hw) - See Benewah County
ONEIDA COUNTY
(B-H-Hw) - See Bannock County
OWYHEE COUNTY
(B-H-Hw) - See Ada County
PAYETTE COUNTY
(B-H-Hw) - See Ada County
POWER COUNTY
(B-H-Hw) - See Bannock County
SHOSHONE COUNTY
(B-H-Hw) - See Benewah County
TETON COUNTY
(B-H-Hw) - See Bannock County
TWIN FALLS COUNTY
(B-H-Hw) - See Ada County
VALLEY COUNTY
(B-H-Hw) - See Ada County
WASHINGTON COUNTY
(B-H-Hw) - See Ada County

ILLINOIS

ADAMS COUNTY
Decision #AP-14 (Hw)
37 FR 19983 - 9-22-72
Mod. #1-37 FR 26198 - 12/8/72
ALEXANDER COUNTY
Decision #AP-16 (Hw)
37 FR 19994 - 9-22-72
Mod. #1-37 FR 26778 - 12/15/72
Decision #AP-602 (D)
38 FR 1433 - 1/12/73
BOND COUNTY
Decision #AP-7 (Hw)
37 FR 15816 - 8-4-72
Mod. #1-37 FR 18833 - 9-15-72
BOONE COUNTY
Decision #AP-10 (Hw)
37 FR 19950 - 9-22-72

ILLINOIS (Cont'd)

BROWN COUNTY
(Hw) - See Adams County
(D) - See Alexander County
BUREAU COUNTY
Decision #AP-11 (Hw)
37 FR 19958 - 9/22/72
CALHOUN COUNTY
(Hw) - See Bond County
(D) - See Alexander County
CARROLL COUNTY
(Hw) - See Bureau County
CASS COUNTY
(Hw) - See Adams County
(D) - See Alexander County
CHAMPAIGN COUNTY
Decision #AP-24 (B)(H)(Hw)
37 FR 21243 - 10-6-72
Mod. #1-37 FR 25104 - 11/25/72
Mod. #2-38 FR 8869 - 4/6/73
Decision #AP-13 (Hw)
37 FR 19978 - 9/22/72
CHRISTIAN COUNTY
(Hw) - See Adams County
CLARK COUNTY
(Hw)-See Champaign County
CLAY COUNTY
Decision #AP-15 (Hw)
37 FR 19989 - 9-22-72
CLINTON COUNTY
(Hw) - See Bond County
COLES COUNTY
(Hw) - See Champaign COunty
COOK COUNTY
Decision #AP-28 (B)(H)(Hw)
37 FR 23513 - 11-3-72
Mod. #1-37 FR 24509 - 11/17/72
Mod. #2-37 FR 25104 - 11/25/72
Mod. #3-37 FR 26198 - 12/8/72
Mod. #4-38 FR 6521 - 3/9/73
Decision #AP-29 (R)
37 FR 23490 - 11-3-72
Mod. #1-37 FR 24509 - 11/17/72
Mod. #2-37 FR 26198 - 12/8/72
Decision #AP-4 (D)
37 FR 14670 - 7-21-72
CRAWFORD COUNTY
(Hw) - See Clay County
CUMBERLAND COUNTY
(Hw) - See Champaign County
DEKALB COUNTY
(Hw) - See Boone County
DEWITT COUNTY
(Hw) - See Champaign County

ILLINOIS (cont'd)

DOUGLAS COUNTY
(Hw) - See Champaign County
DU PAGE COUNTY
Decision #AP-30 (B)(H)
37 FR 23975 - 11/10/72
Mod. #1-37 FR 25615 - 12/1/72
Mod. #2-38 FR 6521 - 3/9/73
Decision #AP-31 (R)
37 FR 23961 - 11/10/72
Mod. #1-37 FR 25615 - 12/1/72
(Hw) - See Boone County
EDGAR COUNTY
(Hw) - See Champaign County
EDWARDS COUNTY
(Hw) - See Clay County
EFFINGHAM COUNTY
(Hw) - See Clay County
FAYETTE COUNTY
(Hw) - See Clay County
FORD COUNTY
None
FRANKLIN COUNTY
(Hw) - See Alexander County
FULTON COUNTY
Decision #AP-12 (Hw)
37 FR 19970 - 9-22-72
GALLATIN COUNTY
(Hw) - See Alexander County
(D) - See Alexander County
GREENE COUNTY
(Hw) - See Bond County
(D) - See Alexander County
GRUNDY COUNTY
None
HAMILTON COUNTY
(Hw) - See Clay County
HANCOCK COUNTY
(Hw) - See Fulton County
HARDIN COUNTY
(Hw) - See Alexander County
(D) - See Alexander County
HENDERSON COUNTY
(Hw) - See Fulton County
HENRY COUNTY
(Hw) - See Bureau County
IROQUOIS COUNTY
None
JACKSON COUNTY
(Hw) - See Alexander County
(D) - See Alexander County
JASPER COUNTY
(Hw) - See Clay County

ILLINOIS (Cont'd)

JEFFERSON COUNTY
(Hw) - See Clay County
JERSEY COUNTY
(Hw) - See Bond County
(D) - See Alexander County
JO DAVIESS COUNTY
(Hw) - See Bureau County
JOHNSON COUNTY
(Hw) - See Alexander County
KANE COUNTY
Decision #AP-32 (B) (H)
37 FR 25631 - 12/1/72
Mod. #1 - 38 FR 6521 - 3/9/73
Decision #AP-33 (R)
37 FR 25603 - 12/1/72
(Hw) - See Boone County
KANKAKEE COUNTY
None
KENDALL COUNTY
(Hw) - Boone County
KNOX COUNTY
(Hw) - See Fulton County
LAKE COUNTY
Decision #AP-51 (B) (H)
37 FR 26235 - 12/8/72
Mod. #1 - 37 FR 28351 - 12/22/72
Mod. #2 - 38 FR 6522 - 3/9/73
Decision #AP-52 (R)
37 FR 26191 - 12/8/72
Mod. #1 - 37 FR 28351 - 12/22/72
(D) - See Cook County
(Hw) - See Boone County
LA SALLE COUNTY
None
LAWRENCE COUNTY
(Hw) - See Clay County
LEE COUNTY
(Hw) - See Bureau County
LIVINGSTON COUNTY
None
LOGAN COUNTY
(Hw) - See Adams County
McDONOUGH COUNTY
(Hw) - See Fulton County
McHENRY COUNTY
(Hw) - See Boone County
McLEAN COUNTY
None
MACON COUNTY
(Hw) - See Champaign County

ILLINOIS (cont'd)

MACOUPIN COUNTY
(Hw) - See Bond County
MADISON COUNTY
Decision #AP-617 (B, H)
38 FR 2590 - 1/26/73
Mod. #1 - 38 FR 4622 - 2/16/73
Mod. #2 - 38 FR 7694 - 3/23/73
Mod. #3 - 38 FR 8869 - 4/6/73
Decision #AP-618 (R)
38 FR 2563 - 1/26/73
Mod. #1 - 38 FR 4623 - 2/16/73
Mod. #2 - 38 FR 8870 - 4/6/73
(Hw) - See Bond County
MARION COUNTY
(Hw) - See Clay County
MARSHALL COUNTY
None
MASON COUNTY
(Hw) - See Adams County
MASSAC COUNTY
(Hw, D) - See Alexander County
MENARD COUNTY
(Hw) - See Adams County
MERCER COUNTY
(Hw) - See Fulton County
MONROE COUNTY
(Hw) - See Bond County
(D) - See Alexander County
MONTGOMERY COUNTY
(Hw) - See Bond County
MORGAN COUNTY
(Hw) - See Adams County
(D) - See Alexander County
MOULTRIE COUNTY
(Hw) - See Champaign County
OGLE COUNTY
(Hw) - See Bureau County
PEORIA COUNTY
Decision #AP-637 (B, H, D)
38 FR 5113 - 2/23/73
Mod. #1 - 38 FR 7695 - 3/23/73
Mod. #2 - 38 FR 8358 - 3/30/73
Decision #AP-622 (R)
38 FR 3242 - 2/2/73
Mod. #1 - 38 FR 7695 - 3/23/73
Mod. #2 - 38 FR 8358 - 3/30/73
(Hw) - See Fulton County
PERRY COUNTY
(Hw) - See Alexander County
PIATT COUNTY
(Hw) - See Champaign County
PIKE COUNTY
(Hw) - See Adams County
(D) - See Alexander County

ILLINOIS (cont'd)

POPE COUNTY
(Hw, D) - See Alexander County
PULASKI COUNTY
(Hw, D) - See Alexander County
PUTNAM COUNTY
None
RANDOLPH COUNTY
(Hw, D) - See Alexander County
RICHLAND COUNTY
(Hw) - See Clay County
ROCK ISLAND COUNTY
Decision #AP-616 (B, H)
38 FR 2585 - 1/26/73
Mod. #1 - 38 FR 4621 - 2/16/73
Mod. #2 - 38 FR 8869 - 4/6/73
(Hw) - See Bureau County
SAINT CLAIR COUNTY
Decision #AP-619 (B,H)
38 FR 3255 - 2/2/73
Mod. #1 - 38 FR 4624 - 2/16/73
Mod. #2 - 38 FR 7694 - 3/23/73
Mod. #3 - 38 FR 8870 - 4/6/73
Decision #AP-620 (R)
38 FR 3237 - 2/2/73
Mod. #1 - 38 FR 8870 - 4/6/73
(Hw) - See Bond County
(D) - See Alexander County
SALINE COUNTY
(Hw) - See Alexander County
SANGAMON COUNTY
Decision #AP-79 (B, H)
37 FR 28368 - 12/22/72
Mod. #1 - 38 FR 2568 - 1/26/73
(Hw) - See Adams County
SCHUYLER COUNTY
(Hw) - See Adams County
SCOTT COUNTY
(Hw) - See Adams County
(D) - See Alexander County
SHELBY COUNTY
(Hw) - See Champaign County
STARK COUNTY
(Hw) - See Fulton County
STEPHENSON COUNTY
(Hw) - See Bureau County
TAZEWELL COUNTY
(B, H) - See Peoria County
(Hw) - See Fulton County
UNION COUNTY
(Hw, D) - See Alexander County
VERMILLION COUNTY
Decision #AP-615 (B,H)
38 FR 2580 - 1/26/73
Mod. #1 - 38 FR 5088 - 2/23/73
(Hw) - See Champaign County

ILLINOIS (cont'd)

WABASH COUNTY
(Hw) - See Clay County
WARREN COUNTY
(Hw) - See Fulton County
WASHINGTON COUNTY
(Hw) - See Bond County
WAYNE COUNTY
(Hw) - See Clay County
WHITE COUNTY
(Hw) - See Clay County
WHITESIDE COUNTY
(Hw) - See Bureau County
WILL COUNTY
Decision #AP-68 (B) (H)
37 FR 26420 - 12/8/72
Mod. #1 - 38 FR 2568 - 1/26/73
Mod. #2 - 38 FR 6522 - 3/9/73
Decision #AP-69 (R)
37 FR 26194 - 12/8/72
Mod. #1 - 38 FR 4076 - 2/9/73
(Hw) - See Boone County
WILLIAMSON COUNTY
Decision #AP-603 (B, H)
38 FR 2572 - 1/26/73
(Hw) - See Alexander County
WINNEBAGO COUNTY
Decision #AP-604 (B, H)
38 FR 2575 - 1/26/73
Mod. #1 - 38 FR 6522 - 3/9/73
Mod. #2 - 38 FR 8871 - 4/6/73
(Hw) - See Bureau County
WOODFORD COUNTY
None

INDIANA

ADAMS COUNTY
Decision #AP-17 (Hw)
37 FR 20415 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26199 - 12/8/72
Mod. #3-38 FR 7166 - 3/16/73
Mod. #4-38 FR 8358 - 3/30/73
ALLEN COUNTY
Decision #AP-623 (B, H)
38 FR 4089 - 2/9/73
Mod. #1 - 38 FR 7167 - 3/16/73
Decision #AM-371 (R)
36 FR 15390-8-13-71
(Hw) - See Adams County

INDIANA (Cont'd)

BARTHOLOMEW COUNTY
Decision #AP-624 (B, H)
38 FR 4095 - 2/9/73
Mod. #1 - 38 FR 7167 - 3/16/73
Mod. #2 - 38 FR 7695 - 3/23/73
Decision #AP-21 (Hw)
37 FR 20433 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26200 - 12/8/72
Mod. #3-37 FR 28351 - 12/22/72
Mod. #4-38 FR 7166 - 3/16/73
Mod. #5-38 FR 8359 - 3/30/73
BENTON COUNTY
Decision #AP-625 (B, H)
38 FR 4101 - 2/9/73
Mod. #1 - 38 FR 7167 - 3/16/73
Decision #AP-18 (Hw)
37 FR 20420 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26199 - 12/8/72
Mod. #3-37 FR 28351 - 12/22/72
Mod. #4-38 FR 7166 - 3/16/73
Mod. #5-38 FR 8359 - 3/30/73
BLACKFORD COUNTY
Decision #AP-19 (Hw)
37 FR 20424 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26199 - 12/8/72
Mod. #3-38 FR 7166 - 3/16/73
Mod. #4-38 FR 8358 - 3/30/73
BOONE COUNTY
Decision #AM-372 (R)
36 FR 15391 - 8-13-71
Decision #AP-20 (Hw)
37 FR 20428 - 9-29-72
Mod. #1-37 FR 26199 - 12/8/72
Mod. #2-38 FR 7166 - 3/16/73
Mod. #3-38 FR 8359 - 3/30/73
BROWN COUNTY
(Hw) - See Bartholomew County
CARROLL COUNTY
(Hw) - See Benton County
CASS COUNTY
(Hw) - See Benton County
CLARK COUNTY
Decision #AP-602 (D)
38 FR 1433 - 1/12/73
(Hw) - See Bartholomew County
CLAY COUNTY
(Hw) - See Boone County
CLINTON COUNTY
(Hw) - See Benton County

INDIANA (Cont'd)

CRAWFORD COUNTY
Decision #AP-22 (Hw)
37 FR 20437 - 9-29-72
Mod. #1-37 FR 23053 - 10-27-72
Mod. #2-37 FR 26200 - 12/8/72
Mod. #3-37 FR 28351 - 12/22/72
Mod. #4-38 FR 7166 - 3/16/73
Mod. #5-38 FR 8359 - 3/30/73
(D) - See Clark County
DAVIESS COUNTY
(Hw) - See Boone County
DEARBORN COUNTY
Decision #AP-626 (B, H)
38 FR 4107 - 2/9/73
Mod. #1 - 38 FR 7167 - 3/16/73
(D) - See Clark County
(Hw) - See Bartholomew County
DECATUR COUNTY
(Hw) - See Bartholomew County
DEKALB COUNTY
(Hw) - See Adams County
DELAWARE COUNTY
Decision #AP-627 (B, H)
38 FR 4111 - 2/9/73
Mod. #1 - 38 FR 7168 - 3/16/73
Mod. #2 - 38 FR 7695 - 3/23/73
(Hw) - See Blackford County
DUBOIS COUNTY
(Hw) - See Crawford County
ELKHART COUNTY
(Hw) - See Adams County
FAYETTE COUNTY
(Hw) - See Blackford County
FLOYD COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
FOUNTAIN COUNTY
(Hw) - See Boone County
FRANKLIN COUNTY
(Hw) - See Bartholomew COunty
FULTON COUNTY
(Hw) - See Benton County
GIBSON COUNTY
(Hw) - See Crawford County

INDIANA (Cont'd)

GRANT COUNTY
Decision #AP-628 (B, H)
38 FR 4116 - 2/9/73
Mod. #1 - 38 FR 7168 - 3/16/73
(Hw) - See Blackford County
GREENE COUNTY
(Hw) - See Boone County
HAMILTON COUNTY
(Hw) - See Blackford County
(R) - See Boone County
HANCOCK COUNTY
(Hw) - See Blackford County
(R) - See Boone County
HARRISON COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
HENDRICKS COUNTY
(Hw) - See Boone County
(R) - See Boone County
HENRY COUNTY
(Hw) - See Blackford County
HOWARD COUNTY
(Hw) - See Benton County
HUNTINGTON COUNTY
(Hw) - See Adams County
JACKSON COUNTY
(Hw) - See Bartholomew County
JASPER COUNTY
(Hw) - See Benton County
JAY COUNTY
(Hw) - See Blackford County
JEFFERSON COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
JENNINGS COUNTY
(Hw) - See Bartholomew County
JOHNSON COUNTY
(Hw) - See Blackford County
(R) - See Boone County
KNOX COUNTY
(Hw) - See Boone County
KOSCIUSKO COUNTY
(Hw) - See Adams County

INDIANA (Cont'd)

LAGRANGE COUNTY
(Hw) - See Adams County
LAKE COUNTY
Decision #AP-629 (B, H, Hw)
38 FR 4121 - 2/9/73
Mod. #1 - 38 FR 7168 - 3/16/73
Decision #AP-4 (D)
37 FR 14670 - 7-21-72
LAPORTE COUNTY
Decision #AP-630 (B, H, Hw)
38 FR 4126 - 2/9/73
Mod. #1 - 38 FR 7168 - 3/16/73
(D) - See Lake County
LAWRENCE COUNTY
(Hw) - See Bartholomew County
MADISON COUNTY
(Hw) - See Blakford County
MARION COUNTY
Decision #AP-631 (B, H)
38 FR 4131 - 2/9/73
- Mod. #1 - 38 FR 7168 -3/16/73
Mod. #2 - 38 FR 7695 - 3/23/73
(R) - See Boone County
(Hw) - See Blackford County
MARSHALL COUNTY
(Hw) - See Adams County
MARTIN COUNTY
(Hw) - See Bartholomew County
MIAMI COUNTY
(Hw) - See Benton County
MONROE COUNTY
Decision #AP-632 (B, H)
38 FR 4137 - 2/9/73
Mod. #1 - 38 FR 7168 - 3/16/73
(Hw) - See Bartholomew County
MONTGOMERY COUNTY
(Hw) - See Boone County
MORGAN COUNTY
(R) - See Boone County
(Hw) - See Boone County
NEWTON COUNTY
(Hw) - See Benton County
NOBLE COUNTY
(Hw) - See Adams County

INDIANA (Cont'd)

OHIO COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
ORANGE COUNTY
(Hw) - See Bartholomew County
OWEN COUNTY
(Hw) - See Boone County
PARKE COUNTY
(Hw) - See Boone County
PERRY COUNTY
(D) - See Clark County
(Hw) - See Crawford County
PIKE COUNTY
(Hw) - See Crawford County
PORTER COUNTY
Decision #AP-633 (B, H, Hw)
38 FR 4142 - 2/9/73
Mod. #1 - 38 FR 7169 - 3/16/73
(D) - See Lake County
POSEY COUNTY
(D) - See Clark County
(Hw) - See Crawford County
PULASKI COUNTY
(Hw) - See Benton County
PUTNAM COUNTY
(Hw) - See Boone County
RANDOLPH COUNTY
(Hw) - See Blackford County
RIPLEY COUNTY
(Hw) - See Bartholomew County
RUSH COUNTY
(Hw) - See Blackford County
SAINT JOSEPH COUNTY
Decision #AP-634 (B, H, Hw)
38 FR 4147 - 2/9/73
Mod. #1 - 38 FR 7169 - 3/16/73
SCOTT COUNTY
(Hw) - See Bartholomew County
SHELBY COUNTY
(R) - See Boone County
(Hw) - See Blackford County
SPENCER COUNTY
(D) - See Clark County
(Hw) - See Crawford County

INDIANA (cont'd)

STARKE COUNTY
(Hw) - See Adams County
STEUBEN COUNTY
(Hw) - See Adams County
SULLIVAN COUNTY
(Hw) - See Boone County
SWITZERLAND COUNTY
(D) - See Clark County
(Hw) - See Bartholomew County
TIPPECANOE COUNTY
(B)(H)(Hw) - See Benton County
TIPTON COUNTY
(Hw) - See Benton County
UNION COUNTY
(Hw) - See Blackford County
VANDERBURGH COUNTY
Decision #AP-635 (B, H)
38 FR 4151 - 2/9/73
Mod. #1 - 38 FR 7169 - 3/16/73
Mod. #2 - 38 FR 7696 - 3/23/73
(D) - See Clark County
(Hw) - See Crawford County
VERMILLION COUNTY
(Hw) - See Boone County
VIGO COUNTY
Decision #AP-636 (B, H)
38 FR 4156 - 2/9/73
Mod. #1 - 38 FR 7169 - 3/16/73
Mod. #2 - 38 FR 7696 - 3/23/73
(Hw)- See Boone County
WABASH COUNTY
(Hw)- See Benton County
WARREN COUNTY
(Hw) - See Boone County
WARRICK COUNTY
(D) - See Clark County
(Hw) - See Crawford County
WASHINGTON COUNTY
(Hw) - See Bartholomew County
WAYNE COUNTY
(Hw) - See Blackford County
WELLS COUNTY
(Hw) - See Adams County
WHITE COUNTY
(Hw) - See Benton County
WHITLEY COUNTY
(Hw) - See Adams County

IOWA

ADAIR COUNTY
None
ADAMS COUNTY
None
ALLAMAKEE COUNTY
None
APPANOOSE COUNTY
None
AUDUBON COUNTY
None
BENTON COUNTY
None
BLACK HAWK COUNTY
Decision #AP-510 (B,H,Hw) (City of Waterloo & abutting Municipalities)
37 FR 23980 - 11/10/72
Mod. #1 - 38 FR 6523 - 3/9/73
None
BREMER COUNTY
None
BUCHANAN COUNTY
None
BUENA VISTA COUNTY
None
BUTLER COUNTY
None
CALHOUN COUNTY
None
CARROLL COUNTY
Decision #AM-6,712 (H-Hw)
37 FR 7429 - 4-14-72
CASS COUNTY
(H-Hw) - See Carroll County
CEDAR COUNTY
None
CERRO GORDO COUNTY (MASON CITY)
Decision #AM-2,448 (B-H-Hw)
36 FR 16796 - 8-25-71
Mod. #1-36 FR 18985 - 9-24-71
Mod. #2-37 FR 4465 - 3-3-72
CHEROKEE COUNTY
None
CHICKASAW COUNTY
None
CLARKE COUNTY
None

IOWA (Cont'd)

CLAY COUNTY
(H-Hw) - See Carroll County
CLAYTON COUNTY
None
CLINTON COUNTY (CLINTON CITY)
Decision #AM-2,449 (B-H-Hw)
36 FR 16799 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
CRAWFORD COUNTY
(H-Hw) - See Carroll County
DALLAS COUNTY
None
DAVIS COUNTY
None
DECATUR COUNTY
None
DELEWARE COUNTY
None
DES MOINES COUNTY (City of Burlington and Abutting Municipalities; and Burlington Ordnance Plant)
Decision #AP-511 (B,H,Hw)
37 FR 23984 - 11/10/72
DICKINSON COUNTY
None
DUBUQUE COUNTY (Dubuque City)
Decision #AM-2,451 (B-H-Hw)
36 FR 16806 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
Mod. #2-37 FR 17900 - 9-1-72
EMMET COUNTY
None
FAYETTE COUNTY
None
FLOYD COUNTY
None
FRANKLIN COUNTY
None
FREMONT COUNTY
None
GREENE COUNTY
None
GRUNDY COUNTY
None

IOWA (Cont'd)

GUTHRIE COUNTY
None
HAMILTON COUNTY
None
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
None
HENRY COUNTY
None
HOWARD COUNTY
(H-Hw) - See Carroll County
HUMBOLDT COUNTY
None
IDA COUNTY
None
IOWA COUNTY
None
JACKSON COUNTY
None
JASPER COUNTY
None
JEFFERSON COUNTY
None
JOHNSON COUNTY (Iowa City)
Decision #AM-2,452 (B-H-Hw)
36 FR 16809 - 8-25-71
Mod. #1-37 FR 640 - 1-14-72
JONES COUNTY
None
KEOKUK COUNTY
None
KOSSUTH COUNTY
None
LEE COUNTY
None
LINN COUNTY (City of Cedar Rapids and Abutting Municipalities)
Decision #AP-512 (B,H,Hw)
37 FR 23988 - 11/10/72
LINN COUNTY (Except City of Cedar Rapids and Abutting Municipalities)
Decision #AP-213 (B-H-Hw)
37 FR 16264 - 8-11-72

IOWA (Cont'd)

LOUISA COUNTY
None
LUCAS COUNTY
None
LYON COUNTY
None
MADISON COUNTY
None
MAHASKA COUNTY
None
MARION COUNTY
None
MARSHALL COUNTY
None
MILLS COUNTY
None
MITCHELL COUNTY
None
MONONA COUNTY
(H-Hw) - See Carroll County
MONROE COUNTY
None
MONTGOMERY COUNTY
None
MUSCATINE COUNTY
None
O'BRIEN COUNTY
(H-Hw) - See Carroll County
OSCEOLA COUNTY
(H-Hw) - See Carroll County
PAGE COUNTY
None
PALO ALTO COUNTY
None
PLYMOUTH COUNTY
None
POCAHONTAS COUNTY
None
POLK COUNTY (City of Des Moines and Abutting Municipalities)
Decision #AP-513 (B,H,Hw)
37 FR 23992 - 11/10/72
POLK COUNTY (Except City of Des Moines and Abuttin Municipalities)
Decision #AP-215 (H, Hw)
37 FR 16266 - 8/11/72

IOWA (Cont'd)

POTTAWATTAMIE COUNTY (City of Council Bluffs and the area within 3 miles from the City limits)
Decision #AM-2,455 (B-H-Hw)
36 FR 16820 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
POWESHIEK COUNTY
None
RINGGOLD COUNTY
(H-Hw) - See Carroll County
SAC COUNTY
None
SCOTT COUNTY
Decision #AM-2,456 (B-H-Hw)
36 FR 16823 - 8-25-71
SHELBY COUNTY
None
SIOUX COUNTY
None
STORY COUNTY (AMES)
Decision #AM-2,457 (B-H-Hw)
36 FR 16826 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
Mod. #2-37 FR 5154 - 3-10-72
Mod. #3-37 FR 9595 - 5-12-72
TAMA COUNTY
None
TAYLOR COUNTY
(H-Hw) - See Carroll County
UNION COUNTY
None
VAN BUREN COUNTY
(H-Hw) - See Carroll County
WAPELLO COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
None
WEBSTER COUNTY (FORT DODGE)
Decision #AM-2,458 (B,H,Hw)
36 FR 16830 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72

IOWA (Cont'd)

WINNEBAGO COUNTY
None
WINNESHIEK COUNTY
None
WOODBURY COUNTY (SIOUX CITY)
Decision #AM-2,459 (B-H-Hw)
36 FR 16833 - 8-25-71
Mod. #1-37 FR 641 - 1-14-72
WORTH COUNTY
None
WRIGHT COUNTY
None

KANSAS

ALLEN COUNTY
Decision #AP-519 (Hw)
38 FR 7732 - 3/23/73
ANDERSON COUNTY
(Hw) - See Allen County
ATCHISON COUNTY
(Hw) - See Allen County
BARBER COUNTY
Decision #AP-521 (Hw)
38 FR 7734 - 3/23/73
BARTON COUNTY
(Hw) - See Barber County
BOURBON COUNTY
(Hw) - See Allen County
BROWN COUNTY
(Hw) - See Allen County
BUTLER COUNTY
(Hw) - See Allen County
CHASE COUNTY
(Hw) - See Allen County
CHAUTAUQUA COUNTY
(Hw) - See Allen County
CHEROKEE COUNTY
(Hw) - See Allen County
CHEYENNE COUNTY
(Hw) - See Barber County
CLARK COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

CLAY COUNTY
(Hw) - See Allen County
CLOUD COUNTY
(Hw) - See Allen County
COFFEY COUNTY
(Hw) - See Allen County
COMANCHE COUNTY
(Hw) - See Barber County
COWLEY COUNTY
(Hw) - See Allen County
CRAWFORD COUNTY
(Hw) - See Allen County
DECATUR COUNTY
(Hw) - See Barber County
DICKINSON COUNTY
(Hw) - See Allen County
DONIPHAN COUNTY
(Hw) - See Allen County
DOUGLAS COUNTY
Decision #AP-503 (Hw)
37 FR 17349 - 8-25-72
Mod. #1-37 FR 20389 - 9-29-72
Mod. #2-38 FR 6523 - 3/9/73
Mod. #3-38 FR 9389 - 4/13/73
EDWARDS COUNTY
(Hw) - See Barber County
ELK COUNTY
(Hw) - See Allen County
ELLIS COUNTY
(Hw) - See Barber County
ELLSWORTH COUNTY
(Hw) - See Barber County
FINNEY COUNTY
(Hw) - See Barber County
FORD COUNTY
(Hw) - See Barber County
FRANKLIN COUNTY
(Hw) - See Allen County
GEARY COUNTY
(Hw) - See Allen County
GOVE COUNTY
(Hw) - See Barber County
GRAHAM COUNTY
(Hw) - See Barber County
GRANT COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

GRAY COUNTY
(Hw) - See Barber County
GREELEY COUNTY
(Hw) - See Barber County
GREENWOOD COUNTY
(Hw) - See Allen County
HAMILTON COUNTY
(Hw) - See Barber County
HARPER COUNTY
(Hw) - See Allen County
HARVEY COUNTY
(Hw) - See Allen County
HASKELL COUNTY
(Hw) - See Barber County
HODGEMAN COUNTY
(Hw) - See Barber County
JACKSON COUNTY
(Hw) - See Allen County
JEFFERSON COUNTY
(Hw)- See Douglas County
JEWELL COUNTY
(Hw) - See Barber County
JOHNSON COUNTY
Decision #AP-517 (B, H, Hw)
37 FR 26218 - 12/8/72
Mod. #1 - 37 FR 28353 - 12/22/72
Mod. #2 - 38 FR 1435 - 1/12/73
Mod. #3 - 38 FR 4078 - 2/9/73
Decision #AP-516 (H)
37 FR 26206 - 12/8/72
Mod. #1 - 38 FR 1435 - 1/12/73
Mod. #2 - 38 FR 4078 - 2/9/73
KEARNY COUNTY
(Hw) - See Barber County
KINGMAN COUNTY
(Hw) - See Allen County
KIOWA COUNTY
(Hw) - See Barber County
LABETTE COUNTY
(Hw) - See Allen County
LANE COUNTY
(Hw) - See Barber County
LEAVENWORTH COUNTY
Decision #AM-6708 (H)
37 FR 7031 - 4/7/72
Mod. #1 - 37 FR 18833 - 9/15/72
Mod. #2 - 37 FR 20388 - 9/29/72
Mod. #3 - 38 FR 6522 -3/9/73
(Hw) - See Douglas County
LINCOLN COUNTY
(Hw) - See Barber County
LINN COUNTY
(Hw) - See Allen County

KANSAS (Cont'd)

LOGAN COUNTY
(Hw) - See Barber County
LYON COUNTY
(Hw) - See Allen County
McPHERSON COUNTY
(Hw) See Allen County
MARION COUNTY
(Hw) - See Allen County
MARSHALL COUNTY
(Hw) - See Allen County
MEADE COUNTY
(Hw) - See Barber County
MIAMI COUNTY
(Hw) - See Douglas County
MITCHELL COUNTY
(Hw) - See Barber County
MONTGOMERY COUNTY
(Hw) - See Allen County
MORRIS COUNTY
(Hw) - See Allen County
MORTON COUNTY
(Hw) - See Barber County
NEMAHA COUNTY
(Hw) - See Allen County
NEOSHO COUNTY
(Hw) - See Allen County
NESS COUNTY
(Hw)- See Barber County
NORTON COUNTY
(Hw) - See Barber County
OSAGE COUNTY
(Hw) - See Allen County
OSBORNE COUNTY
(Hw) - See Barber County
OTTAWA COUNTY
(Hw) - See Allen County
PAWNEE COUNTY
(Hw) See Barber County
PHILLIPS COUNTY
(Hw) - See Barber County
POTTAWATOMIE COUNTY
(Hw) - See Allen County
PRATT COUNTY
(Hw) - See Barber County
RAWLINS COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

RENO COUNTY
(Hw) - See Allen County
REPUBLIC COUNTY
(Hw) - See Allen County
RICE COUNTY
(Hw) - See Barber County
RILEY COUNTY
(Hw) - See Allen County
ROOKS COUNTY
(Hw) - See Barber County
RUSH COUNTY
(Hw) - See Barber County
RUSSELL COUNTY
(Hw) - See Barber County
SALINE COUNTY
(Hw) - See Allen County
SCOTT COUNTY
(Hw) - See Barber County
SEDGWICK COUNTY
Decision #AP-500 (H)
37 FR 16308-8/11/72
Mod.#1-37 FR 18833-9/15/72
Mod.#2-37 FR 20388-9/29/72
Mod.#3-38 FR 1434 - 1/12/73
Mod. #4- 38 FR 7696 - 3/23/73
Mod. #5 - 38 FR 9389 - 4/13/73
Decision #AP-520 (Hw)
38 FR 7733 - 3/23/73
SEWARD COUNTY
(Hw) - See Barber County
SHAWNEE COUNTY
Decision #AM-6,717 (H)
37 FR 7458-4/14/72
Mod.#1-37 FR 18833-9/15/72
Mod.#2-37 FR 20388-9/29/72
Mod.#3-38 FR 4077 - 2/9/73
Mod.#4-38 FR 6523 - 3/9/73
(Hw) - See Douglas County
Decision #AP-501 (R)
37 FR 16312-8/11/72
Mod.#1-37 FR 18834-9/15/72
Mod.#2-37 FR 20388-9/29/72
Mod.#3-38 FR 4077 - 2/9/73
Mod.#4-38 FR 6523 - 3/9/73
SHERIDAN COUNTY
(Hw) - See Barber County
SHERMAN COUNTY
(Hw) - See Barber County
SMITH COUNTY
(Hw) - See Barber County
STAFFORD COUNTY
(Hw) - See Barber County
STANTON COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

STEVENS COUNTY
(Hw) - See Barber County
SUMNER COUNTY
(Hw) - See Allen County
THOMAS COUNTY
(Hw) - See Barber County
TREGO COUNTY
(Hw) - See Barber County
WABAUNSEE COUNTY
(Hw) - See Allen County
WALLACE COUNTY
(Hw) - See Barber County
WASHINGTON COUNTY
(Hw) - See Allen County
WICHITA COUNTY
(Hw) - See Barber County
WILSON COUNTY
(Hw) - See Allen County
WOODSON COUNTY
(Hw) - See Allen County
WYANDOTTE COUNTY
(H,Hw) - See Johnson County
(R) - See Johnson County

KENTUCKY

ADAIR COUNTY
Decision #AP-143 (H, Hw)
38 FR 2033 - 1/19/73
ALLEN COUNTY
Decision #AP-145 (H, Hw)
38 FR 2040 - 1/19/73
ANDERSON COUNTY
Decision #AP-146 (H, Hw)
38 FR 2044 - 1/19/73
BALLARD COUNTY
Decision #AM-8,589 (D)
37 FR 5654-3/17/72
Mod. #1-37 FR 24506 11/17/72
(H,Hw) - See Allen County
BARREN COUNTY
(H,Hw) - See Adair County
BATH COUNTY
(H,Hw) - See Anderson County

KENTUCKY (Cont'd)

BATH COUNTY (Cont'd)
Decision #AM-487 (R)
36 FR 16459 - 8/20/71
BELL COUNTY
(H,Hw) - See Adair County
BOONE COUNTY
Decision #AP-141 (H,Hw)
37 FR 25690 - 12/1/72
Mod. #1-37 FR 26778 - 12/15/72
Mod. #2-38 FR 2008 - 1/19/73
Decision #AP-602 (D)
38 FR 1433 - 1/12/73
BOURBON COUNTY
(Hw, H) - See Anderson County
(R) - See Bath County
BOYD COUNTY
Decision #AP-170 (R)
38 FR 7735 - 3/23/73
(H, Hw) - See Anderson County
(D) - See Boone County
BOYLE COUNTY
(H,Hw) - See Anderson County
BRACKEN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
BREATHITT COUNTY
Decision #AP-144 (H, Hw)
38 FR 2037 - 1/19/73
BRECKINRIDGE COUNTY
Decision #AM-488 (R)
36 FR 16460 - 8-20-71
Mod. #1 - 37 FR 26200 - 12/8/72
(H,Hw)-See Anderson County
(D) - See Boone County

KENTUCKY (cont'd)

BULLITT COUNTY
(D) - See Boone County
(H, Hw) - See Anderson County
(R) - See Breckinridge County
BUTLER COUNTY
(H,Hw) - See Allen County
CALDWELL COUNTY
(H,Hw) - See Allen County
CALLOWAY COUNTY
(H,Hw) - See Allen County
CAMPBELL COUNTY
(R,H, Hw,D)- See Boone County
CARLISLE COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
CARROLL COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
CARTER COUNTY
(H,Hw) - See Anderson County
CASEY COUNTY
(H,Hw) - See Adair County
CHRISTIAN COUNTY
(H,Hw) - See Allen County
CLARK COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
CLAY COUNTY
(H,Hw) - See Adair County
CLINTON COUNTY
(H,Hw) - See Adair County
CRITTENDEN COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
CUMBERLAND COUNTY
(H,Hw) - See Adair County
DAVIESS COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
EDMONSON COUNTY
(H,Hw) - See Allen County

KENTUCKY (cont'd)

ELLIOTT COUNTY
(H,Hw) - See Anderson County
ESTILL COUNTY
(H,Hw) - See Adair County
FAYETTE COUNTY
Decision #AP-135 (B,H,Hw)
37 FR 21771 - 10-13-72
Mod. #1-37 FR 23972-11/10/72
Mod. #2-37 FR 28352 - 12/22/72
Mod. #3-38 FR 4077 - 2/9/73
Mod. #4-38 FR 7696 - 3/23/73
(R) - See Bath County
FLEMING COUNTY
(H,Hw) - See Anderson County
FLOYD COUNTY
(H,Hw) - See Breathitt County
FRANKLIN COUNTY
(H,Hw) - See Anderson County
FULTON COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
GALLATIN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
GARRARD COUNTY
(H,Hw) - See Adair County
GRANT COUNTY
(H,Hw) - See Anderson County
GRAVES COUNTY
(H,Hw) - See Allen County
GRAYSON COUNTY
(H,Hw) - See Anderson County
GREEN COUNTY
(H,Hw) - See Adair County
GREENUP COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County

KENTUCKY (cont'd)

HANCOCK COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
HARDIN COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
HARLAN COUNTY
(H,Hw) - See Adair County
HARRISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
HART COUNTY
(H,Hw) - See Adair County
HENDERSON COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
HENRY COUNTY
(H,Hw) - See Anderson County
HICKMAN COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
HOPKINS COUNTY
(H,Hw) - See Allen County
JACKSON COUNTY
(H,Hw) - See Adair County
JEFFERSON COUNTY
Decision #AP-171 (B, H, Hw)
38 FR 7738 - 3/23/73
(D) - See Boone County
(R) - See Breckinridge County

KENTUCKY (cont'd)

JESSAMINE COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
JOHNSON COUNTY
Decision #AP-147 (H, Hw)
38 FR 2048 - 1/19/73
KENTON COUNTY
(B,H,Hw,D) - See Boone County
KNOTT COUNTY
(H,Hw) - See Breathitt County
KNOX COUNTY
(H,Hw) - See Adair County
LARUE COUNTY
(H,Hw) - See Anderson COunty
LAUREL COUNTY
(H,Hw) - See Adair County
LAWRENCE COUNTY
(H,Hw) - See Johnson County
LEE COUNTY
(H,Hw) - See Adair County
LESLIE COUNTY
(H,Hw) - See Adair County
LETCHER COUNTY
(H,Hw) - See Breathitt County
LEWIS COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
LINCOLN COUNTY
(H,Hw) - See Adair County
LIVINGSTON COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
LOGAN COUNTY
(H,Hw) - See Allen County
LYON COUNTY
(H,Hw) - See Allen County

KENTUCKY (cont'd)

McCRACKEN COUNTY
Decision #AP-173 (B)
38 FR 9935 - 4/20/73
(D) - See Boone County
(H, Hw) - See Allen County
McCREARY COUNTY
(H,Hw) - See Adair County
McLEAN COUNTY
(H,Hw) - See Allen County
MADISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MAGAFFIN COUNTY
(H,Hw) - See Breathitt County
MARION COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
MARSHALL COUNTY
(H,Hw) - See Allen County
MARTIN COUNTY
(H,Hw) - See Breathitt County
MASON COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
MEADE COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
MENIFEE COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd)

MERCER COUNTY
(H,Hw) - See Anderson County
METCALFE COUNTY
(H,Hw) - See Adair County
MONROE COUNTY
(H,Hw) - See Adair County
MONTGOMERY COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MORGAN COUNTY
(H,Hw) - See Anderson County
MUHLENBERG COUNTY
(H,Hw) - See Allen County
NELSON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
NICHOLAS COUNTY
(H,Hw) - See Anderson County
OHIO COUNTY
(H,Hw) - See Allen County
OLDHAM COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
OWEN COUNTY
(H,Hw) - See Anderson County
OWSLEY COUNTY
(H,Hw) - See Adair County
PENDLETON COUNTY
(H,Hw) - See Boone County
(D) - See Boone County
PERRY COUNTY
(H,Hw) - See Breathitt County
PIKE COUNTY
(H,Hw) - See Breathitt County
POWELL COUNTY
(H,Hw) - See Adair County
PULASKI COUNTY
(H,Hw) - See Adair County
ROBERTSON COUNTY
(H,Hw) - See Anderson County
ROCKCASTLE COUNTY
(H,Hw) - See Adair County
ROWAN COUNTY
(H,Hw) - See Anderson County

KENTUCKY (Cont'd)

RUSSELL COUNTY
(H,Hw) - See Adair County
SCOTT COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
SHELBY COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
SIMPSON COUNTY
(H,Hw) - See Allen County
SPENCER COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
TAYLOR COUNTY
(H,Hw) - See Adair County
TODD COUNTY
(H,Hw) - See Allen County
TRIGG COUNTY
(H,Hw) - See Allen County
TRIMBLE COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
UNION COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
WARREN COUNTY
Decision #AP-133 (B,H,Hw)
37 FR 21766 - 10-13-72
Mod. #1-37 FR 23055 - 10-27-72
Mod. #2-37 FR 23970 - 11/10/72
Mod. #3-37 FR 24057 - 11/17/72
Mod. #4-37 FR 28352 - 12/22/72
Mod. #5-38 FR 4077 - 2/9/73
Mod. #6-38 FR 8359 - 3/30/73
WASHINGTON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
WAYNE COUNTY
(H,Hw) - See Adair County
WEBSTER COUNTY
(H,Hw) - See Allen County
WHITLEY COUNTY
(H,Hw) - See Adair County
WOLFE COUNTY
(H,Hw) - See Adair County
WOODFORD COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

LOUISIANA

STATEWIDE
Decision #AM-8,589 (D)
37 FR 5654 - 3-17-72
Mod. #1-37 FR 24506 - 11/17/72
ACADIA PARISH
(D) - See Statewide
Decision #AM-8,588 (F)
37 FR 5654 - 3-17-72
Mod. #1-37 FR 8601 - 4-28-72
Mod. #2-37 FR 24506 - 11/17/72
ALLEN PARISH
(D) - See Statewide
(F) - See Acadia Parish
ASCENSION PARISH
(D) - See Statewide
(F) - See Acadia Parish
ASSUMPTION PARISH
(D) - See Statewide
(F) - See Acadia Parish
AVOYELLES PARISH
(D) - See Statewide
(F) - See Acadia Parish
BEAUREGARD PARISH
(D) - See Statewide
(F) - See Acadia Parish
BIENVILLE PARISH
(D)-See Statewide
(F)-See Acadia Parish
BOSSIER PARISH
(D) - See Statewide
(F) - See Acadia Parish
Decision #AP-397 (B)
38 FR 2602 - 1/26/73
Mod. #1 - 38 FR 4078 - 2/9/73
Mod. #2 - 38 FR 5089 - 2/23/73
Mod. #3 - 38 FR 9393 - 4/13/73
Decision #AP-398 (R)
38 FR 2604 - 1/26/73
Mod. #1 - 38 FR 4078 - 2/9/73
Mod. #2 - 38 FR 5089 - 2/23/73
Mod. #3 - 38 FR 9393 - 4/13/73
CADDO PARISH
(D) - See Statewide
(B, R) - See Bossier Parish
CALCASIEU PARISH
(D) - See Statewide
(F) - See Acadia Parish

LOUISIANA (Cont'd)

CALCASIEU PARISH (cont'd)
Decision #AP-367 (B)
37 FR 26247 - 12/8/72
Mod. #1 - 37 FR 28352 - 12/22/72
Mod. #2 - 37 FR 28800 - 12/29/72
Mod. #3 - 38 FR 936 - 1/5/73
Decision #AP-366 (R)
37 FR 26245 - 12/8/72
Mod. #1 - 37 FR 28352 - 12/22/72
Mod. #2 - 37 FR 28800 - 12/29/72
Mod. #3 - 38 FR 936 - 1/5/73
CALDWELL PARISH
(D)-See Statewide
(F)-See Acadia Parish
CAMERON PARISH
(D) - See Statewide
(F) - See Acadia Parish
CATAHOULA PARISH
(D) - See Statewide
(F) - See Acadia Parish
CLAIBORNE PARISH
(D) - See Statewide
(F) - See Acadia Parish
CONCORDIA PARISH
(D) - See Statewide
(F) - See Acadia Parish
DE SOTO PARISH
(D) - See Statewide
(F) - See Acadia Parish
EAST BATON ROUGE PARISH
(D) - See Statewide
Decision #AP-362 (B)
37 FR 25636 - 12/1/72
Mod. #1-37 FR 26778 - 12/15/72
Mod. #2 - 38 FR 4624 - 2/16/73
Mod. #3 - 38 FR 5089 - 2/23/73
EAST CARROLL PARISH
(D) - See Statewide
(F) - See Acadia Parish
EAST FELICIANA PARISH
(D) - See Statewide
(F) - See Acadia Parish
EVANGELINE PARISH
(D) - See Statewide
(F) - See Acadia Parish
FRANKLIN PARISH
(D) - See Statewide
(F) - See Acadia Parish

LOUISIANA (Cont'd)

GRANT PARISH
(D) - See Statewide
(F) - See Acadia Parish
IBERIA PARISH
(D) - See Statewide
(F) - See Acadia Parish
IBERVILLE PARISH
(D)-See Statewide
(F)-See Acadia Parish
JACKSON PARISH
(D)-See Statewide
(F)-See Acadia Parish
JEFFERSON PARISH
(D)-See Statewide
(F)-See Acadia Parish
Decision #AP-704 (B)
38 FR 4634 - 2/16/73
Mod. #1 - 38 FR 5758 - 3/2/73
Mod. #2 - 38 FR 7696 - 3/23/73
JEFFERSON DAVIS PARISH
(D)-See Statewide
(F)-See Acadia Parish
LAFAYETTE PARISH
(D)-See Statewide
(F)-See Acadia Parish
LAFOURCHE PARISH
(D)-See Statewide
(F)-See Acadia Parish
LA SALLE PARISH
(D)-See Statewide
(F)-See Acadia Parish
LINCOLN PARISH
(D)-See Statewide
(F)-See Acadia Parish
LIVINGSTON PARISH
(D)-See Statewide
(F)-See Acadia Parish
MADISON PARISH
(D)-See Statewide
(F)-See Acadia Parish
MOREHOUSE PARISH
(D)-See Statewide
(F)-See Acadia Parish
NATCHITOCHES PARISH
(D)-See Statewide
(F)-See Acadia Parish
ORLEANS PARISH
(D) - See Statewide
(B) - See Jefferson Parish

LOUISIANA (Cont'd)

OUACHITA PARISH
(D)-See Statewide
Decision #AP-317 (R)
37 FR 17305-8/25/72
PLAQUEMINES PARISH
(D)-See Statewide
(B)-See Jefferson Parish
(F)-See Acadia Parish
POINT COUPEE PARISH
(D)-See Statewide
(F)-See Acadia Parish
RAPIDES PARISH
(D)-See Statewide
Decision #AP-363 (B)
37 FR 25638 - 12/1/72
Mod. #1-37 FR 26778 - 12/15/72
Mod. #2-38 FR 1434 - 1/12/73
Mod. #3-38 FR 2569 - 1/26/73
Mod. #4-38 FR 5089 - 2/23/73
Mod. #5-38 FR 6523 - 3/9/73
RED RIVER PARISH
(D)-See Statewide
(F)-See Acadia Parish
RICHLAND PARISH
(D)-See Statewide
(F)-See Acadia Parish
SABINE PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. BERNARD PARISH
(D)-See Statewide
(F)-See Acadia Parish
(B)-See Jefferson Parish
ST. CHARLES PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. HELENA PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. JAMES PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. JOHN THE BAPTIST PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. LANDRY PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. MARTIN PARISH
(D)-See Statewide
(F)-See Acadia Parish

LOUISIANA (Cont'd)

ST. MARY PARISH
(D)-See Statewide
(F)-See Acadia Parish
ST. TAMMANY PARISH
(D)-See Statewide
(F)-See Acadia Parish
TANGIPAHOA PARISH
(D)-See Statewide
(F)-See Acadia Parish
TENSAS PARISH
(D) See Statewide
(F)-See Acadia Parish
TERREBONNE PARISH
(D)-See Statewide
(F)-See Acadia Parish
UNION PARISH
(D)-See Statewide
(F)-See Acadia Parish
VERMILION PARISH
(D)-See Statewide
(F)-See Acadia Parish
VERNON PARISH
(D)-See Statewide
(F)-See Acadia Parish
WASHINGTON PARISH
(D)-See Statewide
(F)-See Acadia Parish
WEBSTER PARISH
(D)-See Statewide
(F)-See Acadia Parish
WEST BATON ROUGE PARISH
(D)-See Statewide
(F)-See Acadia Parish
WEST CARROLL PARISH
(D)-See Statewide
(F)-See Acadia Parish
WEST FELICIANA PARISH
(D)-See Statewide
(F)-See Acadia Parish
WINN PARISH
(D)-See Statewide
(F)-See Acadia Parish

MAINE

ANDROSCOGGIN COUNTY
None
AROOSTOOK COUNTY
None
CUMBERLAND COUNTY
Decision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
Mod. #2 - 38 FR 5097 - 2/23/73
FRANKLIN COUNTY
None
HANCOCK COUNTY
(D) - See Cumberland County
KENNEBEC COUNTY
None
KNOX COUNTY
(D) - See Cumberland County
LINCOLN COUNTY
(D) - See Cumberland County
OXFORD COUNTY
None
PENOBSCOT COUNTY
None
PISCATAQUIS COUNTY
None
SAGADAHOC COUNTY
(D) - See Cumberland County
SOMERSET COUNTY
None
WALDO COUNTY
(D) - See Cumberland County
WASHINGTON COUNTY
(D) - See Cumberland County
YORK COUNTY
(D) - See Cumberland County

MARYLAND

ALLEGANY COUNTY
None
ANNE ARUNDEL COUNTY
Decision #AP-439 (D)
37 FR 22701 - 10/20/72
BALTIMORE CITY & BALTIMORE COUNTY
Decision #AP-455 (B, H, Hw)
37 FR 28819 - 12/29/72

MARYLAND (Cont'd)

BALTIMORE CITY & BALTIMORE COUNTY (Cont'd)
Decision #AM-1,846 (R)
36 FR 16249 - 8/20/71
Decision #AM-9,322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
Mod. #2- 38 FR 5097 - 2/23/73
CALVERT COUNTY
(D)-See Anne Arundel County
CAROLINE COUNTY
None
CARROLL COUNTY
None
CECIL COUNTY
(R)-See Baltimore County
CHARLES COUNTY
(D)-See Anne Arundel County
DORCHESTER COUNTY
(D)-See Anne Arundel County
FREDERICK COUNTY
None
GARRETT COUNTY
None
HARFORD COUNTY
(R)-See Baltimore County
(D)-See Anne Arundel County
HOWARD COUNTY
(R)-See Baltimore County
KENT COUNTY
(D)-See Anne Arundel County
MONTGOMERY COUNTY
Decision #AP-492 (B)
38 FR 6538 - 3/9/73
Mod. #1 - 38 FR 8871 - 4/6/73
Mod. #2 - 38 FR 9393 - 4/13/73
Decision #AP-450 (R)
37 FR 25117 - 11/25/72
PRINCE GEORGES COUNTY
(B)-See Montgomery County
(R)-See Montgomery County
(D)-See Anne Arundel County

MARYLAND (Cont'd)

QUEEN ANNES COUNTY
(D) - See Anne Arundel County
ST. MARYS COUNTY
(D) - See Anne Arundel County
SOMERSET COUNTY
(D)-See Anne Arundel County
TALBOT COUNTY
(D)-See Anne Arundel County
WASHINGTON COUNTY
None
WICOMICO COUNTY
(D)-See Anne Arundel County
WORCESTER COUNTY
(D)-See Baltimore County

MASSACHUSETTS

BARNSTABLE COUNTY
Decision #AP-456 (B, H, Hw & Marine)
38 FR 2054 - 1/19/73
Mod. #1 - 38 FR 4625 - 2/16/73
Mod. #2 - 38 FR 5759 - 3/2/73
Mod. #3 - 38 FR 6523 - 3/9/73
Mod. #4 - 38 FR 8871 - 4/6/73
Decision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
Mod. #2 - 38 FR 5097 - 2/23/73
BERKSHIRE COUNTY
None
BRISTOL COUNTY
(D)-See Barnstable County
DUKES COUNTY
(D)-See Barnstable County
ESSEX COUNTY
Decision #AP-457 (B, H, Hw & Marine)
38 FR 2054 - 1/19/73
Mod. #1 - 38 FR 4625 - 2/16/73
Mod. #2 - 38 FR 5759 - 3/2/73
Mod. #3 - 38 FR 8871 - 4/6/73
Mod. #4 - 38 FR 9393 - 4/13/73
(D)-See Barnstable County
FRANKLIN COUNTY
None
HAMPDEN COUNTY
Decision #AP-458 (B, H, Hw)
38 FR 2058 - 1/19/73
Mod. #1 - 38 FR 4625 - 2/16/73
Mod. #2 - 38 FR 8871 - 4/6/73
Decision #AP-470 (R)
38 FR 4617 - 2/16/73
Mod. #1 - 38 FR 6523 - 3/9/73
Mod. #2 - 38 FR 9394 - 4/13/73

MASSACHUSETTS (Cont'd)

HAMPSHIRE COUNTY
None
MIDDLESEX COUNTY
Decision #AP-459 (B, H, Hw & Marine)
38 FR 2062 - 1/19/73
Mod. #1 - 38 FR 4627 - 2/16/73
Mod. #2 - 38 FR 8871 - 4/6/73
Mod. #3 - 38 FR 9394 - 4/13/73
(D)- See Barnstable County
NANTUCKET COUNTY
(D)-See Barnstable County
NORFOLK COUNTY
(D)-See Barnstable County
PLYMOUTH COUNTY
(D)-See Barnstable County
SUFFOLK COUNTY
Decision #AP-460 (B, H, Hw, Marine & D)
38 FR 2066 - 1/19/73
Mod. #1 - 38 FR 4627 - 2/16/73
Mod. #2 - 38 FR 8872 - 4/6/73
WORCESTER COUNTY
Decision #AP-461 (B, H, Hw)
38 FR 2070 - 1/19/73
Mod. #1 - 38 FR 4628 - 2/16/73
Mod. #2 - 38 FR 5759 - 3/2/73
Mod. #3 - 38 FR 8872 - 4/6/73
Mod. #4 - 38 FR 9394 - 4/13/73

MICHIGAN

ALCONA COUNTY
Decision #AP-4 (D)
37 FR 14670 - 7-21-72
Decision AP-79 (Highway, Bridge, Airport & Sewer Cons, excl. of Bldgs.)
37 FR 28377 - 12/22/72
Mod. #1 - 38 FR 936 - 1/5/73
Mod. #2 - 38 FR 4629 - 2/16/73
ALGER COUNTY
(Hw, D) - See Alcona County
ALLEGAN COUNTY
Decision #AP-80 (B, H)
37 FR 28822 - 12/29/72
Mod. #1 - 38 FR 5089 - 2/23/73
Decision #AP-398 (R)
36 FR 15891 - 8/18/71
Decision AP-77 (Highway, Bridge, Airport & Sewer Cons, excl. of Bldgs.)
37 FR 28374 - 12/22/72
Mod. #1 - 38 FR 4629 - 2/16/73
(D) - See Alcona County
ALPENA COUNTY
Decision #AP-81 (B, H)
37 FR 28825 - 12/29/72
Mod. #1 - 38 FR 5089 - 2/23/73
(Hw, D) - See Alcona County

MICHIGAN (cont'd)

ANTRIM COUNTY
(Hw, D) - See Alcona County
ARENAC COUNTY
(Hw, D) - See Alcona County
BARAGA COUNTY
Decision #AP-82 (B, H)
37 FR 28850 - 12/29/72
Mod. #1 - 38 FR 5090 - 2/23/73
(Hw, D) - See Alcona County
BARRY COUNTY
(Hw) - See Allegan County
BAY COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
BENZIE COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
BERRIEN COUNTY
Decision #AP-83 (B, H)
37 FR 28828 - 12/29/72
Mod. #1 - 38 FR 5090 - 2/23/73
Decision #AM-399 (R)
36 FR 15892 - 8-18-71
(D) - See Alcona County
(Hw) - See Allegan County
BRANCH COUNTY
Decision #AM-401 (R)
36 FR 15894 - 8-18-71
(Hw) - See Allegan County
CALHOUN COUNTY
Decision #AP-84 (B, H)
37 FR 28831 - 12/29/72
Mod. #1 - 38 FR 5090 - 2/23/73
Decision #AM-400 (R)
36 FR 15892 - 8/18/71
(Hw) - See Allegan County
CASS COUNTY
(Hw) - See Allegan County
(R)-See Branch County
CHARLEVOIX COUNTY
Decision #AP-85 (B, H)
37 FR 28834 - 12/29/72
Mod. #1 - 38 FR 5091 - 2/23/73
(Hw, D) - See Alcona County
CHEBOYGAN COUNTY
(Hw, D) - See Alcona County
CHIPPEWA COUNTY
Decison #AP-86 (B, H)
37 FR 28837 - 12/29/72
Mod. #1 - 38 FR 5091 - 2/23/73
(Hw, D) - See Alcona County
CLARE COUNTY
(Hw) - See Alcona County
CLINTON COUNTY
(Hw) - See Allegan County

MICHIGAN (cont'd)

CRAWFORD COUNTY
(Hw) - See Alcona County
DELTA COUNTY
(Hw, D) - See Alcona County
DICKINSON COUNTY
(Hw) - See Alcona County
EATON COUNTY
Decision #AM-5041 (R)
36 FR 24027 - 12/17/71
(Hw) - See Allegan County
EMMET COUNTY
Decision #AP-87 (B, H)
37 FR 28839 - 12/29/72
Mod. #1 - 38 FR 5091 - 2/23/73
(Hw, D) - See Alcona County
GENESEE COUNTY
Decision #AP-88 (B, H)
37 FR 28870 - 12/29/72
Mod. #1 - 38 FR 5092 - 2/23/73
Decision AP-76 (Highway, Bridge, Airport & Sewer Cons, excl. of Bldgs.)
37 FR 28372 - 12/22/72
Mod. #1 - 38 FR 4628 - 2/16/73
GLADWIN COUNTY
(Hw) - See Alcona County
GOGEBIC COUNTY
Decision #AP-89 (B, H)
37 FR 28842 - 12/29/72
Mod. #1 - 38 FR 5092 - 2/23/73
(Hw, D) - See Alcona County
GRAND TRAVERSE COUNTY
Decision #AP-90 (B,H)
37 FR 28873 - 12/29/72
Mod. #1 - 38 FR 5092 - 2/23/73
(Hw, D) - See Alcona County
GRATIOT COUNTY
(hw) - See Allegan County
HILLSDALE COUNTY
(Hw) - See Allegan County
HOUGHTON COUNTY
(B, H) - See Baraga County
(Hw, D) - See Alcona County
HURON COUNTY
Decision #AP-91 (B, H)
37 FR 28879 - 12/29/72
Mod. #1 - 38 FR 5093 - 2/23/73
(D) - See Alcona County
(Hw) - See Allegan County
INGHAM COUNTY
Decision #AP-92 (B, H)
37 FR 28844 - 12/29/72
Mod. #1 - 38 FR 5093 - 2/23/73
(Hw) - See Allegan County
(R) - See Eaton County

MICHIGAN (cont'd)

IONIA COUNTY
(Hw) - See Allegan County
IOSCO COUNTY
(D & Hw) - See Alcona County
IRON COUNTY
(Hw) - See Alcona County
ISABELLA COUNTY
(Hw) - See Alcona County
JACKSON COUNTY
(Hw) - See Allegan County
KALAMAZOO COUNTY
Decision #AP-93 (B, H)
37 FR 28847 - 12/29/72
Mod. #1 - 38 FR 5093 - 2/23/73
(Hw) - See Allegan County
(R) - See Branch County
KALKASKA COUNTY
(Hw) - See Alcona County
KENT COUNTY
Decision #AP-23 (B)(H)
37 FR 20443 - 9/29/72
Mod. # 1-37 FR 22704 - 10/20/72
Decision #AM-402 (R)
36 FR 15895 - 8/18/71
(Hw) - See Allegan County
KEWEENAW COUNTY
(B)(H)- See Baraga County
(Hw) - See Alcona County
LAKE COUNTY
(Hw) - See Alcona County
LAPPER COUNTY
(Hw) - See Allegan County
LEELANAU COUNTY
(B, H) - See Grand Traverse County
(Hw, D) - See Alcona County
LENAWEE COUNTY
(Hw) - See Allegan County
LIVINGSTON COUNTY
(Hw) - See Allegan County
LUCE COUNTY
(Hw, D) - See Alcona County
MACKINAC COUNTY
(B, H) - See Chippewa County
(Hw, D) - See Alcona County
MACOMB COUNTY
Decision #AP-600 (B, H)
37 FR 28866 - 12/29/72
Mod. #1 - 38 FR 5096 - 2/23/73
(D) - See Alcona County
(Hw) - See Genessee County
Decision #AP-601 (R)
37 FR 28797 - 12/29/72
Mod. #1 - 38 FR 5096 - 2/23/73

MICHIGAN (cont'd)

MANISTEE COUNTY
(Hw, D) - See Alcona County
MARQUETTE COUNTY
Decision #AP-94 (B, H)
37 FR 28852 - 12/29/72
Mod. #1 - 38 FR 5094 - 2/23/73
(Hw, D) - See Alcona County
MASON COUNTY
Decision #AP-95 (B, H)
37 FR 28854 - 12/29/72
Mod. #1 - 38 FR 5094 - 2/23/73
(Hw, D) - See Alcona County
MECOSTA COUNTY
(Hw) - See Alcona County
MENOMINEE COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
MIDLAND COUNTY
(Hw) - See Allegan County
MISSAUKEE COUNTY
(Hw) - See Alcona County
MONROE COUNTY
(D) - See Alcona County
(Hw) - See Genessee County
MONTCALM COUNTY
(Hw) - See Allegan County
(R) - See Kent County
MONTMORENCY COUNTY
(Hw) - See Alcona County
MUSKEGON COUNTY
Decision #AP-97 (B, H)
37 FR 28857 - 12/29/72
Mod. #1 - 38 FR 5094 - 2/23/73
Decision #AM-403 (R)
36 FR 15896 - 8/18/71
(D) - See Alcona County
(Hw) - See Allegan County
NEWAYGO COUNTY
(Hw) - See Alcona County

MICHIGAN (Cont'd)

OAKLAND COUNTY
(B, H, R) - See Macomb County
(D) - See Alcona County
(Hw) - See Genessee County
OCEANA COUNTY
(B, H, R) - See Muskegon County
(D) - See Alcona County
(Hw) - See Allegan County
OGEMAW COUNTY
(Hw) - See Alcona County
ONTONAGON COUNTY
(B, H) - See Baraga County
(Hw, D) - See Alcona County
OSCEOLA COUNTY
(Hw) - See Alcona County
OSCODA COUNTY
(Hw) - See Alcona County
OTSEGO COUNTY
(Hw) - See Alcona County
OTTAWA COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
(R) - See Allegan County
PRESQUE ISLE COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
ROSCOMMON COUNTY
(Hw) - See Alcona County
SAGINAW COUNTY
Decision #AP-96 (B, H)
37 FR 28876 - 12/29/72
Mod. #1 - 38 FR 5095 - 2/23/73
(Hw) - See Allegan County
SAINT CLAIR COUNTY
Decision #AP-98 (B, H)
37 FR 28860 - 12/29/72
Mod. #1 - 38 FR 5095 - 2/23/73
(D) - See Alcona County
(Hw) - See Allegan County

MICHIGAN (cont'd)

SAINT JOSEPH COUNTY
(Hw) - See Allegan County
(R) - See Branch County
SANILAC COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
SCHOOLCRAFT COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
SHIAWASSEE COUNTY
(Hw) - See Allegan County
TUSCOLA COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
VAN BUREN COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
WASHTENAW COUNTY
Decision #AP-99 (B, E)
37 FR 28863 - 12/29/72
Mod. #1 - 38 FR 5095 - 2/23/73
(Hw) - See Genesee County
WAYNE COUNTY
(B, E, R) - See Macomb County
(D) - See Alcona County
(Hw) - See Genesee County
WEXFORD COUNTY
(Hw) - See Alcona County

MINNESOTA

AITKIN COUNTY
None
ANOKA COUNTY
Decision #AP-638 (B)
38 FR 6540 - 3/9/73
Decision #AP-642 (H, Hw)
38 FR 6556 - 3/9/73
Decision #AP-644 (R)
38 FR 6562 - 3/9/73
BECKER COUNTY
Decision #AP-49 (Hw)
37 FR 25097 - 11/25/72
BELTRAMI COUNTY
None
BENTON COUNTY
None

MINNESOTA (Cont'd)

BIG STONE COUNTY
Decision #AP-50 (Hw)
37 FR 25098 - 11/25/72
BLUE EARTH COUNTY
None
BROWN COUNTY
None
CARLTON COUNTY
None
CARVER COUNTY
Decision #AP-639 (B)
38 FR 6544 - 3/9/73
Decision #AP-645 (R)
38 FR 6566 - 3/9/73
(H, Hw) - See Anoka County
CASS COUNTY
(Hw) - See Becker County
CHIPPEWA COUNTY
(Hw) - See Big Stone County
CHISAGO COUNTY
None
CLAY COUNTY
(Hw) - See Becker County
CLEAR WATER COUNTY
None
COOK COUNTY
Decision #AP-610 (H, Hw)
38 FR 2088 - 1/19/73
Decision #AP-4 (D)
37 FR 14670 - 7/21/72
COTTONWOOD COUNTY
None
CROW WING COUNTY
None
DAKOTA COUNTY
Decision #AP-640 (B)
38 FR 6548 - 3/9/73
Decision #AP-646 (R)
38 FR 6570 - 3/9/73
(H, Hw) - See Anoka County

MINNESOTTA (Cont'd)

DODGE COUNTY
None
DOUGLAS COUNTY
(Hw) - See Big Stone County
FAIRBAULT COUNTY
None
FILLMORE COUNTY
None
FREEBORN COUNTY
None
GOODHUE COUNTY
None
GRANT COUNTY
(Hw) - See Big Stone County
HENNEPIN COUNTY
(B, E) - See Carver County
(H, Hw) - See Anoka County
HOUSTON COUNTY
None
HUBBARD COUNTY
(Hw) - See Becker County
ISANTI COUNTY
None
ITASKA COUNTY
None
JACKSON COUNTY
None
KANABEC COUNTY
None
KANDIYOHI COUNTY
(hw) - See Big Stone County
KITTSON COUNTY
None
KOOCHICHING COUNTY
None
LAC QUI PARLE COUNTY
(Hw) - See Big Stone County
LAKE COUNTY
(R)(Hw)-See Cook County
(D)-See Cook County
LAKE OF THE WOODS COUNTY
None
LE SUEUR COUNTY
None
LINCOLN COUNTY
None

MINNESOTA (cont'd)

LYON COUNTY
None
MCLEOD COUNTY
None
MAHNOMEN COUNTY
None
MARSHALL COUNTY
None
MARTIN COUNTY
None
MEEKER COUNTY
None
MILLE LACS COUNTY
Non
MORRISON COUNTY
None
MOWER COUNTY
None
MURRAY COUNTY
None
NICOLLET COUNTY
None
NUBLES COUNTY
None
NORMAN COUNTY
None
OLMSTEAD COUNTY
None
OTTER TAIL COUNTY
(Hw) - See Becker County
PENNINGTON COUNTY
None
PINE COUNTY
None
PIPESTONE COUNTY
None
POLK COUNTY
None
POPE COUNTY
(Hw) - See Big Stone County
RAMSEY COUNTY
(R, B) - See Dakota County
(H, Hw) - See Anoka County

MINNESOTA (Cont'd)

RED LAKE COUNTY
None
REDWOOD COUNTY
None
RENVILLE COUNTY
None
RICE COUNTY
None
ROCK COUNTY
None
ROSEAU COUNTY
None
SAINT LOUIS COUNTY
(D)-See Cook County
(H)(Hw)-See Cook County
CITY OF DULUTH
Decision #AP-641 (B)
38 FR 6552 - 3/9/73
Decision #AP-647 (R)
38 FR 6574 - 3/9/73
SCOTT COUNTY
(H)(Hw)-See Anoka County
(B) - See Carver County
SHERBURNE COUNTY
None
SIBLEY COUNTY
None
STEARNS COUNTY
None
STEELE COUNTY
None
STEVENS COUNTY
(Hw) - See Big Stone County
SWIFT COUNTY
(Hw) - See Big Stone County
TODD COUNTY
(Hw) - See Becker County
TRAVERSE COUNTY
(Hw) - See Big Stone County
WABASHA COUNTY
None
WADENA COUNTY
(Hw) - See Becker County
WASECA COUNTY
None
WASHINGTON COUNTY
(B) - See Dakota County
(H, Hw) - See Anoka County

MINNESOTA (cont'd)

WATONWAN COUNTY
None
WILKIN COUNTY
(Hw) - See Becker County
WINONA COUNTY
None
WRIGHT COUNTY
None
YELLOW MEDICINE COUNTY
None

MISSISSIPPI

STATEWIDE
Decision #AM-8589 (D)
37 FR 5654 - 3/17/72
Mod. #1-37 FR 24506 - 11/17/72
Decision #AM-8588 (F)
37 FR 5654 - 3/17/72
Mod. #1-37 FR 8601 - 4/28/72
Mod. #2-37 FR 24506 - 11/17/72
ADAMS COUNTY
Decision #AP-166 (Hw)
38 FR 6582 - 3/9/73
(D) - See Statewide
(F) - See Statewide
ALCORN COUNTY
Decision #AP-162 (Hw)
38 FR 6578 - 3/9/73
(D) - See Statewide
(F) - See Statewide
AMITE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
ATTALA COUNTY
Decision #AP-165 (Hw)
38 FR 6581 - 3/9/73
(D) - See Statewide
(F) - See Statewide
BENTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County

MISSISSIPPI (Cont'd)

BOLIVAR COUNTY
Decision #AP-162 (Hw)
38 FR 6579 - 3/9/73
(D) - See Statewide
(F) - See Statewide
CALHOUN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
CARROLL COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
CHICKASAW COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
CHOCTAW COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
CLAIBORNE COUNTY
Decision #AP-164 (Hw)
38 FR 6580 - 3/9/73
(D) - See Statewide
(F) - See Statewide
CLARKE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
CLAY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
COAHOMA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
COPIAH COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
COVINGTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County

MISSISSIPPI (Cont'd)

DE SOTO COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
FORREST COUNTY
Decision #AM-8264 (R)
37 FR 13017 - 6/30/72
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
FRANKLIN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
GEORGE COUNTY
Decision #AP-167 (Hw)
38 FR 6583 - 3/9/73
(D) - See Statewide
(F) - See Statewide
(R) - See Harrison County
GREENE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
GRENADA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
HANCOCK COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See George County
(R) - See Harrison County
HARRISON COUNTY
Decision #AP-159 (B, H)
38 FR 4628 - 2/16/73
Mod. #1 - 38 FR 7196 - 3/16/73
Decision #AM-8597 (R)
37 FR 5666 - 3/17/72
(D, F) - See Statewide
(Hw) - See George County
HINDS COUNTY
Decision #AP-158 (B, H,)
38 FR 4636 - 2/16/73
Mod. #1 - 38 FR 7169 - 3/16/73
Decision #AP-498 (R)
36 FR 16473 - 8/20/71
(D, F) - See Statewide
(Hw) - See Claiborne County

MISSISSIPPI (Cont'd)

HOLMES COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
HUMPHREYS COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
ISSAQUENA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
ITAWAMBA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
JACKSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See George County
(R) - See Harrison County
JASPER COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
JEFFERSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
JEFFERSON DAVIS COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
JONES COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
(R) - See Forest County

MISSISSIPPI (Cont'd)

KEMPER COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
LAFAYETTE COUNTY
(D) - See Statewide
(R) - See Statewide
(Hw) - See Alcorn County
LAMAR COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
LAUDERDALE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
LAWRENCE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
LEAKE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attalo County
LEE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
LEFLORE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
LINCOLN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
LOWNDES COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
MADISON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County

MISSISSIPPI (Cont'd)

MARION COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
MARSHALL COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
MONROE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
MONTGOMERY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
NESHOBA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
NEWTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
NOXUBEE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
OKTIBBEHA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
PANOLA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
PEARL RIVER COUNTY
(B, H) - See Harrison County
(D) - See Statewide
(F) - See Statewide
(Hw) - See Statewide
(R) - See Harrison County
PERRY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
PIKE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County

MISSISSIPPI (Cont'd)

PONTOTOC COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn COunty
PRENTISS COUNTY
(D) - See Statewide
(F) - See Statewise
(Hw) - See Alcorn County
QUITMAN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
RANKIN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
SCOTT COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
SHARKEY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
SIMPSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
SMITH COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
STONE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Georgia County
(R) - See Harrison County
SUNFLOWER COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
TALLAHATCHIE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County

MISSISSIPPI (Cont'd)

TATE COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
TIPPAH COUNTY
(D,F)-See Statewide
(Hw)-See Alcorn County
TISHOMINGO COUNTY
(D,F)-See Statewide
(Hw)-See Alcorn County
TUNICA COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
UNION COUNTY
(D,F,)-See Statewide
(Hw)-See Alcorn County
WALTHALL COUNTY
(D,F)-See Statewide
(Hw)-See Adams County
WARREN COUNTY
(D,F)-See Statewide
(Hw)-See Claiborne County
WASHINGTON COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
WAYNE COUNTY
(D,F)-See Statewide
(Hw)-See Adams County
WEBSTER COUNTY
(D,F)-See Statewide
(Hw)-See Alcorn County
WILKINSON COUNTY
(D,F)-See Statewide
(Hw)-See Adams County
WINSTON COUNTY
(D,F)-See Statewide
(Hw)-See Attalo County
YALOBUSHA COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
YAZOO COUNTY
(D,F)-See Statewide
(Hw)-See Claiborne County
(R)-See Hinds County

MISSOURI

ADAIR COUNTY
None
ANDREW COUNTY
None
ATCHISON COUNTY
None
AUDRAIN COUNTY
None
BARRY COUNTY
None
BARTON COUNTY
Decision #AP-509 (H-Hw)
37 FR 21783 - 10/13/72
BATES COUNTY
None
BENTON COUNTY
None
BOLLINGER COUNTY
None
BOONE COUNTY
None
BUCHANAN COUNTY
None
BUTLER COUNTY
None
CALDWELL COUNTY
None
CALLAWAY COUNTY
None
CAMDEN COUNTY
None
CAPE GIRARDEAU COUNTY
Decision #AP-502 (D)
38 FR 1433-1/12/73
CARROLL COUNTY
None
CARTER COUNTY
None

MISSOURI (Cont'd)

CASS COUNTY
Decision #AP-517 (B-H-Hw)
37 FR 26218 - 12/8/72
Mod. #1-37 FR 28353-12/22/72
Mod. #2-38 FR 1435-1/12/73
Mod. #3-38 FR 4078-2/9/73
Decision #AP-516 (R)
37 FR 26206 - 12/8/72
Mod. #1-38 FR 1435-1/12/73
Mod. #2-38 FR 4078-2/9/73
CEDAR COUNTY
None
CHARITON COUNTY
None
CHRISTIAN COUNTY
None
CLARK COUNTY
None
CLAY COUNTY
(B-H-Hw) - See Cass County
(R) - See Cass County
CLINTON COUNTY
None
COLE COUNTY
None
COOPER COUNTY
None
CRAWFORD COUNTY
None
DADE COUNTY
None
DALLAS COUNTY
None
DAVIESS COUNTY
None
DE KALB COUNTY
None
DENT COUNTY
None
DOUGLAS COUNTY
None
DUNKLIN COUNTY
None
FRANKLIN COUNTY
None
GASCONADE COUNTY
None
GENTRY COUNTY
None
GREENE COUNTY
None
GRUNDY COUNTY
None
HARRISON COUNTY
None
HENRY COUNTY
None

MISSOURI (Cont'd)

HICKORY COUNTY
None
HOLT COUNTY
Decision #AP-506 (H-Hw)
37 FR 21774 - 10/13/72
HOWARD COUNTY
None
HOWELL COUNTY
None
IRON COUNTY
None
JACKSON COUNTY
(B-H-Hw) - See Cass County
(R) - See Cass County
JASPER COUNTY
None
JEFFERSON COUNTY
(D)-See Cape Girardeau County
JOHNSON COUNTY
None
KNOX COUNTY
None
LACLEDE COUNTY
(H-Hw) - See Barton County
LAFAYETTE COUNTY
None
LAWRENCE COUNTY
(H-Hw) - See Barton County
LEWIS COUNTY
None
LINCOLN COUNTY
None
LINN COUNTY
Decision #AP-508 (H-Hw)
37 FR 21779 - 10/13/72
Mod. #1-37 FR 23057 - 10/27/72
LIVINGSTON COUNTY
None
MC DONALD COUNTY
None
MACON COUNTY
None
MADISON COUNTY
None
MARIES COUNTY
None
MARION COUNTY
None
MERCER COUNTY
None
MILLER COUNTY
None

MISSOURI (Cont'd)

MISSISSIPPI COUNTY
(D)-See Cape Girardeau County
MONITEAU COUNTY
None
MONROE COUNTY
None
MONTGOMERY COUNTY
None
MORGAN COUNTY
None
NEW MADRID COUNTY
None
NEWTON COUNTY
None
NODAWAY COUNTY
None
OREGON COUNTY
None
OSAGE COUNTY
None
OZARK COUNTY
None
PEMISCOT COUNTY
None
PERRY COUNTY
(D)-See Cape Girardeau County
PETTIS COUNTY
(B-Hw) - See Linn County
PHELPS COUNTY
None
PIKE COUNTY
None
PLATTE COUNTY
(B-H-Hw) - See Cass County
(R) - See Cass County
POLK COUNTY
None
PULASKI COUNTY
None
PUTNAM COUNTY
None
RALLS COUNTY
None
RANDOLPH COUNTY
None
RAY COUNTY
(B, H, Hw, R) - See Cass County
REYNOLDS COUNTY
None
RIPLEY COUNTY
None

MISSOURI (cont'd)

ST. CHARLES COUNTY
Decision #AP 505 (B, H, Hw)
37 FR 17933 - 9/1/72
Mod. #1 - 37 FR 19884 - 9/22/72
Mod. #2 - 37 FR 25109 - 11/25/72
Mod. #3 - 38 FR 4078 - 2/9/73
Mod. #4 - 38 FR 5096 - 2/23/73
Mod. #5 - 38 FR 6524 - 3/9/73
Decision #AP-504 (R)
37 FR 17881 - 9/1/72
Mod. #1 - 38 FR 4078 - 2/9/73
Mod. #2 - 38 FR 6524 - 3/9/73
(d) - See Cape Girardeau County
ST. CLAIR COUNTY
None
ST. FRANCOIS COUNTY
None
ST. LOUIS COUNTY
(B-H-Hw-R) - See St. Charles County
(D)-See Cape Girardeau County
ST. LOUIS CITY
(B-H-Hw-R) - See St. Charles County
STE. GENEVIEVE COUNTY
(D)-See Cape Girardeau County
SALINE COUNTY
None
SCHUYLER COUNTY
None
SCOTLAND COUNTY
None
SCOTT COUNTY
Decision #AP-507 (H-Hw)
37 FR 21776 - 10/13/72
Mod. #1-37 FR 25109 - 11/25/72
(D)-See Cape Girardeau County
SHANNON COUNTY
None
SHELBY COUNTY
None
STODDARD COUNTY
None
STONE COUNTY
None
SULLIVAN COUNTY
None
TANEY COUNTY
None

MISSOURI (cont'd)

TEXAS COUNTY
None
VERNON COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
None
WEBSTER COUNTY
None
WORTH COUNTY
None
WRIGHT COUNTY
None

MONTANA

Statewide
Decision #AP-272 (H, Hw)
38 FR 7741 - 3/23/73
BEAVERHEAD COUNTY
Decision #AP-285 (B)
38 FR 8900 - 4/6/73
(H, Hw) - See Statewide
BIG HORN COUNTY
Decision #AP-286 (B)
38 FR 8908 - 4/6/73
(H, Hw) - See Statewide
BLAINE COUNTY
Decision #AP-279 (B)
38 FR 8383 - 3/30/73
Mod. #1 - 38 FR 9394 - 4/13/73
(H, Hw) - See Statewide
CARBON COUNTY
(H, Hw) - See Statewide
CARTER COUNTY
(H, Hw) - See Statewide
CASCADE COUNTY
(H, Hw) - See Statewide
CHATEAU COUNTY
(H, Hw) - See Statewide
(B) - See Blaine County
CUSTER COUNTY
(H, Hw) - See Statewide
(B) - See Big Horn County

MONTANA (cont'd)

DANIELS COUNTY
(H, Hw) - See Statewide
DAWSON COUNTY
(Hw, H) - See Statewide
(B) - See Big Horn County
DEERLODGE COUNTY
(B) - See Beaverhead County
(H, Hw) - See Statewide
FALLON COUNTY
(H, Hw) - See Statewide
FERGUS COUNTY
(H, Hw) - See Statewide
(B) - See Blaine County
FLATHEAD COUNTY
(H, Hw) - See Statewide
Decision #AP-278 (B)
38 FR 8378 - 3/30/73
GALLATIN COUNTY
(B) - See Beaverhead County
(H, Hw) - See Statewide
GARFIELD COUNTY
(H-Hw) - See Blaine County
GLACIER COUNTY
(H-Hw) - See Statewide
(B) - See Blaine County
GOLDEN VALLEY COUNTY
(H-Hw) - See Statewide
GRANITE COUNTY
(H-Hw) - See Statewide
HILL COUNTY
(H-Hw) - See Statewide
(B) - See Blaine County
JEFFERSON COUNTY
(H-Hw) - See Statewide
JUDITH BASIN COUNTY
(H-Hw) - See Statewide
(B) - See Blaine County
LAKE COUNTY
(H-Hw)- See Statewide
(B) - See Flathead County
LEWIS & CLARK COUNTY
(H-Hw) - See Statwide
(B) - See Blaine County
LIBERTY COUNTY
(H-Hw) - See Statewide
(B) - See Blaine County
LINCOLN COUNTY
(H-Hw) - See Statewide
(B) - See Flathead County
McCONE COUNTY
(H-Hw) -See Statewide

MONTANA (Cont'd)

MADISON COUNTY
(R, Hw) - See Statewide
MEAGHER COUNTY
(H, Hw) - See Statewide
MINERAL COUNTY
(H-Hw) - See Statewide
MISSOULA COUNTY
(H-Hw) - See Statewide
(B) - See Flathead County
MUSSELSHELL COUNTY
(H-Hw) - See Beaverhead County
PARK COUNTY
(H-Hw) - See Statewide
PETROLEUM COUNTY
(H-Hw) - See Statewide
PHILLIPS COUNTY
(H-Hw) - See Statewide
PONDERA COUNTY
(H-Hw) - See Statewide
(B) - See Blaine County
POWDER RIVER COUNTY
(H-Hw) - See Statewide
POWELL COUNTY
(H-Hw) - See Statewide
PRAIRIE COUNTY
(H-Hw) - See Statewide
RAVALLI COUNTY
(H-Hw) - See Statewide
RICHLAND COUNTY
(H-Hw) - See Statewide
(B) - See Big Horn County
ROOSEVELT COUNTY
(H-Hw) - See Statewide
(B) - See BigHorn County
ROSEBUD COUNTY
(H-Hw) - See Statewide
(B) - See Big Horn County
SANDERS COUNTY
(H-Hw) - See Statewide
SHERIDAN COUNTY
(H-Hw) - See Blaine County
SILVERBOW COUNTY
(B) - See Beaverhead County
Decision #AP-289 (R)
38 FR 8856 - 4/6/73
(H, Hw) - See Statewide

MONTANA (cont'd)

STILLWATER COUNTY
(H-Hw) -See Statewide
SWEETGRASS COUNTY
(H-Hw) -See Statewide
TETON COUNTY
(H-Hw) -See Statewide
(B) - See Blaine County
TOOLE COUNTY
(H-Hw) -See Statewide
(B) - See Blaine County
TREASURE COUNTY
(H-Hw) -See Statewide
VALLEY COUNTY
(B) - See Blaine County
WHEATLAND COUNTY
(H-Hw) -See Statewide
(B) - See Blaine County
WIBAUX COUNTY
(H-Hw) -See Statewide
YELLOW STONE COUNTY
(H-Hw) -See Statewide
(B) - See Big Horn County

NEBRASKA

ADAMS COUNTY
Decision #AP-525 (Hw)
38 FR 9413 - 4/13/73
ANTELOPE COUNTY
(Hw) - See Adams County
ARTHUR COUNTY
(Hw) - See Adams County
BANNER COUNTY
(Hw) - See Adams County
BLAINE COUNTY
(Hw) - See Adams County
BOONE COUNTY
(Hw) - See Adams County
BOX BUTTE COUNTY
(Hw) - See Adams County
BOYD COUNTY
(Hw) - See Adams County
BROWN COUNTY
(Hw) - See Adams County
BUFFALO COUNTY
(Hw) - See Adams County
BURT COUNTY
(Hw) - See Adams County
BUTLER COUNTY
(Hw) - See Adams County
CASS COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

CEDAR COUNTY
(Hw) - See Adams County
CHASE COUNTY
(Hw) - See Adams County
CHERRY COUNTY
(Hw) - See Adams County
CHEYENNE COUNTY
(Hw) - See Adams County
CLAY COUNTY
(Hw) - See Adams County
COLFAX COUNTY
(Hw) - See Adams County
CUMING COUNTY
(Hw) - See Adams County
CUSTER COUNTY
(Hw) - See Adams County
DAKOTA COUNTY
(Hw) - See Adams County
DAWES COUNTY
(Hw) - See Adams County
DAWSON COUNTY
(Hw) - See Adams County
DEUEL COUNTY
(Hw) - See Adams County
DIXON COUNTY
(Hw) - See Adams County
DODGE COUNTY
(Hw) - See Adams County
DOUGLAS COUNTY
Decision #AP-523 (B, H, Hw)
38 FR 8393 - 3/30/73
Mod. #1 - 38 FR 9395 - 4/13/73
Decision #AP-524 (R)
38 FR 8861 - 4/6/73
DUNDY COUNTY
(Hw) - See Adams County
FILLMORE COUNTY
(Hw) - See Adams County
FRANKLIN COUNTY
(Hw) - See Adams County
FRONTIER COUNTY
(Hw) - See Adams County
FURNAS COUNTY
(Hw) - See Adams County
GAGE COUNTY
(Hw) - See Adams County
GARDEN COUNTY
(Hw) - See Adams County
GARFIELD COUNTY
(Hw) - See Adams County
GOSPER COUNTY
(Hw) - See Adams County
GRANT COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

GREELEY COUNTY
(Hw) - See Adams County
HALL COUNTY
(Hw) - See Adams County
HAMILTON COUNTY
(Hw) - See Adams County
HARLAN COUNTY
(Hw) - See Adams County
HAYES COUNTY
(Hw) - See Adams County
HITCHCOCK COUNTY
(Hw) - See Adams County
HOLT COUNTY
(Hw) - See Adams County
HOOKER COUNTY
(Hw) - See Adams County
HOWARD COUNTY
(Hw) - See Adams County
JEFFERSON COUNTY
(Hw) - See Adams County
JOHNSON COUNTY
(Hw) - See Adams County
KEARNEY COUNTY
(Hw) - See Adams County
KEITH COUNTY
(Hw) - See Adams County
KEYAPAHA COUNTY
(Hw) - See Adams County
KIMBALL COUNTY
(Hw) - See Adams County
KNOX COUNTY
(Hw) - See Adams County
LANCASTER COUNTY
Decision #AP-522 (B)
38 FR 8391 - 3/30/73

Decision #AM-6,140 (R)
36 FR 21736 - 11/12/71
LINCOLN COUNTY
(Hw) - See Adams County
LOGAN COUNTY
(Hw) - See Adams County
LOUP COUNTY
(Hw) - See Adams County
MC PHERSON COUNTY
(Hw) - See Adams County
MADISON COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

MERRICK COUNTY
(Hw) - See Adams County
MORRILL COUNTY
(Hw) - See Adams County
NANCE COUNTY
(Hw) - See Adams County
NEMAHA COUNTY
(Hw) - See Adams County
NUCKOLLS COUNTY
(Hw) - See Adams County
OTOE COUNTY
(Hw) - See Adams County
PAWNEE COUNTY
(Hw) - See Adams County
PERKINS COUNTY
(Hw) - See Adams County
PHELPS COUNTY
(Hw) - See Adams County
PIERCE COUNTY
(Hw) - See Adams County
PLATTE COUNTY
(Hw) - See Adams County
POLK COUNTY
(Hw) - See Adams County
RED WILLOW COUNTY
(Hw) - See Adams County
RICHARDSON COUNTY
(Hw) - See Adams County
ROCK COUNTY
(Hw) - See Adams County
SALINE COUNTY
(Hw) - See Adams County
SARPY COUNTY
(B-H-Hw) - See Douglas County
SAUNDERS COUNTY
(Hw) - See Adams County
SCOTTS BLUFF COUNTY
(Hw) - See Adams County
SEWARD COUNTY
(Hw) - See Adams County
SHERIDAN COUNTY
(Hw) - See Adams County
SHERMAN COUNTY
(Hw) - See Adams County
SIOUX COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

STANTON COUNTY
(Hw) - See Adams County
THAYER COUNTY
(Hw) - See Adams County
THOMAS COUNTY
(Hw) - See Adams County
THURSTON COUNTY
(Hw) - See Adams County
VALLEY COUNTY
(Hw) - See Adams County
WASHINGTON COUNTY
(Hw) - See Adams County
WAYNE COUNTY
(Hw) - See Adams County
WEBSTER COUNTY
(Hw) - See Adams County
WHEELER COUNTY
(Hw) - See Adams County
YORK COUNTY
(Hw) - See Adams County

NEVADA

STATEWIDE (Excluding the Nevada Test Site & Tonopah Test Range)
Decision #AP-264 (H, Hw)
38 FR 6584 - 3/9/73
CHURCHILL COUNTY
Decision #AP-265 (B)
38 FR 6599 - 3/9/73
(H-Hw) - See Statewide
CLARK COUNTY
Decision #AP-290 (B) (Excluding the Nevada Test Site)
38 FR 8914 - 4/6/73
Decision #AP-266 (B) (Excluding the Nevada Test Site)
38 FR 8395 - 3/30/73
(H-Hw) - See Statewide
Decision #AP-282 (B, H, Hw) (Nevada Test Site including the Tonopah Test Site)
38 FR 8401 - 3/30/73
DOUGLAS COUNTY
(H-Hw) - See Statewide
ELKA COUNTY
(H, Hw) - See Statewide
ESMERALDA COUNTY
(H, Hw) - See Statewide
EUREKA COUNTY
(H, Hw) - See Statewide

TITLE X - P

NEVADA (Cont'd)

ELKA COUNTY
(H-Hw) - See Statewide
ESMERALDA COUNTY
(H-Hw) - See Statewide
EUREKA COUNTY
(H-Hw) - See Statewide
HUMBOLDT COUNTY
(H-Hw) - See Statewide
LANDER COUNTY
(H-Hw) - See Statewide
LINCOLN COUNTY
(B) - See Clark County (AP-266)
(H-Hw) - See Statewide
LYON COUNTY
(H-Hw) - See Statewide
MINERAL COUNTY
(H-Hw) - See Statewide
(B) - See Churchill County
NYE COUNTY
(B) - See Clark County(#AP-266)
(B-H-Hw) - See Clark County(#AP-282)
(H-Hw) - See Statewide
PERSHING COUNTY
(H-Hw) - See Statewide
STOREY COUNTY
(H-Hw) - See Statewide
WASHOE COUNTY
Decision #AP-269 (H)
38 FR 7190 - 3/16/73
(H-Hw) - See Statewide
(B) - See Churchill County
WHITE PINE COUNTY
(H-Hw) - See Statewide
CARSON CITY (Ind.)
(H-Hw) - See Statewide

NEW HAMPSHIRE

BELKNAP COUNTY
None
CARROLL COUNTY
None
CHESHIRE COUNTY
None
COOS COUNTY
None

NEW HAMPSHIRE (cont'd)

GRAFTON COUNTY
None
HILLSBORO COUNTY
Decision #AP-420 (B)
38 FR 7689 - 3/23/73
Decision #AP-498 (B)
38 FR 8853 - 4/6/73
MERRIMACK COUNTY
None
ROCKINGHAM COUNTY
Decision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
Mod. #2 - 38 FR 5097 - 2/23/73
STRAFFORD COUNTY
None
SULLIVAN COUNTY
None

NEW JERSEY

ATLANTIC COUNTY
Decision #AM-1,706 (B,H,Hw)
36 FR-14799 - 8/11/71
Mod. #1-36 FR 20078 - 10/15/71
Mod. #2-37 FR 966 - 1/21/72
Mod. #3-37 FR 5660 - 3/17/72
Mod. #4 - 37 FR 6132- 3/24/72
Mod. #5 - 37 FR 17315 - 8/25/72
Mod #6 - 38 FR 4630 - 2/16/73
Decision #AM-9,322 (D)
37 FR 10693 - 5/26/72
Mod. #1-37 FR 19871 - 9/22/72
BERGEN COUNTY
Decision #AM-1,707 (B,H,Hw)
36 FR 14805 - 8/11/71
Mod. #1-36 FR 19649 - 10/8/71
Mod. #2-36 FR 20462 - 10/22/71
Mod. #3-37 FR 966 - 1/21/72
Mod. #4-37 FR 6132 - 3/24/72
Mod. #5-37 FR 17315 - 8/25/72
(D) - See Atlantic County
BURLINGTON COUNTY
Decision #AM-1,708 (B,H,Hw)
36 FR 14812 - 8/11/71
Mod. #1-36 FR 19285 - 10/1/71
Mod. #2-37 FR 967 - 1/21/72
Mod. #3-37 FR 5650 - 3/17/72
Mod. #4-37 FR 7029 - 4/1/72
Mod. #5-37 FR 7922 - 4/21/72
Mod. #6-37 FR 17315 - 8/25/72
(D) - See Atlantic County

NEW JERSEY (cont'd)

CAMDEN COUNTY
Decision #AM-1,709 (B,H,Hw)
36 FR 14820 - 8/11/71
Mod. #1-36 FR 18274 - 9/10/71
Mod. #2-37 FR 20078 - 10/15/72
Mod. #3-37 FR 967 - 1/21/72
Mod. #4-37 FR 5661 - 3/17/72
Mod. #5-37 FR 6133 - 3/24/72
(D) - See Atlantic County
CAPE MAY COUNTY
(B,H,Hw,D) - See Atlantic County
CUMBERLAND COUNTY
Decision #AM-1,710 (B,H,Hw)
36 FR 14827 - 8/11/71
Mod. #1-36 FR 20079 - 10/15/71
Mod. #2-37 FR 968 - 1/21/72
Mod. #3-37 FR 5661 - 3/17/72
Mod. #4-37 FR 6133 - 3/24/72
Mod. #5-37 FR 17315 - 8/25/72
(D) - See Atlantic County
ESSEX COUNTY
Decision #AM-1711 (B, H, Hw)
36 FR 14834 - 8/11/71
GLOUCESTER COUNTY
(B,H,Hw) - See Camden County
(D) - See Atlantic County
HUDSON COUNTY
Decision #AM-1,712 (B,H,Hw)
36 FR 14841 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-37 FR 968 - 1/21/72
Mod. #3-37 FR 6134 - 3/24/72
Mod. #4-37 FR 17903 - 9/1/72
Mod. #5-37 FR FR 25621 - 12/1/72
(D) - See Atlantic County
HUNTERDON COUNTY
None
MERCER COUNTY
Decision #AM-1,714 (B,H,Hw)
36 FR 14848 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20079 - 10/15/71
Mod. #3-37 FR 969 - 1/21/72
Mod. #4-37 FR 6135 - 3/24/72
Mod. #5-37 FR 17316 - 8/25/72
Mod. #6-37 FR 7922 - 4/21/72
Mod. #7-38 FR 3251 - 2/2/73
(D)-See Atlantic County

NEW JERSEY (Cont'd)

MIDDLESEX COUNTY
Decision #AM-1,714 (B,H,Hw)
36 FR 14848 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20079 - 10/15/71
Mod. #3-37 FR 969 - 1/21/72
Mod. #4-37 FR 6135 - 3/24/72
Mod. #5-37 FR 17316 - 8/25/72
(D) - See Atlantic County
MONMOUTH COUNTY
Decision #AM-1,715 (B,H,Hw)
36 FR 14863 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20079 - 10/15/71
Mod. #3-36 FR 20462 - 10/22/71
Mod. #4-37 FR 970 - 1/21/72
Mod. #5-37 FR 6135 - 3/24/72
Mod. #6-37 FR 17903 - 9/1/72
(D) - See Atlantic County
MORRIS COUNTY
Decision #AM-1,716 (B,H,Hw)
36 FR 14870 - 8/11/71
Mod. #1-36 FR 19285 - 10/1/71
Mod. #2-36 FR 19650 - 10/8/71
Mod. #3-36 FR 20079 - 10/15/71
Mod. #4-37 FR 970 - 1/21/72
Mod. #5-37 FR 6136 - 3/24/72
Mod. #6-37 FR 17904 - 9/1/72
(D) - See Atlantic County
OCEAN COUNTY
Decision #AM-1,717 (B,H,Hw)
36 FR 14878 - 8/11/71
Mod. #1-36 19650 - 10/8/71
Mod. #2-36 20079 - 10/15/71
Mod. #3-36 20462 - 10/22/71
Mod. #4-37 971 - 1/21/72
Mod. #5-37 6136 - 3/24/72
Mod. #6-37 17904 - 9/1/72
(D) - See Atlantic County
PASSAIC COUNTY
Decision #AM-1,718 (B,H,Hw)
36 FR 14885 - 8/11/71
Mod. #1-36 FR 20080 - 10/15/71
Mod. #2-37 FR 971 - 1/21/72
Mod. #3-37 FR 5662 - 3/17/72
Mod. #4-37 FR 6137 - 3/24/72
(D) - See Atlantic County

NEW JERSEY (Cont'd)

SALEM COUNTY
(D) - See Atlantic County
SOMERSET COUNTY
Decision #AM-1,719 (B,H,Hw)
36 FR 14892 - 8/11/71
Mod. #1-36 FR 19285 - 10/1/71
Mod. #2-36 FR 20080 - 10/15/71
Mod. #3-37 FR 972 - 1/21/72
Mod. #4-37 FR 6137 - 3/24/72
(D) - See Atlantic County
SUSSEX COUNTY
None
UNION COUNTY
Decision #AM-1,720 (B,H,Hw)
36 FR 14900 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20080 - 10/15/71
Mod. #3-37 FR 972 - 1/21/72
Mod. #4-37 FR 5662 - 3/17/72
Mod. #5-37 FR 6137 - 3/24/72
Mod. #6-37 FR 17316 - 8/25/72
(D) - See Atlantic County
WARREN COUNTY
None

NEW MEXICO

STATEWIDE
Decision #AM-11,406 (Streets, Highways, Utilities and Light Engineering Construction)
37 FR 6139 - 3/24/72
Mod. #1-37 FR 7429 - 4/14/72
Mod. #2-37 FR 9169 - 5/5/72
Mod. #3-37 FR 11621 - 6/9/72
Decision #AP-700 (Building & Heavy Engineering Construction)
38 FR 4162-2/9/73
Mod. #1 - 38 FR 5096 - 2/23/73
Mod. #2 - 38 FR 7171 - 3/16/73
Mod. #3 - 38 FR 7697 - 3/23/73
Mod. #4 - 38 FR 9396 - 4/13/73
BERNALILLO COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
CATRON COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
CHAVES COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
COLFAX COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
CURRY COUNTY
(B,HE,S,Hw,U,LE)-See Statewide

NEW MEXICO (Cont'd)

DE BACA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
DONA ANA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
Decision #AP-340 (R)
37 FR 19869-9/22/72
EDDY COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
GRANT COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
GUADALUPE COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
HARDING COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
HIDALGO COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
LEA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
LINCOLN COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
LOS ALAMOS COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
LUNA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
McKINLEY COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
MORAN COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
OTERO COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
QUAY COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
RIO ARRIBA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
ROOSEVELT COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SANDOVAL COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SAN JUAN COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SAN MIGUEL COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SANTA FE COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SIERRA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SOCORRO COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
TAOS COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
TORRANCE COUNTY
(B,HE,S,Hw,U,LE)-See Statewide

NEW MEXICO (Cont'd)

UNION COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
VALENCIA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide

NEW YORK

ALBANY COUNTY
Decision #AP-452 (B,H,Hw)
37 FR 26782 - 12/15/72
Mod. #1 - 38 FR 9397 - 4/13/73
ALLEGANY COUNTY
None
BRONX COUNTY
Decision #AP-487 (B, H, Hw)
38 FR 6608 - 3/9/73
Mod. #1 - 38 FR 8872 - 4/6/73
Decision #AP-400 (R)
37 FR 13913 - 7/14/72
Mod. #1-37 FR 23510-11/3/72
Decision #AM-9,322 (D)
37 FR 10693 - 5/26/72
Mod. #1-37 FR 19871 - 9/22/72
Mod. #2-38 FR 5097 - 2/23/73
BROOME COUNTY
Decision #AP-469 (B,H,Hw)
38 FR 4169-2/9/73
Mod. #1 - 38 FR 9397 - 4/13/73
CATTARAUGUS COUNTY
None
CAYUGA COUNTY
Decision #AP-14 (D)
37 FR 14670 - 7/21/72
CHAUTAUQUA COUNTY
(D) - See Cayuga County
CHEMUNG COUNTY
None
CHENANGO COUNTY
None

NEW YORK (Cont'd)

CLINTON COUNTY
None
COLUMBIA COUNTY
None
CORTLAND COUNTY
None
DELAWARE COUNTY
None
DUTCHESS COUNTY
Decision #AM-1,724 (B,H,Hw)
36 FR 14921 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-37 FR 973 - 1/21/72
Mod. #3-37 FR 7029 - 4/7/72
(D) - See Bronx County
ERIE COUNTY
Decision #AP-800 (B, H, Hw)
38 FR 8404 - 3/30/73
Mod. #1 - 38 FR 9397 - 4/13/73
(D) - See Cayuga County

ESSEX COUNTY
None
FRANKLIN COUNTY
(D) - See Cayuga County
FULTON COUNTY
None
GENESSE COUNTY
None
GREENE COUNTY
None
HAMILTON COUNTY
None
HERKIMER COUNTY
None
JEFFERSON COUNTY
Decision #AM-1,726 (B,H,Hw)
36 FR 14932 - 8/11/71
Mod. #1-36 FR 19650 - 10/8/71
Mod. #2-36 FR 20839 - 10/29/71
Mod. #3-37 FR 973 - 1/21/72
Mod. #4-37 FR 6611 - 3/31/72
Mod. #5-37 FR 19886 - 8/22/72
(D) - See Cayuga County

NEW YORK (Cont'd)

KINGS COUNTY
(B,H,Hw,R,D) - See Bronx County
LEWIS COUNTY
None
LIVINGSTON COUNTY
None
MADISON COUNTY
None
MONROE COUNTY
Decision #AP-453 (B,H,Hw)
37 FR 28380-12/22/72
(D) - See Cayuga County
MONTGOMERY COUNTY
None
NASSAU COUNTY
Decision #AM-1,728 (B,H,Hw)
Mod. #1-36 FR 18988 - 9/24/71
Mod. #2-37 FR 973 - 1/21/72
Mod. #3-37 FR 1434 - 1/28/72
Mod. #4-37 FR 4021 - 2/25/72
Mod. #5-37 FR 6612 - 3/31/72
Mod. #6-37 FR 13018 - 6/30/72
(D) - See Bronx County
NEW YORK COUNTY
(B,H,Hw,R,D) - See Bronx County
NIAGARA COUNTY
Decision #AM-1,729 (B,H,Hw)
36 FR 14950 - 8/11/71
Mod. #1-36 FR 19651 - 10/8/71
Mod. #2-36 FR 20462 - 10/22/71
Mod. #3-37 FR 973 - 1/21/72
Mod. #4-37 FR 6612 - 3/31/72
(D) - See Cayuga County
ONEIDA COUNTY
Decision #AM-1,730 (B,H,Hw)
36 FR 14955 - 8/11/71
Mod. #1-36 FR 19651 - 10/8/71
Mod. #2-36 FR 20839 - 10/29/71
Mod. #3-37 FR 973 - 1/21/72
Mod. #4-37 FR 1434 - 1/28/72
Mod. #5-37 FR 6612 - 3/31/72

NEW YORK (Cont'd)

ONEIDA COUNTY
Decision #AM-1,730 (B,H,Hw)(Cont'd)
Mod. #6-37 FR 9595 - 5/12/72
Mod. #7-37 FR 19887 - 9/22/72
ONONDAGA COUNTY
Decision #AM-1,731 (B,H,Hw)
36 FR 14960 - 8/11/71
Mod. #1-36 19287 - 10/1/71
Mod. #2-36 FR 20463 - 10/22/71
Mod. #3-36 FR 20839 - 10/29/71
Mod. #4-37 FR 974 - 1/21/72
Mod. #5-37 FR 6613 - 3/31/72
Mod. #6-27 FR 19888 - 9/22/72
ONTARIO COUNTY
None
ORANGE COUNTY
Decision #AM-1,732 (B,H,Hw)
36 FR 14965 - 8/11/71
Mod. #1-36 FR 20080 - 10/15/71
Mod. #2-37 FR 974 - 1/21/72
Mod. #3-37 FR 7030 - 4/7/72
Mod. #4-37 FR 22705 - 10/20/72
Mod. #5-38 FR 2010-1/19/73
(D) - See Bronx County
ORLEANS COUNTY
(D) - See Cayuga County
OSWEGO COUNTY
(D) - See Cayuga County
OTSEGA COUNTY
None
PUTNAM COUNTY
None
QUEENS COUNTY
(B,H,Hw,R,D) - See Bronx County
RENSSELAER COUNTY
Decision #AM-1,733 (B,H,Hw)
36 FR 14972 - 8/11/71
Mod. #1-36 FR 19288 - 8/11/71
Mod. #2-36 FR 20839 - 10/29/71
Mod. #3-37 FR 974 - 1/21/72
Mod. #4-37 FR 6613 - 3/31/72
Mod. #5-37 FR 22706 - 10/20/72
Mod. #6-37 FR 23058 - 10/27/72
RICHMOND COUNTY
(B,H,Hw,R,D) - See Bronx County
ROCKLAND COUNTY
(D) - See Albany County

NEW YORK (cont'd)

ST LAWRENCE COUNTY
(D)-See Cayuga County
SARATOGA COUNTY
Decision #AP-451 (B,H,Hw)
37 FR 25099 - 11/25/72
SCHENECTADY COUNTY
Decision #AM-1734 (B,H,Hw)
36 FR 14976 - 8/11/71
Mod. #1 - 36 FR 19288 - 10/1/71
Mod. #2 - 36 FR 20839 - 10/29/71
Mod. #3-37 FR 974-1/21/72
Mod. #4-37 FR 6613-3/31/72
Mod. #5 - 37 FR 23062 - 10/27/72
SCHOHARIE COUNTY
None
SCHUYLER COUNTY
None
SENECA COUNTY
None
STEUBEN COUNTY
Decision #AP-486 (B, H, Hw)
38 FR 6516 - 3/9/73
SUFFOLK COUNTY
Decision #AM-1735 (B,H,Hw)
36 FR 14890 - 8/11/71
Mod. #1 - 36 FR 18988 - 9/24/71
Mod. #2 - 37 FR 4021 - 2/2 /72
Mod. #3 - 37 FR 22706 - 10/20/72
Mod. #4 - 37 FR 23973 - 11/10/72
(D)-See Bronx County
SULLIVAN COUNTY
None
TIOGA COUNTY
None
TOMPKINS COUNTY
None
ULSTER COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
(D) - See Cayuga County
WESTCHESTER COUNTY
Decision #AM-1,736 (B,H,Hw)
36 FR 14985 - 8/11/71
Mod. #1-36 FR 19652 - 8/11/71
Mod. #2-36 FR 20463 - 10/22/71
Mod. #3-37 FR 974 - 1/21/72
Mod. #4-37 FR 6613 - 3/31/72
(D) - See Bronx County

NEW YORK (Cont'd)

WYOMING COUNTY
None
YATES COUNTY
None

NORTH CAROLINA

STATEWIDE
Decision #AM-1847 (Hw)
36 FR 16474 - 8/20/71
Decision #AP-156 (Sewer & Water)
38 FR 4618 - 2/16/73
ALAMANCE COUNTY
(S/W(Hw) - See Statewide
ALEXANDER COUNTY
(S/W(Hw) - See Statewide
ALLEGHANY COUNTY
(S/W(Hw) - See Statewide
ANSON COUNTY
(S/W(Hw) - See Statewide
ASHE COUNTY
(S/W(Hw) - See Statewide
AVERY COUNTY
(S/W(Hw) - See Statewide
BEAUFORT COUNTY
Decision #AP-439 (D)
37 FR 22201 - 10/20/72
(S/W(Hw) - See Statewide
BERTIE COUNTY
(D) - See Beaufort County
(S/W(Hw) - See Statewide
BLADEN COUNTY
(S/W(Hw) - See Statewide
BRUNSWICK COUNTY (S/W, Hw) - See Statewide
(D) - See Beaufort County
BUNCOMBE COUNTY
(S/W(Hw) - See Statewide
BURKE COUNTY
(S/W(Hw) - See Statewide
CABARRUS COUNTY
(S/W(Hw) - See Statewide
CALDWELL COUNTY
(S/W(Hw) - See Statewide
CAMDEN COUNTY
(S/W(Hw) - See Statewide
CARTERET COUNTY
(D) - See Beaufort County
(S/W(Hw) - See Statewide
CASWELL COUNTY
(S/W(Hw) - See Statewide
CATAWBA COUNTY
(S/W(Hw) - See Statewide
CHATHAM COUNTY
(S/W(Hw) - See Statewide

NORTH CAROLINA (Cont'd)

CHEROKEE COUNTY
(Hw) - See Statewide
CHOWAN COUNTY
(D) - See Beaufort County
(Hw)-See Statewide
CLAY COUNTY
(Hw) - See Beaufort County
CLEVELAND COUNTY
(Hw) - See Statewide
COLUMBUS COUNTY
(Hw) - See Statewide
CRAVEN COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
CUMBERLAND COUNTY
(Hw) - See Statewide
CURRITUCK COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
DARE COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
DAVIDSON COUNTY
(Hw) - See Statewide
DAVIE COUNTY
(Hw) - See Statewide
DUPLIN COUNTY
(Hw) - See Statewide
DURHAM COUNTY
(Hw) - See Statewide
EDGCOMBE COUNTY
(Hw) - See Statewide
FORSYTH COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
GASTON COUNTY
(Hw) - See Statewide
GATES COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
GRAHAM COUNTY
(Hw) - See Statewide
GRANVILLE COUNTY
(Hw) - See Statewide
GREENE COUNTY
(Hw) - See Statewide
GUILFORD COUNTY
(Hw) - See Statewide

All of Above Counties: S/W See Statewide

NORTH CAROLINA (Cont'd)

HALIFAX COUNTY
(Hw) - See Statewide
HARNETT COUNTY
(Hw) - See Statewide
HAYWOOD COUNTY
(Hw) - See Statewide
HENDERSON COUNTY
(Hw) - See Statewide
HERTFORD COUNTY
(D) - See Beaufort County
(Hw) - See Statewide County
HOKE COUNTY
(Hw) - See Statewide
HYDE COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
IREDELL COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide
JOHNSTON COUNTY
(Hw) - See Statewide
JONES COUNTY
(Hw) - See Statewide
LEE COUNTY
(Hw) - See Statewide
LENOIR COUNTY
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
McDOWELL COUNTY
(Hw) - See Statewide
MACON COUNTY
(Hw) - See Statewide
MADISON COUNTY
(Hw) - See Statewide
MARTIN COUNTY
(Hw) - See Statewide
MECKLENBURG COUNTY
Decision #AP-161(8)
38 FR 5753 - 3/2/73
(Hw) - See Statewide
MITCHELL COUNTY
(Hw) - See Statewide
MONTGOMERY COUNTY
(Hw) - See Statewide
MOORE COUNTY
(Hw) - See Statewide
NASH COUNTY
(Hw) - See Statewide

NORTH CAROLINA (Cont'd)

NEW HANOVER COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
NORTHAMPTON COUNTY
(Hw) - See Statewide
ONSLOW COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
ORANGE COUNTY
(Hw) - See Statewide
PAMLICO COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
PASQUOTANK COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
PENDER COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
PERQUIMANS COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
PERSON COUNTY
(Hw) - See Statewide
PITT COUNTY
(Hw) - See Statewide
POLK COUNTY
(Hw) - See Statewide
RANDOLPH COUNTY
(Hw) - See Statewide
RICHMOND COUNTY
(Hw) - See Statewide
ROBESON COUNTY
(Hw) - See Statewide
ROCKINGHAM COUNTY
(Hw) - See Statewide
ROWAN COUNTY
(Hw) - See Statewide
RUTHERFORD COUNTY
(Hw) - See Statewide
SAMPSON COUNTY
(Hw) - See Statewide
SCOTLAND COUNTY
(Hw) - See Statewide
STANLY COUNTY
(Hw) - See Statewide

NORTH CAROLINA (Cont'd)

STOKES COUNTY
(Hw) - See Statewide
SURRY COUNTY
(Hw) - See Statewide
SWAIN COUNTY
(Hw) - See Statewide
TRANSYLVANIA COUNTY
(Hw) - See Statewide
TYRRELL COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
VANCE COUNTY
(Hw) - See Statewide
WAKE COUNTY
(Hw) - See Statewide
WARREN COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
WATAUGA COUNTY
(Hw) - See Statewide
WAYNE COUNTY
(Hw) - See Statewide
WILKES COUNTY
(Hw) - See Statewide
WILSON COUNTY
(Hw) - See Statewide
YADKIN COUNTY
(Hw) - See Statewide
YANCEY COUNTY
(Hw) - See Statewide

NORTH DAKOTA

STATEWIDE
Decision #AP-267 (Hw)
38 FR 6612 - 3/9/73
Mod. #1 - 38 FR 9398 - 4/13/73
ADAMS COUNTY
(Hw) See Statewide

NORTH DAKOTA (Cont'd)

BARNES COUNTY
(Hw) - See Statewide
BENSON COUNTY
(Hw) - See Statewide
BILLINGS COUNTY
(Hw) - See Statewide
BOTTINEAU COUNTY
(Hw) - See Statewide
BOWMAN COUNTY
(Hw) - See Statewide
BURKE COUNTY
(Hw) - See Statewide
BURLEIGH COUNTY
(Hw) - See Statewide
Decision #AP-268 (B)
38 FR 6615 - 3/9/73
Mod. #1 - 38 FR 9398 - 4/13/73

CASS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County

CAVALIER COUNTY
(Hw) - See Statewide
DICKEY COUNTY
(Hw) - See Statewide
DIVIDE COUNTY
(Hw) - See Statewide
DUNN COUNTY
(Hw) - See Statewide
EDDY COUNTY
(Hw) - See Statewide
EMMONS COUNTY
(Hw) - See Statewide
FOSTER COUNTY
(Hw) - See Statewide
GOLDEN VALLEY COUNTY
(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

GRAND FORKS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County

GRANT COUNTY
(Hw) - See Statewide
GRIGGS COUNTY
(Hw) - See Statewide
HETTINGER COUNTY
(Hw) - See Statewide
KIDDER COUNTY
(Hw) - See Statewide
LAMOURE COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
McHENRY COUNTY
(Hw) - See Statewide
McINTOSH COUNTY
(Hw) - See Statewide
McKENZIE COUNTY
(Hw) - See Statewide
McLEAN COUNTY
(Hw) - See Statewide
MERCER COUNTY
(Hw) - See Statewide
MORTON COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
MOUNTRAIL COUNTY
(Hw) - See Statewide
NELSON COUNTY
(Hw) - See Statewide
OLIVER COUNTY
(Hw) - See Statewide
PEMBINA COUNTY
(Hw) - See Statewide
PIERCE COUNTY
(Hw) - See Statewide
RAMSEY COUNTY
(Hw) - See Statewide

All North Carolina Counties: S/W - See Statewide

NORTH DAKOTA (Cont'd)

RANSOM COUNTY
(Hw) - See Statewide
RENVILLE COUNTY
(Hw) - See Statewide
RICHLAND COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
ROLETTE COUNTY
(Hw) - See Statewide
SARGENT COUNTY
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SIOUX COUNTY
(Hw) - See Statewide
SLOPE COUNTY
(Hw) - See Statewide
STARK COUNTY
(Hw) - See Statewide
STEELE COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
STUTSMAN COUNTY
(Hw) - See Statewide
TOWNER COUNTY
(Hw) - See Statewide
TRAILL COUNTY
(Hw) - See Statewide
WALSH COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WARD COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WELLS COUNTY
(Hw) - See Statewide
WILLIAMS COUNTY
(Hw) - See Statewide

OHIO

ADAMS COUNTY
Decision #AP-602 (D)
38 FR 1433-1/12/73
ALLEN COUNTY
None
ASHLAND COUNTY
None

OHIO (Cont'd)

ASHTABULA COUNTY
Decision #AP-4 (D)
37 FR 14670 - 7/21/72
ATHENS COUNTY
(D)-See Adams County
AUGLAIZE COUNTY
None
BELMONT COUNTY
None
BROWN COUNTY
(D)-See Adams County
BUTLER COUNTY
Decision #AP-34 (B)(H)(Hw)
37 FR 24563 - 11/17/72
Mod. #1-37 FR 28354-12/22/72
Mod. #2-38 FR 936-1/5/73
Mod. #3-38 FR 5097 - 2/23/73
Decision #AM-418 (R)
36 FR 15961 - 8/18/71
CARROLL COUNTY
None
CHAMPAIGN COUNTY
None
CLARK COUNTY
Decision #AP-35 (B)(H)(Hw)
37 FR 24568 - 11/17/72
Mod. #1-37 FR 28354-12/22/72
Mod. #2-38 FR 936-1/5/73
Mod. #3-38 FR 5097 - 2/23/73
Decision #AM-419 (R)
36 FR 15962 - 8/18/71
CLERMONT COUNTY
Decision #AM-421 (R)
36 FR 15964 - 8/18/71
(D)-See Adams County
CLINTON COUNTY
None
COLUMBIANA COUNTY
None
COSHOCTON COUNTY
None
CRAWFORD COUNTY
None
CUYAHOGA COUNTY
Decision #AP-36 (B)(H)(Hw)
37 FR 24572 - 11/17/72
Mod. #1-37 FR 28354-12/22/72
Mod. #2-38 FR 936-1/5/73
Decision #AP-48 (R)
37 FR 24503 - 11/17/72
Mod. #1-38 FR 3252-2/2/73
(D) - See Ashtabula County

OHIO (Cont'd)

DARKE COUNTY
None
DEFIANCE COUNTY
None
DELAWARE COUNTY
Decision #AM-420 (R)
36 FR 15963 - 8/18/71
Mod. #1 - 38 FR 4630 - 2/16/73
ERIE COUNTY
(D) - See Ashtabula County
FAIRFIELD COUNTY
(R) - See Delaware County
FAYETTE COUNTY
None
FRANKLIN COUNTY
Decision #AP-37 (B)(H)(Hw)
37 FR 24576 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28354-12/22/72
Mod. #3-38 FR 937-1/5/73
Mod. #4-38 FR 3252-2/2/73
Mod. #5-38 FR 5097 - 2/23/73
(R) - See Delaware County
FULTON COUNTY
None
GALLIA COUNTY
(D)-See Adams County
GEAUGA COUNTY
None
GREENE COUNTY
Decision #AP-38 (B)(H)(Hw)
37 FR 24580 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28354-12/22/72
Mod. #3-38 FR 937-1/5/73
Mod. #4-38 FR 3252-2/2/73
Mod. #5-38 FR 5097 - 2/23/73
Decision #AM-422 (R)
36 FR 15965 - 8/18/71
Mod. #1-37 FR 8619 - 4/28/72
GUERNSEY COUNTY
None
HAMILTON COUNTY
Decision #AP-39 (B)(H)(Hw)
37 FR 24585 - 11/17/72
Mod. #1-38 FR 937-1/5/73
Mod. #2-38 FR 3252-2/2/73
Mod. #3-38 FR 5098-2/23/73
(D)-See Adams County
(R) - See Clermont County
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
None
HENRY COUNTY
None

OHIO (Cont'd)

HIGHLAND COUNTY
None
HOCKING COUNTY
None
HOLMES COUNTY
None
HURON COUNTY
None
JACKSON COUNTY
None
JEFFERSON COUNTY
None
KNOX COUNTY
None
LAKE COUNTY
(D) - See Ashtabula County
LAWRENCE COUNTY
(D)-See Adams County
LICKING COUNTY
Decision #AP-40 (B)(H)(Hw)
37 FR 24590 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28355-12/22/72
Mod. #3-38 FR 937-1/5/73
Mod. #4-38 FR 5098 - 2/23/73
(R) - See Delaware County
LOGAN COUNTY
None
LORAIN COUNTY
(D) - See Ashtabula County
LUCAS COUNTY
Decision #AP-41 (B)(H)(Hw)
37 FR 24594 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28355-12/22/72
Mod. #3-38 FR 937-1/5/73
Mod. #4-38 FR 5098 - 2/23/73
(D) - See Ashtabula County
MADISON COUNTY
(R) - See Delaware County
MAHONING COUNTY
Decision #AP-42 (B)(H)(Hw)
37 FR 24599 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28355-12/22/72
Mod. #3-38 FR 937-1/5/73
Mod. #4-38 FR 3252-2/2/73
Mod. #5-38 FR 5098 - 2/23/73
MARION COUNTY
None
MEDINA COUNTY
None
MEIGS COUNTY
(D)-See Adams County
MERCER COUNTY
None

OHIO (Cont'd)

MIAMI COUNTY
(R) - See Greene County
MONROE COUNTY
(D)-See Adams County
MONTGOMERY COUNTY
(B)(H)(Hw) - See Greene County
(R) - See Greene County
MORGAN COUNTY
None
MORROW COUNTY
None
MUSKINGUM COUNTY
Decision #AP-43 (B)(H)(Hw)
37 FR 24602 - 11/17/72
Mod. #1 - 37 FR 25622 - 12/1/72
Mod. #2-38 FR 938-1/5/73
Mod. #3 - 38 FR 5098 - 2/23/73
NOBLE COUNTY
None
OTTAWA COUNTY
(D) - See Ashtabula County
PAULDING COUNTY
None
PERRY COUNTY
None
PICKAWAY COUNTY
(B)(H)(Hw) - See Franklin County
(R) - See Delaware County
PIKE COUNTY
None
PORTAGE COUNTY
Decision #AP-44 (B)(H)(Hw)
37 FR 24608 - 11/17/72
Mod. #1-37 FR 28354-12/22/72
Mod. #2-38 FR 938-1/5/73
Mod. #3-38 FR 3252-2/2/73
PREBLE COUNTY
(R) - See Greene County
PUTNAM COUNTY
None
RICHLAND COUNTY
None
ROSS COUNTY
None
SANDUSKY COUNTY
(D) - See Ashtabula County
SCIOTO COUNTY
(D)-See Adams County
SENECA COUNTY
None

OHIO (Cont'd)

SHELBY COUNTY
None
STARKE COUNTY
Decision #AP-45 (B)(H)(Hw)
37 FR 24613 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-37 FR 28355-12/22/72
Mod. #3-38 FR 938-1/5/73
Mod. #4-38 FR 5098 - 2/23/73
SUMMITT COUNTY
Decision #AP-46 (B)(H)(Hw)
37 FR 24618 - 11/17/72
Mod. #1-37 FR 28355-12/22/72
Mod. #2-38 FR 938-1/5/73
TRUMBULL COUNTY
Decision #AP-47 (B)(H)(Hw)
37 FR 24623 - 11/17/72
Mod. #1-37 FR 25622 - 12/1/72
Mod. #2-38 FR 28355 - 12/22/72
Mod. #3-38 FR 3252-2/2/73
Mod. #4 - 38 FR 5099 - 2/23/73
TUSCARAWAS COUNTY
None
UNION COUNTY
None
VAN WERT COUNTY
None
VINTON COUNTY
None
WARREN COUNTY
(R) - See Butler County
WASHINGTON COUNTY
(D)-See Adams County
WAYNE COUNTY
None
WILLIAMS COUNTY
None
WOOD COUNTY
None
WYANDOT COUNTY
None

OKLAHOMA

ADAIR COUNTY
Decision #AM-3603 (Hw)
36 FR 16761 - 8/25/71
ALFALFA COUNTY
Decision #AM-3608 (Hw)
36 FR 16766 - 8/25/71
ATOKA COUNTY
Decision #AM-3605 (Hw)
36 FR 16763 - 8/25/71

OKLAHOMA (Cont'd)

BEAVER COUNTY
(Hw)-See Alfalfa County
BECKHAM COUNTY
DECISION #AM-3606 (Hw)
36 FR 16764 - 8/25/71
BLAINE COUNTY
(Hw)-See Beckham County
BRYAN COUNTY
(Hw)-See Atoka County
Decision #AP-341 (B)
37 FR 19870 - 9/22/72
CADDO COUNTY
Decision #AM- 3609 (hw)
36 FR 16767 - 8/25/71
CANADIAN COUNTY
Decision #AM-3607 (Hw)
36 FR 16765 - 8/25/71
(R)-See Oklahoma County
CARTER COUNTY
(Hw)-See Caddo County
CHEROKEE COUNTY
(Hw)-See Adair County
CHOCTAW COUNTY
(hw)-See Atoka County
CIMARRON COUNTY
(Hw)-See Alfalfa County
CLEVELAND COUNTY
Decision #AM-3604 (hw)
36 FR 16762 - 8/25/71
(R)-See Oklahoma County
COAL COUNTY
(Hw)-See Cleveland County
COMANCHE COUNTY
(Hw)-See Caddo County
Decision #AP-309 (R)
37 FR 16715 - 8/18/72
COTTON COUNTY
(Hw)-See Caddo County
CRAIG COUNTY
Decision #AM-3610 (Hw)
36 FR 16768 - 8/25/72
CREEK COUNTY
(Hw)-See Canadian County
CUSTER COUNTY
(Hw)-See Beckham County
DELAWARE COUNTY
(Hw)-See Craig County

OKLAHOMA (Cont'd)

DEWEY COUNTY
(Hw)-See Beckham County
ELLIS COUNTY
(Hw)-See Alfalfa County
GARFIELD COUNTY
(Hw)-See Canadian County
GARVIN COUNTY
(Hw)-See Cleveland County
GRADY COUNTY
(Hw)-See Caddo County
GRANT COUNTY
(Hw)-See Canadian County
GREER COUNTY
(Hw)-See Beckham County
HARMON COUNTY
(Hw)-See Beckham County
HARPER COUNTY
(Hw)-See Alfalfa County
HASKELL COUNTY
(Hw)-See Adair County
HUGHES COUNTY
(Hw)-See Cleveland County
JACKSON COUNTY
(Hw)-See Beckham County
JEFFERSON COUNTY
(Hw)-See Caddo County
JOHNSTON COUNTY
(Hw)-See Cleveland County
KAY COUNTY
(Hw)-See Canadian County
KINGFISHER COUNTY
(Hw)-See Canadian County
KIOWA COUNTY
(Hw)-See Beckham County
LATIMER COUNTY
(Hw)-See Atoka County
LEFLORE COUNTY
(Hw)-See Atoka County
LINCOLN COUNTY
(Hw)-See Canadian County)
(R)-See Oklahoma County
LOGAN COUNTY
(Hw)-See Canadian County
LOVE COUNTY
(hw)-See Caddo County
MCCLAIN COUNTY
(Hw)-See Cleveland County
MCCURTAIN COUNTY
(Hw)-See Atoka County

OKLAHOMA (cont'd)

MCINTOSH COUNTY
(Hw)-See Adair County
MAJOR COUNTY
(Hw)-See Alfalfa County
MARSHALL COUNTY
(Hw)-See Atoka County
MAYES COUNTY
(Hw)- See Craig County
MURRAY COUNTY
(Hw)-See Cleveland County
MUSKOGEE COUNTY
(hw)-See Adair County
NOBLE COUNTY
(hw)-See Canadian County
NOWATA COUNTY
(Hw)-See Craig County
OKFUSKEE COUNTY
(hw)-See Cleveland County
OKLAHOMA COUNTY
Decision #AP-702 (B)
38 FR 4173-2/9/73
Mod. #1 - 38 FR 5099 - 2/23/73
Mod. #2 - 38 FR 7171 - 3/16/73
Decision #AM 3612 (Hw)
36 FR 16770 - 8/25/71
Mod. #1 - 37 FR 1435 - 1/28/72
Mod. #2 - 38 FR 5099 - 2/23/73
Decision #AP--304 (H)
37 FR 15 189 - 8/4/72
Mod. #1-37 FR 28799-12/29/72
Mod. #2-38 FR 4078-2/9/73
OKMULGEE COUNTY
(Hw)-See Adair County
OSAGE COUNTY
(Hw)-See Craif County
OTTAWA COUNTY
(Hw)- See Craig County
PAWNEE COUNTY
(Hw)-See Craig County
PAYNE COUNTY
(Hw)-See Canadian County
PITTSBURG COUNTY
(Hw)-See Adair County
PONTOTOC COUNTY
(Hw)-See Cleveland County
POTTAWATOMIE COUNTY
(Hw)- See Cleveland County
(R)-See Oklahoma County
PUSHMATAHA COUNTY
(Hw)-See Atoka County
ROGER MILLS COUNTY
(Hw)-See Beckham County
ROGERS COUNTY
(Hw)-See Craig County

OKLAHOMA (Cont'd)

SEMINOLE COUNTY
(Hw) - See Cleveland County
SEQUOYAH COUNTY
(Hw) - See Adair County
STEPHENS COUNTY
(Hw) - See Caddo County
TEXAS COUNTY
(Hw) - See Alfalfa County
TILLMAN COUNTY
(Hw) - See Beckham County
TULSA COUNTY
Decision #AP-364 (B)
37 FR 26249 - 12/8/72
Mod. #1-37 FR 28356-12/22/72
Mod. #2-38 FR 2010-1/19/73
Decision #AM-3611 (Hw)
36 FR 16769 - 8/25/71
Mod. #1-37 FR 1435 - 1/28/72
Decision #AP-320 (R)
37 FR 17899 - 9/1/72
Mod. #1 - 38 FR 5099 - 2/23/73
WAGONER COUNTY
(Hw) - See Adiar County
WASHINGTON COUNTY
(Hw) - See Craig County
WASHITA COUNTY
(Hw) - See Beckham County
WOODS COUNTY
(Hw) - See Alfalfa County
WOODWARD COUNTY
(Hw) - See Alfalfa County

OREGON

STATEWIDE
Decision #AP-284 (B, H, Hw, D)
38 FR 8920 -4/6/73

BAKER COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CLACKAMAS COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COOS COUNTY
(B,H,Hw,D) - See Statewide
CROOK COUNTY
(B,H,Hw,D) - See Statewide
CURRY COUNTY
(B,H,Hw,D) - See Statewide

OREGON (Cont'd)

DESCHUTES COUNTY
(B-H-Hw-D) - See Statewide
DOUGLAS COUNTY
(B-H-Hw-D) - See Statewide
GILLIAM COUNTY
(B-H-Hw-D) - See Statewide
GRANT COUNTY
(B-H-Hw-D) - See Statewide
HARNEY COUNTY
(B-H-Hw-D) - See Statewide
HOOD COUNTY
(B-H-Hw-D) - See Statewide
JACKSON COUNTY
(B-H-Hw-D) - See Statewide
JEFFERSON COUNTY
(B-H-Hw-D) - See Statewide
JOSEPHINE COUNTY
(B-H-Hw-D) - See Statewide
KLAMATH COUNTY
(B-H-Hw-D) - See Statewide
LAKE COUNTY
(B-H-Hw-D) - See Statewide
LANE COUNTY
(B-H-Hw-D) - See Statewide
LINCOLN COUNTY
(B-H-Hw-D) - See Statewide
LINN COUNTY
(B-H-Hw-D) - See Statewide
MALHEUR COUNTY
(B-H-Hw-D) - See Statewide
MARION COUNTY
(B-H-Hw-D) - See Statewide
MORROW COUNTY
(B-H-Hw-D) - See Statewide
MULTNOMAH COUNTY
Decision #AP-277 (H)
38 FR 7692 - 3/23/73
Mod. #1 - 38 FR 8872 - 4/6/73
(B-H-Hw-D) - See Statewide
POLK COUNTY
(B-H-Hw-D) - See Statewide
SHERMAN COUNTY
(B-H-Hw-D) - See Statewide
TILLAMOOK COUNTY
(B-H-Hw-D) - See Statewide
UMATILLA COUNTY
(B-H-Hw-D) - See Statewide
UNION COUNTY
(B-H-Hw-D) - See Statewide

OREGON (Cont'd)

WALLOWA COUNTY
(B-H-Hw-D) - See Statewide
WASCO COUNTY
(B-H-Hw-D) - See Statewide
WASHINGTON COUNTY
(B-H-Hw-D) - See Statewide
WHEELER COUNTY
(B-H-Hw-D) - See Statewide
YAMHILL COUNTY
(B-H-Hw-D) - See Statewide

PENNSYLVANIA

ADAMS COUNTY
Decision #AP-489 (H, Hw)
38 FR 6622 - 3/9/73
ALLEGHENY COUNTY
Decision #AP-495 (H, Hw)
38 FR 7771 - 3/23/73
ARMSTRONG COUNTY
Decision #AP-454 (H,Hw)
38 FR 943-1/5/73
Mod. #1-38 FR 2570-1/26/73
Mod. #2 - 38 FR 7171 - 3/16/73
Mod. #3 - 38 FR 9399 - 4/16/73
BEAVER COUNTY
Decision #AP-467 (Hw)
38 FR 2618-1/26/73
Mod. #1 - 38 FR 7172 - 3/16/73
Mod. #2 - 38 FR 9399 - 4/13/73
BEDFORD COUNTY
Decision #AP-465 (H,Hw)
38 FR 2612-1/26/73
Mod. #1 - 38 FR 5760 - 3/2/73
Mod. #2 - 38 FR 7172 - 3/16/73
Mod. #3 - 38 FR 8360 - 3/30/73
Mod. #4 - 38 FR 9399 - 4/13/73
BERKS COUNTY
Decision #AP-429 (B,H,Hw)
37 FR 21255-10/6/72
Mod. #1-38 FR 1436-1/12/73
Mod. #2-38 FR 2012-1/19/73
Mod. #3-38 FR 4079-2/9/73
Mod. #4-38 FR 5101 - 2/23/73
BLAIR COUNTY
(H, Hw) - See Armstrong County
BRADFORD COUNTY
(Hw) - See Adams County

PENNSYLVANIA (Cont'd)

BUCKS COUNTY
Decision #AP-404 (R)
37 FR 15229-7/28/72
Mod. #1 - 38 FR 2012 - 1/19/73
Mod. #2 - 38 FR 4630 - 2/16/73
Mod. #3 - 38 FR 6526 - 3/9/73
Decision #AM-1865 (H, Hw)
36 FR 16333 - 8/20/71
Mod. #1 - 36 FR 20463 - 10/22/71
Mod. #2 - 37 FR 979 - 1/21/72
Mod. #3 - 37 FR 10282 - 5/19/72
Mod. #4 - 37 FR 11623 - 6/9/72
Mod. #5 - 37 FR 15795 - 8/4/72
Mod. #6 - 38 FR 6525 - 3/9/73
BUTLER COUNTY
Decision #AP-464 (H,Hw)
38 FR 2609-1/26/73
Mod. #1 - 38 FR 5760 - 3/2/73
Mod. #2 - 38 FR 7172 - 3/16/73
Mod. #3 - 38 FR 9399 - 4/13/73
CAMBRIA COUNTY
(Hw)-See Butler County
CAMERON COUNTY
(Hw)-See Bedford County
CARBON COUNTY
(Hw)-See Adams County
CENTRE COUNTY
Decision #AP-466 (H,Hw)
38 FR 2615-1/26/73
Mod. #1 - 38 FR 7172 - 3/16/73
Mod. #2 - 38 FR 9399 - 4/13/73
CHESTER COUNTY
(Hw,R)-See Bucks County
CLARION COUNTY
(H,Hw)-See Bedford County
CLEARFIELD COUNTY
(H,Hw)-See Centre County
CLINTON COUNTY
(H,Hw)-See Bedford County
COLUMBIA COUNTY
(Hw)- See Adams County
CRAWFORD COUNTY
(H * Hw)-See Armstrong County
CUMBERLAND COUNTY
Decision #AP-424 (B, H, Hw)
37 FR 20460 - 9/29/72
Mod. #1 - 37 FR 25626 - 12/1/72
Mod. #2-38 FR 1438-1/12/73
Mod. #3-38 FR 2012-1/19/73
Mod. #4-38 FR 4079-2/9/73
Mod. #5 - 38 FR 6527 - 3/9/73
(Hw)-See Adams County

PENNSYLVANIA (cont'd)

DAUPHIN COUNTY
Decision #AP-423 (B, H, Hw)
37 FR 20458 - 9/29/72
Mod. #1 - 37 FR 25626 - 12/1/72
Mod. #2-38 FR 1438-1/12/73
Mod. #3-38 FR 2012-1/19/73
Mod. #4-38 FR 4079-2/9/73
Mod. #5-38 FR 6527 - 3/9/73
(Hw)-See Adams County
DELAWARE COUNTY
Decision #AP-408 (B, H, Hw)
37 FR 15275 - 7/28/72
Mod. #1 - 37 FR 17319 - 8/25/72
Mod. #2 - 37 FR 22707 - 10/20/72
Mod. #3-38 FR 2012-1/19/73
Mod. #4 - 38 FR 4630 - 2/16/73
Mod. #5 - 38 FR 6525 - 3/9/73
(R)(Hw)-See Bucks County
ELK COUNTY
(H & Hw)-See Bedford County
ERIE COUNTY
Decision #AP-422 (B, H, Hw)
37 FR 20454 - 9/29/72
Mod. #1 - 38 FR 5101 - 2/23/73
Mod. #2 - 38 FR 7171 - 3/16/73
Mod. #3 - 38 FR 9399 - 4/13/73
FAYETTE COUNTY
(Hw)-See Butler County
FOREST COUNTY
(Hw)-See Bedford County
FRANKLIN COUNTY
Decision #AP-480 (B)
38 FR 5771 - 3/2/73
Mod. #1 -38 FR 7172 - 3/16/73
Mod. #2-38 FR 9399 - 4/13/73
FULTON COUNTY
(Hw)-See Bedford County
GREENE COUNTY
(Hw)-See Centre County
HUNTINGDON COUNTY
(Hw)-See Bedford County
INDIANA COUNTY
(Hw)-See Armstrong County
JEFFERSON COUNTY
(Hw) - See Centre County
JUNIATA COUNTY
(Hw) - See Adams County
LACKAWANNA COUNTY
Decision #AP-488 (B)
38 FR 6620 - 3/9/73

PENNSYLVANIA (cont'd)

LANCASTER COUNTY
(Hw) - See Adams County
LAWRENCE COUNTY
Decision #AP-425 (B,H,Hw)
37 FR 20464 - 9/29/72
Mod. #1-37 FR 25114 - 11/25/72
Mod. #2-38 FR 5101 - 2/23/73
Mod. #3 - 38 FR 5760 - 3/2/73
Mod. #4 - 38 FR 7171 - 3/16/73
Mod. #5 - 38 FR 9399 - 4/13/73
LEBANON COUNTY
(Hw) - See Adams County
LEHIGH COUNTY
Decision #AP-430 (B,H,Hw)
37 FR 21259 - 10/6/72
Mod. #1-38 FR 1436-1/12/73
Mod. #2-38 FR 2012-1/19/73
Mod. #3-38 FR 4079-2/9/73
Mod. #4 - 38 FR 9399 - 4/13/73
LUZERNE COUNTY
Decision #AM-1,858 (B,H,Hw)
36 FR 16294 - 8/30/71
Mod. #1-37 FR 3117 - 2/11/72
Mod. #2-37 FR 7449 - 4/14/72
Mod. #3-37 FR 8621 - 4/28/72
Mod. #4-37 FR 10279 - 5/19/72
Mod. #5-37 FR 16730 - 8/18/72
Mod. #6-37 FR 18834 - 9/14/72
Mod. #7-38 FR 1436-1/12/73
Mod. #8-38 FR 2011-1/19/73
Mod. #9-38 FR 6526 - 3/9/73
LYCOMING COUNTY
(Hw) - See Adams County
McKEAN COUNTY
(Hw) - See Adams County
MERCER COUNTY
Decision #AP-479 (B)
38 FR 5765 - 3/2/73
Mod. #1 - 38 FR 7172 - 3/16/73
Mod. #2 - 38 FR 8872 - 4/6/73
MIFFLIN COUNTY
(Hw) - See Adams County
MONROE COUNTY
(Hw)-See Adams County

PENNSYLVANIA (Cont'd)

MONTGOMERY COUNTY
Decision #AM-9,681 (B,H,Hw)
37 FR 4030 - 2/25/72
Mod. #1-37 FR 10284 - 5/19/72
Mod. #2-37 FR 11623 - 6/9/72
Mod. #3-37 FR 12020 - 6/16/72
Mod. #4-37 FR 15238 - 7/28/72
Mod. #5-37 FR 17318 - 8/25/72
Mod. #6-37 FR 18273 - 9/8/72
Mod. #7-37 FR 22707 - 10/20/72
Mod. #8-38 FR 2012-1/19/73
Mod. #9-38 FR 4630 - 2/16/73
Mod. #10 - 38 FR 6525 - 3/9/73
MONTOUR COUNTY
(Hw) - See Adams County
NORTHAMPTON COUNTY
Decision #AP-490 (B)
38 FR 6624 - 3/9/73
Mod. #1 - 38 FR 9399 - 4/13/73
NORTHUMBERLAND COUNTY
(Hw) - See Adams County
PERRY COUNTY
(Hw) - See Adams County
PHILADELPHIA COUNTY
Decision #AM-9,323 (B,H,Hw)
37 FR 12023 - 6/16/72
Mod. #1-37 FR 15238 - 7/28/72
Mod. #2-37 FR 17318 - 8/25/72
Mod. #3-37 FR 22707 - 10/20/72
Mod. #4-38 FR 2011-1/19/73
Mod. #5-38 FR 4630 - 2/16/73
Mod. #6-38 FR 6525 - 3/9/73
(D)-See Statewide
PIKE COUNTY
(Hw) - See Adams County

PENNSYLVANIA (Cont'd)

POTTER COUNTY
(H & Hw) - See Bedford County
SCHUYLKILL COUNTY
(Hw) - See Adams County
SNYDER COUNTY
(Hw) - See Adams County
SOMERSET COUNTY
(H & Hw) - See Butler County
SULLIVAN COUNTY
(Hw) - See Adams County
SUSQUEHANNA COUNTY
(Hw) - See Adams County
TIOGA COUNTY
(Hw) - See Adams County
UNION COUNTY
(Hw) - See Adams County
VENANGO COUNTY
(Hw) - See Armstrong County
WARREN COUNTY
(Hw) - See Armstrong County
WASHINGTON COUNTY
Decision #AP-481 (B, H, Hw)
38 FR 7757 - 3/23/73
WAYNE COUNTY
(Hw) - See Adams County
WESTMORELAND COUNTY
Decision #AP-482 (B, H, Hw)
38 FR 7764 - 3/23/73
WYOMING COUNTY
(Hw) - See Adams County
YORK COUNTY
(Hw) - See Adams County

PUERTO RICO

PUERTO RICO
Decision #AP-412 (B, H, Hw)
37 FR 16778 - 8/18/72

RHODE ISLAND

STATEWIDE
Decision #AM-9322 (D)
37 FR 10693 - 5/26/72
Mod. #1 - 37 FR 19871 - 9/22/72
Mod. #2 - 38 FR 5097 - 2/23/73
BRISTOL COUNTY
(D)-See Statewide
Decision #AP-483 (B, H, Hw, Marine)
38 FR 7778 - 3/23/73
KENT COUNTY
(B, H, Hw, Marine)- See Bristol Cty.
(D)-See Statewide
NEWPORT COUNTY
Decision #AP-484 (B, H, Hw, Marine)
38 FR 7199 - 3/16/73
(D)-See Statewide
PROVIDENCE COUNTY
Decision #AP-496 (H)
38 FR 8862 - 4/6/73
(B, H, Hw, Marine)-See Bristol Cty.
(D)-See Statewide
WASHINGTON COUNTY
Decision #AP-497 (H)
38 FR 8864 - 4/6/73
Decision #AP-485 (B, H, Hw, Marine)
38 FR 6626 - 3/9/73
(D)-See Statewide

SOUTH CAROLINA

STATEWIDE
Decision #AM-1867 (Hw)
36 FR 16475 - 8/20/71
Decision #AP-157 (Sewer & Water)
38 FR 4619 - 2/16/73
ABBEVILLE COUNTY
(Hw)-See Statewide
AIKEN COUNTY
(Hw)-See Statewide
ALLENDALE COUNTY
(Hw)-See Statewide
ANDERSON COUNTY
(Hw)-See Statewide

All South Carolina Counties: S/W - See Statewide

SOUTH CAROLINA (cont'd)

BAMBERG COUNTY
(Hw)-See Statewide
BARNWELL COUNTY
(Hw)-See Statewide
BEAUFORT COUNTY
Decision #AP-459 (D)
37 FR 22701 - 10/20/72
(Hw)-See Statewide
BERKELEY COUNTY
(D)-See Beaufort County
(Hw)-See Statewide
Decision #AP-114 (R)
37 FR 15794 - 8/4/72
CALHOUN COUNTY
(Hw)-See Statewide
CHARLESTON COUNTY
(D)-See Beaufort County
(Hw)-See Statewide
(R)-See Berkeley County
CHEROKEE COUNTY
(Hw)-See Statewide
CHESTER COUNTY
(Hw)-See Statewide
CHESTERFIELD COUNTY
(Hw)-See Statewide
CLARENDON COUNTY
(Hw)-See Statewide
COLLETON COUNTY
(D)-See Beaufort County
(Hw)-See Statewide
DARLINGTON COUNTY
(Hw)-See Statewide
DILLON COUNTY
(Hw)-See Statewide
DORCHESTER COUNTY
(Hw)-See Statewide
EDGEFIELD COUNTY
(Hw)-See Statewide
FAIRFIELD COUNTY
(Hw)-See Statewide
FLORENCE COUNTY
(Hw)-See Statewide
GEORGETOWN COUNTY
(D)-See Beaufort County
(Hw)-See Statewide
GREENVILLE COUNTY
(Hw)-See Statewide

SOUTH CAROLINA (Cont'd)

GREENWOOD COUNTY
(Hw)-See Statewide
HAMPTON COUNTY
(Hw)-See Statewide
HORRY COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
JASPER COUNTY
(D) - See Beaufort County
(Hw) - See Statewide
KERSHAW COUNTY
(Hw) - See Statewide
LANCASTER COUNTY
(Hw) - See Statewide
LAURENS COUNTY
(Hw) - See Statewide
LEE COUNTY
(Hw) - See Statewide
LEXINGTON COUNTY
(Hw) - See Statewide
McCORMICK COUNTY
(Hw) - See Statewide
MARION COUNTY
(Hw) - See Statewide
MARLBORO COUNTY
(Hw) - See Statewide
NEWBERRY COUNTY
(Hw) - See Statewide
OCONEE COUNTY
(Hw) - See Statewide
ORANGEBURG COUNTY
(Hw) - See Statewide
PICKENS COUNTY
(Hw) - See Statewide
RICHLAND COUNTY
(Hw) - See Statewide
SALUDA COUNTY
(Hw) - See Statewide
SPARTANBURG COUNTY
(Hw) - See Statewide
SUMTER COUNTY
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
WILLIAMSBURG COUNTY
(Hw) - See Statewide
YORK COUNTY
(Hw) - See Statewide

All above counties: Sewer & Water - See Statewide

SOUTH DAKOTA

STATEWIDE
Decision #AM-6,719 (Hw)
37 FR 7463 - 4/14/72
AURORA COUNTY
(Hw) - See Statewide
BEADLE COUNTY
(Hw) - See Statewide
BENNETT COUNTY
(Hw) - See Statewide
BON HOMME COUNTY
(Hw) - See Statewide
BROOKINGS COUNTY
(Hw) - See Statewide
BROWN COUNTY
(Hw) - See Statewide
BRULE COUNTY
(Hw) - See Statewide
BUFFALO COUNTY
(Hw) - See Statewide
BUTTE COUNTY
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CHARLES COUNTY
(Hw) - See Statewide
CLARK COUNTY
(Hw) - See Statewide
CODINGTON COUNTY
(Hw) - See Statewide
CORSON COUNTY
(Hw) - See Statewide
CUSTER COUNTY
(Hw) - See Statewide
DAVISON COUNTY
(Hw) - See Statewide
DAY COUNTY
(Hw) - See Statewide
DEUEL COUNTY
(Hw) - See Statewide
DEWEY COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

EDMUNDS COUNTY
(Hw) - See Statewide
FALL RIVER COUNTY
(Hw) - See Statewide
FAULK COUNTY
(Hw) - See Statewide
GRANT COUNTY
(Hw) - See Statewide
GREGORY COUNTY
(Hw) - See Statewide
HAAKON COUNTY
(Hw) - See Statewide
HAMLIN COUNTY
(Hw) - See Statewide
HAND COUNTY
(Hw) - See Statewide
HANSON COUNTY
(Hw) - See Statewide
HARDING COUNTY
(Hw) - See Statewide
HUGHES COUNTY
(Hw) - See Statewide
HUTCHINSON COUNTY
(Hw) - See Statewide
HYDE COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide
JERAULD COUNTY
(Hw) - See Statewide
JONES COUNTY
(Hw) - See Statewide
KINGSBURY COUNTY
(Hw) - See Statewide
LAKE COUNTY
(Hw) - See Statewide
LAWRENCE COUNTY
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
LYMAN COUNTY
(Hw) - See Statewide
MC COOK COUNTY
(Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

MC PHERSON COUNTY
(Hw) - See Statewide
MARSHALL COUNTY
(Hw) - See Statewide
MEADE COUNTY
Decision #AP-262 (B)
38 FR 4641 - 2/16/73
MELLETTE COUNTY
(Hw) - See Statewide
MINER COUNTY
(Hw) - See Statewide
MINNEHAHA COUNTY
Decision #AM-6141 (R)
36 FR 21736 - 11/12/71
Decision #AP-253 (B)
37 FR 25147 - 11/25/72
(Hw) - See Statewide
MOODY COUNTY
(Hw) - See Statewide
PENNINGTON COUNTY
(B) - See Meade County
(Hw) - See Statewide
PERKINS COUNTY
(Hw) - See Statewide
POTTER COUNTY
(Hw) - See Statewide
ROBERTS COUNTY
(Hw) - See Statewide
SANBORN COUNTY
(Hw) - See Statewide
SHANNON COUNTY
(Hw) - See Statewide
SPINK COUNTY
(Hw) - See Statewide
STANLEY COUNTY
(Hw) - See Statewide
SULLY COUNTY
(Hw) - See Statewide
TODD COUNTY
(Hw) - See Statewide
TRIPP COUNTY
(Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

TURNER COUNTY
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
WALWORTH COUNTY
(Hw) - See Statewide
WASHABOUGH COUNTY
(Hw) - See Statewide
YANKTON COUNTY
(Hw) - See Statewide
ZIEBACH COUNTY
(Hw) - See Statewide

TENNESSEE

STATEWIDE
Decision #AM-8588 (F)
37 FR 5654 - 3/17/72
Mod. #1-37 FR 8601 - 4/28/72
Mod. #2-37 FR 24506 - 11/17/72
Decision #AM-504 (Hw)
36 FR 16493 - 8/20/71
Mod. #1-37 FR 246 - 1/7/72
Mod. #2-38 FR 939-1/5/73
ANDERSON COUNTY
Decision #AM-8610 (B)
37 FR 10322 - 5/19/72
Mod. #1-37 FR 11623 - 6/9/72
Mod. #2-37 FR 21714 - 10/13/72
Mod. #3-37 FR 25626-12/1/72
Mod. #4-38 FR 2013-1/19/73
(Hw) - See Statewide
(F)-See Statewide
BEDFORD COUNTY
(F) - See Statewide
(Hw) - See Statewide
BENTON COUNTY
(F) - See Statewide
(Hw) - See Statewide
BLEDSOE COUNTY
(F) - See Statewide
(Hw) - See Statewide
BLOUNT COUNTY
(F) - See Statewide
(Hw) - See Statewide

TENNESSEE (cont'd)

BRADLEY COUNTY
(F)-See Statewide
(Hw)-See Statewide
CAMPBELL COUNTY
(F)-See Statewide
(Hw)-See Statewide
CANNON COUNTY
(F)-See Statewide
(Hw)-See Statewide
CARROLL COUNTY
Decision #AM-8589 (D)
37 FR 5654 - 3/17/72
Mod. #1 - 37 FR 24506 - 11/17/72
(F)-See Statewide
(Hw)-See Statewide
CARTER COUNTY
Decision #AP-104 (B)
37 FR 13915 - 7/14/72
(F)-See Statewide
(Hw)-See Statewide
CHEATHAM COUNTY
(F)-See Statewide
(Hw)-See Statewide
CHESTER COUNTY
(F)-See Statewide
(Hw)-See Statewide
CLAIBORNE COUNTY
(F)-See Statewide
(Hw)-See Statewide
CLAY COUNTY
(F)-See Statewide
(Hw)-See Statewide
COCKE COUNTY
(F)-See Statewide
(Hw)-See Statewide
COFFEE COUNTY
(F)-See Statewide
(Hw)-See Statewide
CROCKETT COUNTY
(D)-See Carroll County
(F)-See Statewide
(Hw)-See Statewide
CUMBERLAND COUNTY
(F)-See Statewide
(Hw)-See Statewide

TENNESSEE (Cont'd)

DAVIDSON COUNTY
Decision #AM-8622 (B,H)
37 FR 11632 - 6/9/72
Mod. #1-37 FR 14668 - 7/21/72
Mod. #2-37 FR 20388 - 9/29/72
Mod. #3-37 FR 21715 - 10/13/72
Mod. #4-37 FR 25111 - 11/25/72
Mod. #5-37 FR 28799-12/29/72
Decision #AM-505 (R)
36 FR 16494 - 8/20/72
Mod. #1-37 FR 21714 - 10/13/72
(F) - See Statewide
(Hw) - See Statewide
DECATUR COUNTY
(F) - See Statewide
(Hw) - See Statewide
DEKALB COUNTY
(F) - See Statewide
(Hw) - See Statewide
DICKSON COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County
DYER COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
FAYETTE COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
FENTRESS COUNTY
(F) - See Statewide
(Hw) - See Statewide
FRANKLIN COUNTY
(F) - See Statewide
(Hw) - See Statewide
GIBSON COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
GILES COUNTY
(F) - See Statewide
(Hw) - See Statewide
GRAINGER COUNTY
(F) - See Statewide
(Hw) - See Statewide

TENNESSEE (Cont'd)

GREENE COUNTY
(F) - See Statewide
(Hw) - See Statewide
GRUNDY COUNTY
(F) - See Statewide
(Hw) - See Statewide
HAMBLEN COUNTY
(F) - See Statewide
(Hw) - See Statewide
HAMILTON COUNTY
Decision #AP-139 (B,H)
37 FR 25640 - 12/1/72
Mod. #1-38 FR 3253-2/2/73
(F) - See Statewide
(Hw) - See Statewide
HANCOCK COUNTY
(F)-See Statewide
(Hw)-See Statewide
HARDEMAN COUNTY
(D)-See Carroll County
(Hw)-See Statewide
(F)-See Statewide
HARDIN COUNTY
(F)-See Statewide
(Hw)-See Statewide
HAWKINS COUNTY
(F)-See Statewide
(Hw)-See Statewide
HAYWOOD COUNTY
(D)-See Carroll County
(F)-See Statewide
(Hw)-See Statewide
HENDERSON COUNTY
(F)-See Statewide
(Hw)-See Statewide
HENRY COUNTY
(D)-See Carroll County
(F)-See Statewide
(Hw)-See Statewide
HICKMAN COUNTY
(F)-See Statewide
(Hw)-See Statewide
HOUSTON COUNTY
(F)-See Statewide
(Hw)-See Statewide
HUMPHREYS COUNTY
(F)-See Statewide
(Hw)-See Statewide
JACKSON COUNTY
(F)-See Statewide
(Hw)-See Statewide

TENNESSEE (cont'd)

JEFFERSON COUNTY
(F)-See Statewide
(Hw)-See Statewide
JOHNSON COUNTY
(F)-See Statewide
(Hw)-See Statewide
KNOX COUNTY
Decision #AP-154 (B)
38 FR 5776 - 3/2/73
(F)-See Statewide
(Hw)-See Statewide
LAKE COUNTY
(F)-See Statewide
(Hw)-See Statewide
LAUDERDALE COUNTY
(D)-See Carroll County
(F)-See Statewide
(Hw)-See Statewide
LAWRENCE COUNTY
(F)-See Statewide
(Hw)-See Statewide
(R)-See Davidson County
LEWIS COUNTY
(F)-See Statewide
(Hw)-See Statewide
LINCOLN COUNTY
(F)-See Statewide
(Hw)-See Statewide
LOUDON COUNTY
(F)-See Statewide
(Hw)-See Statewide
MC MINN COUNTY
(F)-See Statewide
(Hw)-See Statewide
MC NAIRY COUNTY
(F)-See Statewide
(Hw)-See Statewide
MACON COUNTY
(F)-See Statewide
(Hw)-See Statewide
MADISON COUNTY
(D)-See Carroll county
(F)-See Statewide
(Hw)-See Statewide
MARSHALL COUNTY
(F)-See Statewide
(Hw)-See Statewide
(R)-See Davidson County

TENNESSEE (cont'd)

MAURY COUNTY
(F)-See Statewide
(Hw)-See Statewide
(R)-See Davidson County
MEIGS COUNTY
(F)-See Statewide
(Hw)-See Statewide
MONROE COUNTY
(F)-See Statewide
(Hw)-See Statewide
MONTGOMERY COUNTY
(F)-See Statewide
(Hw)-See Statewide
MOORE COUNTY
(F)-See Statewide
(hw)-See Statewide
MORGAN COUNTY
(F)-See Statewide
(Hw)-See Statewide
OBION COUNTY
(D)-See Carroll County
(F)-See Statewide
(Hw)-See Statewide
OVERTON COUNTY
(F)-See Statewide
(Hw)-See Statewide
PERRY COUNTY
(F)-See Statewide
(Hw)-See Statewide
PICKETT COUNTY
(F)-See Statewide
(Hw)-See Statewide
POLK COUNTY
(F)-See Statewide
(Hw)-See Statewide
PUTNAM COUNTY
(F)-See Statewide
(Hw)-See Statewide
RHEA COUNTY
(F)-See Statewide
(Hw)-See Statewide
ROANE COUNTY
(B)-See Anderson County
(F)-See Statewide
(Hw)-See Statewide

TENNESSEE (cont'd)

ROBERTSON COUNTY
(F)-See Statewide
(Hw)-See Statewide
(R)-See Davidson County
RUTHERFORD COUNTY
(f)-See Statewide
(hw)-See Statewide
(R)-See Davidson County
SCOTT COUNTY
(F)-See Statewide
(Hw)-See Statewide
SEQUATCHIE COUNTY
(F)-See Statewide
(Hw)-See Statewide
SEVIER COUNTY
(F)-See Statewide
(Hw)-See Statewide
SHELBY COUNTY
Decision #AP-138 (B,H,Utility)
37 FR 25148-11/25/72
Mod. #1-38 FR 2013-1/19/73
Mod. #2-38 FR 4080-2/9/73
Mod. #3-38 FR 5762 - 3/2/73
Decision #AP-152 (R)
38 FR 4176 - 2/9/73
(D)- See Carroll County
(Hw) - See Statewide
SMITH COUNTY
(F)-See Statewide
(hw)-See Statewide
STEWART COUNTY
(F)-See Statewide
(Hw)-See Statewide
SULLIVAN COUNTY
Decision #AM-8623 (B)
37 FR 12013 - 6/16/72
Mod. #1 - 37 FR 23065 - 10/27/72
Decision #AP-137 (R)
37 FR 23051 - 10/27/72
(F)-See Statewide
(Hw)-See Statewide
SUMNER COUNTY
(F)-See Statewide
(Hw)-See Statewide
(R)-See Davidson County

TENNESSEE (cont'd)

TIPTON COUNTY
(D)-See Carroll County
(F)-See Statewide
(Hw)-See Statewide
TROUSDALE COUNTY
(F)-See Statewide
(Hw)-See Statewide
(R)-See Davidson County
UNICOI COUNTY
(F)-See Statewide
(Hw)-See Statewide
UNION COUNTY
(F)-See Statewide
(Hw)-See Statewide
VAN BUREN COUNTY
(F)-See Statewide
(Hw)-See Statewide
WARREN COUNTY
(F)-See Statewide
(Hw)-See Statewide
WASHINGTON COUNTY
Decision #AP-100 (B)
37 FR 13419 - 7/7/72
Mod. #1 - 37 FR 17316 - 8/25/72
Mod. #2 - 37 FR 22708 - 10/20/72
Decision #AP-136 (R)
37 FR 22702 - 10/20/72
(F)-See Statewide
(hw)-See Statewide
WAYNE COUNTY
(F)-See Statewide
(Hw)-See Statewide
WEAKLEY COUNTY
(D)-See Carroll County
(F)-See Statewide
WHITE COUNTY
(F)-See Statewide
(Hw)-See Statewide
WILLIAMSON COUNTY
(F)-See Statewide
(Hw)-See Statewide
(R)-See Davidson County
WILSON COUNTY
(F)-See Statewide
(Hw)-See Statewide
(R)-See Davidson County

TEXAS

ANDERSON COUNTY
Decision #AP-384 (Hw)
38 FR 2118-1/19/73
Mod. #1 - 38 FR 7690 - 3/23/73
ANDREWS COUNTY
Decision#AP-374 (Hw)
38 FR 2108-1/19/73
Mod. #1 - 38 FR 7698 - 3/23/73
ANGELINA COUNTY
(Hw)-See Anderson County
ARANSAS COUNTY
Decision #AP-378 (Hw)
38 FR 2112-1/19/73
Mod. #1 - 38 FR 7698 - 3/23/73
Decision #AM-8589 (D)
37 FR 5654-3/17/72
Mod. #1-37 FR 24506-11/17/72
ARCHER COUNTY
Decision #AP-372 (Hw)
38 FR 2106-1/19/73
Mod. #1 - 38 FR 7697 - 3/23/73
ARMSTRONG COUNTY
Decision #AP-388 (B)
38 FR 2621-1/26/73
Mod. #1-38 FR 4081-2/9/73
Mod. #2-38 FR 9402 - 4/13/73
(hw) - See Archer County
Decision #AP-346 (R)
37 FR 20497-9/29/72
Mod. #1-38 FR 4080-2/9/73
ATASCOSA COUNTY
Decision #AP-376 (Hw, Water & Sewer Utilities)
38 FR 2110-1/19/73
Mod. #1 - 38 FR 7698 - 3/23/73
AUSTIN COUNTY
Decision #AP-379 (Hw, Water & Sewer Utilities
38 FR 2113-1/19/73
Mod. #1 - 38 FR 7698 - 3/23/73
BAILEY COUNTY
Decision #AP-373 (Hw)
38 FR 2107-1/19/73
Mod. #1 - 38 FR 7697 - 3/23/73
Decision #AP-352 (R)
37 FR 21786-10/13/72
BANDERA COUNTY
(Hw, Water & Sewer Utilities)-See Atascosa County
BASTROP COUNTY
(Hw, Water & Sewer Utilities)-See Austin County
Decision #AM-7705 (R)
36 FR 22117-11/19/71
BAYLOR COUNTY
(Hw)-See Archer County
BEE COUNTY
(Hw)-See Aransas County

TEXAS (Cont'd)

BELL COUNTY
Decision #AP-380 (Hw)
38 FR 2114-1/19/73
Mod. #1 - 38 FR 7699 - 3/23/73
BEXAR COUNTY
Decision #AP-393 (B)
38 FR 2637-1/26/73
Mod. #1-38 FR 4082-2/9/73
Mod. #2-38 FR 7700 - 3/23/73
Mod. #3-38 FR 9402 - 4/13/73
(Hw, water & sewer utilities) - See Atascosa County
Decision #AM-3,554 (R)
36 FR 16771 - 8/25/71
Mod. #1-37 FR 3118 - 2/11/72
BLANCO COUNTY
(Hw, water & sewer utilities) - See Austin County
(R) - See Bastrop County
BORDEN COUNTY
(Hw) - See Bailey County
BOSQUE COUNTY
(Hw) - See Bell County
BOWIE COUNTY
Decision #AP-383 (Hw)
38 FR 2117-1/19/73
Mod. #1 - 38 FR 7699 - 3/23/73
BRAZORIA COUNTY
Decision #AP-386 (H,Hw)
38 FR 2120-1/19/73
Mod. #1 - 38 FR 7700 - 3/23/73
Decision #AM-7,488 (R)
36 FR 21737 - 11/12/71
Mod. #1-37 FR 10695 - 5/26/72
(D) - See Aransas County
BRAZOS COUNTY
Decision #AP-385 (Hw)
38 FR 2119-1/19/73
Mod. #1 - 38 FR 7699 - 3/23/73
BREWSTER COUNTY
Decision #AP-375 (Hw)
38 FR 2109-1/19/73
Mod. #1 - 38 FR 7698 - 3/23/73
BRISCOE COUNTY
(Hw) - See Archer County
BROOKS COUNTY
Decision #AP-377 (Hw)
38 FR 2111-1/19/73
Mod. #1 - 38 FR 7698 - 3/23/73
BROWN COUNTY
(Hw) - See Andrews County
BURLESON COUNTY
(Hw) - See Brazos County
BURNETT COUNTY
(Hw, water & sewer utilities) - See Austin County

TEXAS (Cont'd)

CALDWELL COUNTY
(Hw, water & sewer utilities) - See Austin County
(R) - See Bastrop County
CALHOUN COUNTY
(Hw) - See Aransas County
(D) - See Aransas County
CALLAHAN COUNTY
(Hw) - See Andrews County
CAMERON COUNTY
Decision #AP-396 (B)
38 FR 2646-1/26/73
(Hw) - See Brooks County
Decision #AP-369 (R)
37 FR 26775 - 12/15/72
(D) - See Aransas County
CAMP COUNTY
(Hw) - See Bowie County
CARSON COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
CASS COUNTY
(Hw) - See Bowie County
CASTRO COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
CHAMBERS COUNTY
Decision #AP-387 (Hw)
38 FR 2121-1/19/73
Mod. #1 - 38 FR 770 - 3/23/73
(D) - See Aransas County
CHEROKEE COUNTY
(Hw) - See Anderson County
CHILDRESS COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
CLAY COUNTY
(Hw) - See Archer County
COCHRAN COUNTY
(Hw) - See Bailey County
(R) - See Bailey County

TEXAS (Cont'd)

COKE COUNTY
(Hw) - See Andrews County
COLEMAN COUNTY
(Hw) - See Andrews County
COLLIN COUNTY
Decision #AP-399 (B-excluding Dallas-Fort Worth Regional Airport)
38 FR 3260 - 2/2/73
Mod. #1 - 38 FR 4631 - 2/16/73
Mod. #2 - 38 FR 9402 - 4/13/73
Decision #AP-382 (H, Hw-excluding Dallas-Fort Worth Regional Airport)
38 FR 2116-1/19/73
Mod. #1 - 38 FR 7699 - 3/23/73
Decision #AM-7,487 (R)
36 FR 21736 - 11/12/71
COLLINGSWORTH COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
COLORADO COUNTY
(Hw, water & sewer utilities) - See Austin County
COMAL COUNTY
(Hw, water & sewer utilities) - See Atascosa County
COMANCHE COUNTY
(Hw) - See Andrews County
CONCHO COUNTY
(Hw) - See Andrews County
COOKE COUNTY
Decision #AP-381 (Hw-excluding Dallas-Fort Worth Regional Airport)
38 FR 2115-1/19/73
Mod. #1 - 38 FR 7699 - 3/23/73
CORYELL COUNTY
(Hw) - See Bell County
COTTLE COUNTY
(Hw) - See Bailey County
CRANE COUNTY
(Hw) - See Andrews County
Decision #AP-347 (R)
37 FR 20499 - 9/29/72
CROCKETT COUNTY
(Hw) - See Andrews County

TEXAS (Cont'd)

CROSBY COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
CULBERSON COUNTY
(Hw) - See Brewster County
DALLAM COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
DALLAS COUNTY
(B) - See Collin County
(H & Hw) - See Collin County
(R) - See Collin County
DAWSON COUNTY
(Hw) - See Bailey County
DEAF SMITH COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
DELTA COUNTY
(Hw) - See Bowie County
DENTON COUNTY
(B) - See Collin County
(Hw) - See Cooke County
(R) - See Collin County
DE WITT COUNTY
(Hw) - See Aransas County
DICKENS COUNTY
(Hw) - See Bailey County
DIMMIT COUNTY
(Hw, water & sewer utilities) - See Atascosa County
DONLEY COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
DUVAL COUNTY
(Hw) - See Brooks County
EASTLAND COUNTY
(Hw) - See Andrews County
ECTOR COUNTY
(Hw) - See Andrews County
(R) - See Crane County

TEXAS (cont'd)

EDWARDS COUNTY
(Hw, water & sewer utilities)-
See Atascosa County
ELLIS COUNTY
(B, H, Hw, R) - See Collin County
EL PASO COUNTY
Decision #AP-390 (B)
38 FR 2628 - 1/26/73
Mod. #1 - 38 FR 4631 - 2/16/73
Mod. #2 - 38 FR 5108 - 2/23/73
Mod. #3 - 38 FR 5762 - 3/2/73
Mod. #4 - 38 FR 7173 - 3/16/73

(Hw) - See Brewster County
ERATH COUNTY
(Hw) - See Andrews County
FALLS COUNTY
(Hw) - See Bell County
FANNIN COUNTY
(Hw) - See Bowie County
FAYETTE COUNTY
(Hw, water & sewer utilities) -
See Austin County
(R) - See Bastrop County
FISHER COUNTY
(Hw) - See Bailey County
FLOYD COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
FOARD COUNTY
(Hw) - See Bailey County
FORT BEND COUNTY
(H & Hw) - See Brazoria County
(R) - See Brazoria County
FRANKLIN COUNTY
(Hw) - See Bowie County
FREESTONE COUNTY
(Hw) - See Bell County
FRIO COUNTY
(Hw, water & sewer utilities) -
See Atascosa County
GAINES COUNTY
(Hw) - See Bailey County

TEXAS (cont'd)

GALVESTON COUNTY
Decision #AP-389 (B)
38 FR 2625 - 1/26/73
Mod. #1 - 38 FR 4081 - 2/9/73
Mod. #2 - 38 FR 5108 - 2/23/73
Mod. #3 - 38 FR 6527 - 3/9/73
Mod. #4 - 38 FR 8360 - 3/30/73
(H & Hw) - See Brazoria County
Decision #AP-348 (R)
37 FR 20501 - 9/29/72
(D) - See Aransas County
GARZA COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
GILLESPIE COUNTY
(Hw, water & sewer utilities) -
See Austin County
GLASSCOCK COUNTY
(Hw) - See Andrews County
GOLIAD COUNTY
(Hw) - See Aransas County
GONZALES COUNTY
(Hw, water & sewer utilities) -
See Austin County
GRAY COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
GRAYSON COUNTY
(B) - See Collin County
(H & Hw) - See Collin County
GREGG COUNTY
(Hw) - See Bowie County
GRIMES COUNTY
(Hw) - See Brazos County
GUADALUPE COUNTY
(Hw, water & sewer utilities) -
See Atascosa County
HALE COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
HALL COUNTY
(Hw) - See Archer County
HAMILTON COUNTY
(Hw) - See Bell County
HANSFORD COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County

TEXAS (Cont'd)

HARDEMAN COUNTY
(Hw) - See Archer County
HARDIN COUNTY
(Hw) - See Chambers County
HARRIS COUNTY
Decision #AP-395 (B)
38 FR 2643-1/26/73
Mod. #1-38 FR 4082-2/9/73
Mod. #2 - 38 FR 5109 - 2/23/73
Mod. #3 - 38 FR 8630 - 3/30/73
(R) - See Brazoria County
(D) - See Aransas County
(H, Hw) - See Brazoria County
HARRISON COUNTY
(Hw) - See Bowie County
HARTLEY COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
HASKELL COUNTY
(Hw) - See Bailey County
HAYS COUNTY
(Hw, water & sewer utilities) -
See Austin County
(R) - See Bastrop County
HEMPHILL COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
HENDERSON COUNTY
(Hw) - See Anderson County
HIDALGO COUNTY
(B) - See Cameron County
(Hw) - See Brooks County
(R) - See Cameron County
HILL COUNTY
(Hw) - See Bell County
HOCKLEY COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
HOOD COUNTY
(B) - See Collin County
(Hw) - See Cooke County
Decision #AP-301 (R)
37 FR 15232 - 7/28/72
Mod. #1-37 FR 20395 - 9/29/72

TEXAS (Cont'd)

HOPKINS COUNTY
(Hw) - See Bowie County
HOUSTON COUNTY
(Hw) - See Anderson County
HOWARD COUNTY
(Hw) - See Andrews County
HUDSPETH COUNTY
(Hw) - See Brewster County
HUNT COUNTY
(B) - See Collin County
(Hw) - See Bowie County
(R) - See Collin County
HUTCHINSON COUNTY
(B)-- See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
IRION COUNTY
(Hw) - See Andrews County
JACK COUNTY
(Hw) - See Cooke County
JACKSON COUNTY
(Hw) - See Aransas County
(D)-- See Aransas County
JASPER COUNTY
(Hw) - See Anderson County
JEFF DAVIS COUNTY
(Hw) - See Brewster County
JEFFERSON COUNTY
Decision #AP-354 (B)
37 FR 23521 - 11/3/72
Mod. #1 - 37 FR 25115 - 11/25/72
Mod. #2 - 37 FR 26781 - 12/15/72
Mod. #3-38 FR 2571-1/26/73
Mod. #4-38 FR 4081-2/9/73
Mod. #5 - 38 FR 5108 - 2/23/73
(Hw) - See Chambers County
Decision #AP-353 (R)
37 FR 23519 - 11/3/72
Mod. #1 - 37 FR 11/25/72
Mod. #2 - 37 FR 26781 - 12/15/72
Mod. #3 - 38 FR 2571 - 1/26/73
Mod. #4 - 38 FR 4080 - 2/9/73
Mod. #5 - 38 FR 5108 - 2/23/73
(D) - See Aransas County
JIM HOGG COUNTY
(Hw) - See Brooks County
JIM WELLS COUNTY
(Hw) - See Aransas County
JOHNSON COUNTY
(B) - See Collin County
(Hw) - See Cooke County
(R) - See Hood County

TEXAS (cont'd)

JONES COUNTY
(Hw) - See Bailey County
KARNES COUNTY
(Hw)- See Aransas County
KAUFMAN COUNTY
(B) - See Collin County
(Hw) - See Bowie County
(R)- See Collin County
KENDALL COUNTY
(Hw, water & sewer utilities) - See Atascosa County
KENEDY COUNTY
(Hw) - See Brooks County
(D) - See Aransas County
KENT COUNTY
(Hw) - See Bailey County
KERR COUNTY
(Hw, water & sewer utilities) - See Atascosa County
KIMBLE COUNTY
(Hw) - See Andrews County
KING COUNTY
(Hw) - See Bailey County
KINNEY COUNTY
(Hw, water & sewer utilities) - See Atascosa County
KLEBERG COUNTY
(Hw) - See Aransas County
(D) - See Aransas County
KNOX COUNTY
(Hw) - See Bailey County
LAMAR COUNTY
(Hw) - See Bowie County
LAMB COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
LAMPASAS COUNTY
(Hw) - See Bell County
LA SALLE COUNTY
(Hw, water & sewer utilities) - See Atascosa County
LAVACA COUNTY
(Hw) - See Aransas County

TEXAS (Cont'd)

LEE COUNTY
(Hw, water & sewer utilities) - See Austin County
(R) - See Bastrop County
LEON COUNTY
(Hw) - See Brazos County
LIBERTY COUNTY
(Hw) - See Chambers County
LIMESTONE COUNTY
(Hw) - See Bell County
LIPSCOMB COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
LIVE OAK COUNTY
(Hw) - See Aransas County
LLANO COUNTY
(Hw, water & sewer utilities) - See Austin County
LOVING COUNTY
(Hw) - See Andrews County
(R) - See Crane County
LUBBOCK COUNTY
Decision #AP-394 (B)
38 FR 2640 - 1/26/73
Mod. #1 - 38 FR 4631 - 2/16/73
Mod. #2 - 38 FR 5109 - 2/23/73
Mod. #3 - 38 FR 5762 - 3/2/73
Mod. #4 - 38 FR 7173 - 3/16/73
Mod. #5 - 38 FR 9402 - 4/13/73
(Hw, R) - See Bailey County
LYNN COUNTY
(Hw, R) - See Bailey County
MCCULLOCH COUNTY
(Hw) - See Andrews County
MCLENNAN COUNTY
(Hw) - See Bell County
MCMULLEN COUNTY
(Hw), water & sewer utilities) - See Atascosa County
MADISON COUNTY
(Hw) - See Brazos County
MARION COUNTY
(Hw) - See Bowie County
MARTIN COUNTY
(Hw) - See Andrews County

TEXAS (Cont'd)

MASON COUNTY
(Hw, water & sewer utilities) - See Austin County
MATAGORDA COUNTY
(H & Hw) - See Brazoria County
(R) - See Brazoria County
(D) - See Aransas County
MAVERICK COUNTY
(Hw, water & sewer utilities) - See Atascosa County
MEDINA COUNTY
(Hw, water & sewer utilities) - See Atascosa County
MENARD COUNTY
(Hw) - See Andrews County
MIDLAND COUNTY
(Hw) - See Andrews County
(R) - See Crane County
MILAM COUNTY
(Hw) - See Brazos County
MILLS COUNTY
(Hw) - See Andrews County
MITCHELL COUNTY
(Hw) - See Andrews County
MONTAGUE COUNTY
(Hw) - See Archer County
MONTGOMERY COUNTY
(H & Hw) - See Brazoria County
(R)-See Brazoria County
MOORE COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
MORRIS COUNTY
(Hw) - See Bowie County
MOTLEY COUNTY
(Hw) - See Bailey County
NACOGDOCHES COUNTY
(Hw) - See Anderson County
NAVARRO COUNTY
(Hw) - See Bell County
NEWTON COUNTY
(Hw) - See Anderson County
NOLAN COUNTY
(Hw) - See Andrews County

TEXAS (cont'd)

NUECES COUNTY
Decision #AP-392 (B)
38 FR 2634 - 1/26/73
Mod. #1 - 38 FR 5762 - 3/2/73
Mod. #2 - 38 FR 9402 - 4/13/73
(Hw, D)- See Aransas County
OCHILTREE COUNTY
(B) - See Armstrong County
(Hw)-See Archer County
(R)-See Armstrong County
OLDHAM COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
ORANGE COUNTY
(B) - See Jefferson County
(Hw) - See Chambers County
(R) - See Jefferson County
(D) - See Aransas County
PALO PINTO COUNTY
(B) - See Collin County
(Hw) - See Cooke County
(R) - See Hood County
PANOLA COUNTY
(Hw) - See Anderson County
PARKER COUNTY
(B) - See Collin County
(Hw) - See Cooke County
(R) - See Hood County
PARMER COUNTY
(Hw) - See Archer County
PECOS COUNTY
(Hw) - See Brewster County
(R) - See Crane County
POLK COUNTY
(Hw) - See Anderson County
POTTER COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County

TEXAS (cont'd)

PRESIDIO COUNTY
(Hw) - See Brewster County
RAINS COUNTY
(Hw) - See Bowie County
RANDALL COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
REAGAN COUNTY
(Hw) - See Andrews County
REAL COUNTY
(Hw, water & sewer utilities) - See Atascosa County
RED RIVER COUNTY
(Hw) - See Bowie County
REEVES COUNTY
(Hw) - See Brewster County
(R) - See Crane County
REFUGIO COUNTY
(Hw) - See Aransas County
(D) - See Aransas County
ROBERTS COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
ROBERTSON COUNTY
(Hw) - See Brazos County
ROCKWALL COUNTY
(B) - See Collin County
(H & Hw) - See Collin County
(R) - See Collin County
RUNNELS COUNTY
(Hw) - See Andrews County
RUSK COUNTY
(Hw) - See Bowie County
SABINE COUNTY
(Hw) - See Anderson County
SAN AUGUSTINE COUNTY
(Hw) - See Anderson County
SAN JACINTO COUNTY
(Hw) - See Anderson County
SAN PATRICIO COUNTY
(Hw) - See Aransas County
(D) - See Aransas County
SAN SABA COUNTY
(Hw) - See Andrews County
SCHLEICHER COUNTY
(Hw) - See Andrews County

TEXAS (cont'd)

SCURRY COUNTY
(Hw) - See Bailey County
SHACKELFORD COUNTY
(hw) - See Bailey County
SHELBY COUNTY
(Hw) - See Anderson County
SHERMAN COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
SMITH COUNTY
(Hw) - See Bowie County
SOMERVELL COUNTY
(Hw) - See Cooke County
STARR COUNTY
(B) - See Cameron County
(Hw) - See Brooks County
(R) - See Cameron County
STEPHENS COUNTY
(Hw) - See Bailey County
STERLING COUNTY
(Hw) - See Andrews County
STONEWALL COUNTY
(Hw) - See Bailey County
SUTTON COUNTY
(Hw) - See Andrews County
SWISHER COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong COunty
TARRANT COUNTY
(B) - See Collin County
(Hw) - See Cooke County
Decision #AM-11423 (R)
37 FR 11617 - 6/9/72
Mod. #1 - 37 FR 20394 - 9/29/72
TAYLOR COUNTY
(Hw) - See Andrews County
TERRELL COUNTY
(Hw) - See Brewster County
TERRY COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
THROCKMORTON COUNTY
(Hw) - See Bailey County
TITUS COUNTY
(Hw) - See Bowie County
TOM GREEN COUNTY
(Hw) - See Andrews County

TEXAS (Cont'd)

TRAVIS COUNTY
Decision #AP-391 (B)
38 FR 2631 - 1/26/73
Mod. #1 - 38 FR 4081 - 2/9/73
Mod. #2 - 38 FR 4631 - 2/16/73
Mod. #3 - 38 FR 9402 - 4/13/73
(Hw, water & sewer utilities) - See Austin County
(R) - See Bastrop County
TRINITY COUNTY
(Hw) - See Anderson County
TYLER COUNTY
(Hw) - See Anderson County
UPSHUR COUNTY
(Hw) - See Bowie County
UPTON COUNTY
(Hw) - See Andrews County
(R) - See Crane County
UVALDE COUNTY
(Hw, water & sewer utilities) - See Atascosa County
VAL VERDE COUNTY
(Hw, water & sewer utilities) - See Atascosa County
VAN ZANDT COUNTY
(Hw) - See Bowie County
VICTORIA COUNTY
(Hw) - See Aransas County
(D) - See Aransas County
WALKER COUNTY
(Hw) - See Brazos County
(R) - See Brazoria County
WALLER COUNTY
(H & Hw) - See Brazoria County
WARD COUNTY
(Hw) - See Andrews County
(R) - See Andrews County
WASHINGTON COUNTY
(Hw) - See Brazos County
WEBB COUNTY
(Hw) - See Brooks County
WHARTON COUNTY
(H & Hw) - See Brazoria County

TEXAS (Cont'd)

WHEELER COUNTY
(B) - See Armstrong County
(Hw) - See Archer County
(R) - See Armstrong County
WICHITA COUNTY
(Hw) - See Archer County
WILBARGER COUNTY
(Hw) - See Archer County
WILLACY COUNTY
(B) - See Cameron County
(Hw) - See Brooks County
(R) - See Cameron County
(D) - See Aransas County
WILLIAMSON COUNTY
(Hw, water & sewer utilities) - See Austin County
(R) - See Bastrop County
WILSON COUNTY
(Hw, water & sewer utilities) - See Atascosa County
WINKLER COUNTY
(Hw) - See Andrews County
(R) - See Crane County
WISE COUNTY
(B) - See Collin County
(Hw) - See Cooke County
(R) - See Hood County
WOOD COUNTY
(Hw) - See Bowie County
YOAKUM COUNTY
(Hw) - See Bailey County
(R) - See Bailey County
YOUNG COUNTY
(Hw) - See Bailey County
ZAPATA COUNTY
(Hw) - See Brooks County
ZAVALA COUNTY
(Hw, water & sewer utilities) - See Atascosa County

UTAH

STATEWIDE
Decision #AP-254 (B-H-Hw)
37 FR 26255 - 12/8/72
Mod. #1-38 FR 939-1/5/73
BEAVER COUNTY
(B, H, Hw) - See Statewide
BOX ELDER COUNTY
(B, H, Hw) - See Statewide
CACHE COUNTY
(B, H, Hw) - See Statewide
CARBON COUNTY
(B, H, Hw) - See Statewide
DAGGETT COUNTY
(B, H, Hw) - See Statewide
DAVIS COUNTY
(B, H, Hw) - See Statewide
DUCHESNE COUNTY
(B, H, Hw) - See Statewide
EMERY COUNTY
(B, H, Hw) - See Statewide
GARFIELD COUNTY
(B, H, Hw) - See Statewide
GRAND COUNTY
(B, H, Hw) - See Statewide
IRON COUNTY
(B, H, Hw) - See Statewide
JUAB COUNTY
(B, H, Hw) - See Statewide
KANE COUNTY
(B, H, Hw) - See Statewide
MILLARD COUNTY
(B, H, Hw) - See Statewide
MORGAN COUNTY
(B, H, Hw) - See Statewide
PIUTE COUNTY
(B, H, Hw) - See Statewide
RICH COUNTY
(B, H, Hw) - See Statewide
SALT LAKE COUNTY
(B, H, Hw) - See Statewide
SAN JUAN COUNTY
(B, H, Hw) - See Statewide
SANPETE COUNTY
(B, H, Hw) - See Statewide
SEVIER COUNTY
(B, H, Hw) - See Statewide
SUMMIT COUNTY
(B, H, Hw) - See Statewide

UTAH (cont'd)

TOOELE COUNTY
(B, H, Hw) - See Statewide
UNITAH COUNTY
(B, H, Hw) - See Statewide
UTAH COUNTY
(B, H, Hw) - See Statewide
WASATCH COUNTY
(B, H, Hw) - See Statewide
WASHINGTON COUNTY
(B, H, Hw) - See Statewide
WAYNE COUNTY
(B, H, Hw) - See Statewide
WEBER COUNTY
(B, H, Hw) - See Statewide

VERMONT

STATEWIDE
Decision #AP-438 (Hw)
37 FR 21693 - 10/13/72
Mod. #1 - 37 FR 25116 - 11/25/72
Mod. #2-38 FR 2013-1/19/73
ADDISON COUNTY
(Hw) - See Statewide
BENNINGTON COUNTY
(Hw) - See Statewide
CALEDONIA COUNTY
(Hw) - See Statewide
CHITTENDEN COUNTY
(Hw) - See Statewide
ESSEX COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
GRAND ISLE COUNTY
(Hw) - See Statewide
LAMOILLE COUNTY
(Hw) - See Statewide
ORANGE COUNTY
(Hw) - See Statewide
ORLEANS COUNTY
(Hw) - See Statewide
RUTLAND COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(Hw) - See Statewide
WINDHAM COUNTY
(Hw) - See Statewide
WINDSOR COUNTY
(Hw) - See Statewide

VIRGINIA

ACCOMACK COUNTY
Decision #AM-1872 (Hw)
36 FR 16340 - 8/20/71
Mod. #1 - 36 FR 23106 - 12/3/71
Mod. #2 - 37 FR 5663 - 3/17/72
Mod. #3 - 38 FR 7700 - 3/23/73
Decision #AP-439 (D)
37 FR 22701 - 10/20/72
ALBEMARLE COUNTY
Decision #AM-1874 (Hw)
36 FR 16342 - 8/20/71
ALEXANDRIA CITY
Decision #AP-492 (B)
38 FR 6538 - 3/9/73
Mod. #1 - 38 FR 8871 - 4/6/73
Mod. #2 - 38 FR 9393 - 4/13/73

Decision #AP-450 (R)
37 FR 25117 - 11/25/72
(D) - See Accomack County
ALLEGHENY COUNTY
Decision #AM-1875 (Hw)
36 FR 16343 - 8/20/71
Mod. #1 - 37 FR 5169 - 3/10/72
AMELIA COUNTY
Decision #AM-1871 (Hw)
36 FR 16339 - 8/20/71
AMHERST COUNTY
Decision #AM-1870 (Hw)
36 FR 16338 - 8/20/71
APPOMATTOX COUNTY
(Hw) - See Amherst County
ARLINGTON COUNTY
(B) - See Alexandria City
(R) - See Alexandria City
(D) - See Accomack County
AUGUSTA COUNTY
Decision #AM-9320 (R)
37 FR 10267 - 5/19/72
(Hw) - See Allegheny County
BATH COUNTY
(Hw) - See Allegheny County
BEDFORD COUNTY
Decision #AM-1869 (Hw)
36 FR 16337 8/20/71
Mod. #1 - 36 FR 18274 - 9/10/71
BLAND COUNTY
Decision #AM-1868 (Hw)
36 FR 16336 - 8/20/71

VIRGINIA (Cont'd)

BOTETOURT COUNTY
(Hw) - See Bedford County
BRISTOL CITY
(Hw) - See Bland County
BRUNSWICK COUNTY
(Hw) - See Amelia County
BUCHANAN COUNTY
(Hw) - See Bland County
BUCKINGHAM COUNTY
(Hw) - See Amherst County
BUENA VISTA CITY
(Hw) - See Allegheny County
CAMPBELL COUNTY
(Hw) - See Amherst County
CAROLINE COUNTY
Decision #AM-1873 (Hw)
36 FR 16341 - 8/20/71
Mod. #1 - 37 FR 15238 - 7/28/72
CARROLL COUNTY
(Hw) - See Bedford County
CHARLES CITY COUNTY
(Hw) - See Amelia County
CHARLOTTE COUNTY
(Hw) - See Amherst County
CHARLOTTESVILLE CITY
(Hw) - See Albermarle County
CHESAPEAKE CITY
Decision #AP-468 (B)
38 FR 4177 - 2/9/73
Mod. #1 - 38 FR 5764 - 3/2/73
Mod. #2 - 38 FR 6527 - 3/9/73
Mod. #3 - 38 FR 8360 - 3/30/73
Decision #AP-494 (Hw)
38 FR 7693 - 3/23/73
(D) - See Accomack County
CHESTERFIELD COUNTY
(Hw) - See Amelia County
CLARKE COUNTY
Decision #AP-406 (R)
37 FR 15234 - 7/28/72
(Hw) - See Allegheny County
CLIFTON FORGE CITY
(Hw) - See Allegheny County
COLONIAL HEIGHTS CITY
(Hw) - See Amelia County
COVINGTON CITY
(Hw) - See Allegheny County
CRAIG COUNTY
(Hw) - See Bedford County

VIRGINIA (cont'd)

CULPEPER COUNTY
(Hw) - See Albemarle County
CUMBERLAND COUNTY
(Hw) - See Amherst County
DANVILLE CITY
(Hw) - See Amherst County
DICKERSON COUNTY
(Hw) - See Bland County
DINWIDDIE COUNTY
(Hw) - See Amelia County
ESSEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
FAIRFAX COUNTY
(S) - See Alexandria City
(R) - See Alexandria City
(D) - See Accomack County
FAIRFAX CITY
(S) - See Alexandria City
(R) - See Alexandria City
FALLS CHURCH CITY
(S) - See Alexandria City
(R) - See Alexandria City
FAUQUIER COUNTY
(Hw) - See Albermarle County
FLOYD COUNTY
(Hw) - See Bedford County
FLUVANNA COUNTY
(Hw) - See Albermarle County
FORT MONROE CITY
(Hw) - See Accomack County
FRANKLIN CITY
(Hw) - See Accomack County
FRANKLIN COUNTY
(Hw) - See Bedford County

VIRGINIA (cont'd)

FREDERICK COUNTY
(R) - See Clarke County
(Hw) - See Allegheny County
FREDERICKSBURG CITY
(Hw) - See Caroline County
GALAX CITY
(Hw) - See Bland County
GILES COUNTY
(Hw) - See Bedford County
GLOUCESTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
GOOCHLAND COUNTY
(Hw) - See Amelia County
GREENE COUNTY
(Hw) - See Albemarle County
GREENSVILLE COUNTY
(Hw) - See Accomack County
HALIFAX COUNTY
(Hw) - See Amherst County
HAMPTON CITY
(Hw) - See Chesapeake City
(D) - See Accomack County
HANOVER COUNTY
(Hw) - See Amelia County
HARRISONBURG CITY
(Hw) - See Alleghany County
HENRICO COUNTY
Decision #AP-499 (S)
38 FR 8410 - 3/30/73
(Hw) - See Amelia County

VIRGINIA (cont'd)

HENRY COUNTY
(Hw) - See Bedford County
HIGHLAND COUNTY
(Hw) - See Alleghany County
HOPEWELL CITY
(Hw) - See Amelia County
ISLE OF WIGHT COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
JAMES CITY COUNTY
Decision #AP-407 (R)
37 FR 15235 - 7/28/72
(Hw) - See Accomack County
(D) - See Accomack County
KING AND QUEEN COUNTY
(Hw) - See Caroline County
KING GEORGE COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
KING WILLIAM COUNTY
(Hw) - See Caroline County
LANCASTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
LEE COUNTY
(Hw) - See Bland County
LOUDOUN COUNTY
(Hw) - See Albemarle County
LOUISA COUNTY
(Hw) - See Albemarle County
LUNENBURG COUNTY
(Hw) - See Amelia County
LYNCHBURG CITY
(Hw) - See Amherst County

VIRGINIA (cont'd)

MADISON COUNTY
(Hw) - See Albemarle County
MARTINSVILLE CITY
(Hw) - See Bedford County
MATHEWS COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MECKLENBURG COUNTY
(Hw) - See Amelia County
MIDDLESEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MONTGOMERY COUNTY
(Hw) - See Bedford County
NANSEMOND COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
NELSON COUNTY
(Hw) - See Amherst County
NEW KENT COUNTY
(Hw) - See Amelia County
NEWPORT NEWS CITY
(Hw) - See Chesapeake City
(D) - See Accomack County
NORFOLK CITY
(S)-See Chesapeake City
(Hw) - See Chesapeake City
(D) - See Accomack County
NORTHAMPTON COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
NORTON CITY
(Hw) - See Bland County

VIRGINIA (cont'd)

NORTHUMBERLAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
NOTTOWAY COUNTY
(Hw) - See Amelia County
ORANGE COUNTY
(Hw) - See Albermarle County
PAGE COUNTY
(Hw) - See Allegheny County
PATRICK COUNTY
(Hw) - See Bedford County
PETERSBURG COUNTY
(Hw) - See Amelia County
PITTSYLVANIA COUNTY
(Hw) - See Amherst County
PORTSMOUTH CITY
(B) - See Chesapeake City
(Hw) - See Chesapeake City
(D) - See Accomack County
POWHATAN COUNTY
(Hw) - See Amelia County
PRINCE EDWARD COUNTY
(Hw) - See Amherst County
PRINCE GEORGE COUNTY
(Hw) - See Amelia County
PRINCE WILLIAM COUNTY
(Hw) - See Albermarle County
(D) - See Accomack County
PULASKI COUNTY
(Hw) - See Bedford County
RADFORD CITY
(Hw) - See Bedford County
RAPAHANNOCK COUNTY
(Hw) - See Albermarle County
RICHMOND CITY
(B) - See Henrico County
(Hw) - See Amelia County
RICHMOND COUNTY
(Hw) - See Caroline County
ROANOKE CITY
(Hw) - See Bedford County
ROANOKE COUNTY
(Hw) - See Bedford County
ROCKSBRIDGE COUNTY
(Hw) - See Allegheny County

VIRGINIA (Cont'd)

ROCKINGHAM COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
RUSSELL COUNTY
(Hw) - See Bland County
SCOTT COUNTY
(Hw) - See Bland County
SHENANDOAH COUNTY
(Hw) - See Alleghany County
(R) - See Clarke County
SMYTH COUNTY
(Hw) - See Bland County
SOUTHAMPTON COUNTY
(Hw) - See Accomack County
SOUTH BOSTON CITY
(Hw) - See Amherst County
SPOTSYLVANIA COUNTY
(Hw) - See Caroline County
STAUNTON CITY
(Hw) - See Alleghany County
STAFFORD COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
SUFFOLK CITY
(Hw) - See Accomack County
SURRY COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
SUSSEX COUNTY
(Hw) - See Accomack County
TAZEWELL COUNTY
(Hw) - See Bland County
VIRGINIA BEACH CITY
Decision #AM-9321 (R)
37 FR 10266 - 5/19/72
(Hw) - Chesapeake City
(D) - See Accomack County
WARREN COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
WASHINGTON COUNTY
(Hw) - See Bland County
WAYNESBORO CITY
(Hw) - See Alleghany County
WESTMORELAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County

VIRGINIA (Cont'd)

WILLIAMSBURG CITY
(Hw) - See Accomack County
WINCHESTER CITY
(Hw) - See Alleghany County
WISE COUNTY
(Hw) - See Bland County
WYTHE COUNTY
(Hw) - See Bland County
YORK COUNTY
(R) - See James City County
(Hw) - See Accomack County
(D) - See Accomack County

WASHINGTON

STATEWIDE
Decision #AP-283 (B, H, Hw, D)
38 FR 8920 - 4/6/73
ADAMS COUNTY
(B,H,Hw,D)-See Statewide
ASOTIN COUNTY
(B,H,Hw,D)-See Statewide
BENTON COUNTY
(B,H,Hw,D)-See Statewide
CHELAN COUNTY
(B,H,Hw,D)-See Statewide
CLALLAM COUNTY
(B,H,Hw,D)-See Statewide
CLARK COUNTY
(B,H,Hw,D)-See Statewide
COLUMBIA COUNTY
(B,H,Hw,D)-See Statewide
COWLITZ COUNTY
(B,H,Hw,D)-See Statewide
DOUGLAS COUNTY
(B,H,Hw,D)-See Statewide
FERRY COUNTY
(B,H,Hw,D)-See Statewide
FRANKLIN COUNTY
(B,H,Hw,D)-See Statewide
GARFIELD COUNTY
(B,H,Hw,D)-See Statewide
GRANT COUNTY
(B,H,Hw,D)-See Statewide
GRAYS HARBOR COUNTY
(B,H,Hw,D)-See Statewide
ISLAND COUNTY
(B,H,Hw,D)-See Statewide
JEFFERSON COUNTY
(B,H,Hw,D)-See Statewide

WASHINGTON (Cont'd)

KING COUNTY
(B,H,Hw,D)-See Statewide
KITSAP COUNTY
(B,H,Hw,D)-See Statewide
KITTITAS COUNTY
(B,H,Hw,D)-See Statewide
KLICKITAT COUNTY
(B,H,Hw,D)-See Statewide
LEWIS COUNTY
(B,H,Hw,D)-See Statewide
LINCOLN COUNTY
(B,H,Hw,D)-See Statewide
MASON COUNTY
(B,H,Hw,D)-See Statewide
OKANOGAN COUNTY
(B,H,Hw,D)-See Statewide
PACIFIC COUNTY
(B,H,Hw,D)-See Statewide
PEND OREILLE COUNTY
(B,H,Hw,D)-See Statewide
PIERCE COUNTY
(B,H,Hw,D)-See Statewide
SAN JUAN COUNTY
(B,H,Hw,D)-See Statewide
SKAGIT COUNTY
(B,H,Hw,D)-See Statewide
SKAMANIA COUNTY
(B,H,Hw,D)-See Statewide
SNOHOMISH COUNTY
(B,H,Hw,D)-See Statewide
SPOKANE COUNTY
(B,H,Hw,D)-See Statewide
STEVENS COUNTY
(B,H,Hw,D)-See Statewide
THURSTON COUNTY
(B,H,Hw,D)-See Statewide
WAHKIAKUM COUNTY
(B,H,Hw,D)-See Statewide
WALLA WALLA COUNTY
(B,H,Hw,D)-See Statewide
WHATCOM COUNTY
(B,H,Hw,D)-See Statewide
WHITMAN COUNTY
(B,H,Hw,D)-See Statewide
YAKIMA COUNTY
(B,H,Hw,D)-See Statewide

WASHINGTON, D.C.

Washington, D. C.
Decision #AP-491 (B, Hw, Sewer & Water)
38 FR 6651 - 3/9/73
Mod. #1 - 38 FR 8873 - 4/6/73
Mod. #2 - 38 FR 9403 - 4/13/ 73
Decision #AP-450 (B)
37 FR 25117 - 11/25/73

WEST VIRGINIA

STATEWIDE
Decision #AP-804 (H, Hw)
38 FR 9415 - 4/13/73
BARBOUR COUNTY
(H & Hw) - See Statewide
BERKELEY COUNTY
(H & Hw) - See Statewide
BOONE COUNTY
(H & Hw) - See Statewide
BRAXTON COUNTY
(H & Hw) - See Statewide
BROOKE COUNTY
(H & Hw) - See Statewide
CABELL COUNTY
Decision #AP-403 (B)
37 FR 14661 - 7/21/72
Mod. #1-37 FR 16722 - 8/18/72
Mod. #2-37 FR 21720 - 10/13/72
Decision #AP-602 (D)
38 FR 1433-1/12/73
(H & Hw) - See Statewide
CALHOUN COUNTY
(H & Hw) - See Statewide
CLAY COUNTY
(H & Hw) - See Statewide

WEST VIRGINIA (Cont'd)

DODDRIDGE COUNTY
(H & Hw) - See Statewide
FAYETTE COUNTY
(H & Hw) - See Statewide
GILMER COUNTY
(H & Hw) - See Statewide
GRANT COUNTY
(H & Hw) - See Statewide +
GREENBRIER COUNTY
(H & Hw) - See Statewide
HAMPSHIRE COUNTY
(H & Hw) - See Statewide
HANCOCK COUNTY
(H & Hw) - See Statewide
HARDY COUNTY
(H & Hw) - See Statewide
HARRISON COUNTY
(H & Hw) - See Kanawha County
JACKSON COUNTY
(D)-See Cabell County
(H & Hw) - See Statewide
JEFFERSON COUNTY
(H & Hw) - See Statewide
KANAWHA COUNTY
Decision #AP-402 (B)
37 FR 14659 - 7/21/72
Mod. #1-37 FR 20401 - 9/29/72
Mod. #2-37 FR 21720 - 10/13/72
Mod. #3-38 FR 4082-2/9/73
Decision #AP-405 (H)
37 FR 15236 - 7/28/72
Mod. #1-37 FR 20401 - 9/29/72
Mod. #2-37 FR 21720 - 10/13/72
Mod. #3-38 FR 4082-2/9/73

WEST VIRGINIA (cont'd)

LEWIS COUNTY
(H & Hw) - See Statewide
LINCOLN COUNTY
(H & Hw) - See Statewide
LOGAN COUNTY
(H & Hw) - See Statewide
McDOWELL COUNTY
(H & Hw) - See Statewide
MARION COUNTY
(H & Hw) - See Statewide
MARSHALL COUNTY
(H & Hw) - See Statewide
MASON COUNTY
(D)-See Cabell County
(H & Hw) - See Statewide
MERCER COUNTY
(H & Hw) - See Saatewide
MINERAL COUNTY
(H & Hw) - See Statewide
MINGO COUNTY
(H & Hw) - See Statewide
MONONGALIA COUNTY
(H & Hw) - See Statewide
MONROE COUNTY
(H & Hw) - See Statewide
MORGAN COUNTY
(H & Hw) - See Statewide
NICHOLAS COUNTY
(H & Hw) - See Statewide
OHIO COUNTY
(H & Hw) - See Statewide
PENDLETON COUNTY
(H & Hw) - See Statewide
PLEASANT COUNTY
(D)-See Cabell County
(H & Hw) - See Statewide
PRESTON COUNTY
(H & Hw) - See Statewide

WEST VIRGINIA (cont'd)

PUTNAM COUNTY
(H & Hw) - See Statewide
RALEIGH COUNTY
(H & Hw) - See Statewide
RANDOLPH COUNTY
(H & Hw) - See Statewide
RITCHIE COUNTY
(H & Hw) - See Statewide
ROANE COUNTY
(H & Hw) - See Statewide
SUMMERS COUNTY
(H & Hw) - See Statewide
TAYLOR COUNTY
(H & Hw) - See Statewide
TUCKER COUNTY
(H & Hw) - See Statewide
TYLER COUNTY
(H & Hw) - See Statewide
UPSHUR COUNTY
(H & Hw) - See Statewide
WAYNE COUNTY
(H & Hw) - See Statewide
WEBSTER COUNTY
(H & Hw) - See Statewide
WETZEL COUNTY
(D)-See Cabell County
(H & Hw) - See Statewide
WIRT COUNTY
(H & Hw) - See Statewide
WOOD COUNTY
(D)-See Cabell County
(H & Hw) - See Statewide
WYOMING COUNTY
(H & Hw) - See Statewide

WISCONSIN

ADAMS COUNTY
Decision #AP-72 (Hw)
37 FR 26273 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
ASHLAND COUNTY
Decision #AP-4 (D)
37 FR 14670 - 7/21/72
Decision #AP-70 (Hw)
37 FR 26269 - 12/8/72
Mod. #1-38 FR 2018-1/19/73

WISCONSIN (cont'd)

BARRON COUNTY
Decision #AP-71 (Hw)
37 FR 26271 - 12/8/72
Mod. #1-38 FR 2018-1/19/73
BAYFIELD COUNTY
(D) - See Ashland County
(Hw) - See Ashland County
BROWN COUNTY
Decision #AP-53 (B)(H)(Hw)
37 FR 25643 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2015-1/19/73
Mod. #3-38 FR 5111-2/23/72
(D) - See Ashland County
BUFFALO COUNTY
(Hw) - See Barron County
BURNETT COUNTY
(Hw) - See Ashland County
CALUMET COUNTY
Decision #AP-74 (Hw)
37 FR 26277 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
CHIPPEWA COUNTY
(Hw) - See Barron County
CLARK COUNTY
(Hw) - See Barron County
COLUMBIA COUNTY
Decision #AP-73 (Hw)
37 FR 26275 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
CRAWFORD COUNTY
(Hw) - See Columbia County
DANE COUNTY
Decision #AP-54 (B)(H)(Hw)
37 FR 25647 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2015-1/19/73
Mod. #3-38 FR 5111-2/23/73
Decision #AP-65 (R)
37 FR 25606 - 12/1/72
Mod. #1 - 38 FR 28358 - 12/22/72
Mod. #2 - 38 FR 2018 - 1/19/73
Mod. #3 - 38 FR 5112 - 2/23/73
DODGE COUNTY
(Hw) - See Columbia County
DOOR COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
DOUGLAS COUNTY
(D) - See Ashland County

WISCONSIN (cont'd)

(Hw) - See Ashland County
DUNN COUNTY
(Hw) - See Barron County
EAU CLAIRE COUNTY
Decision #AP-55 (B)(H)(Hw)
37 FR 25650 - 12/1/72
Mod. #1-38 FR 2016-1/19/73
Mod. #2-38 FR 5111-2/23/73
FLORENCE COUNTY
(Hw) - See Calumet County
FOND DU LAC COUNTY
Decision #AP-75 (Hw)
37 FR 26279 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
FOREST COUNTY
(Hw) - See Ashland County
GRANT COUNTY
(Hw) - See Columbia County
GREEN COUNTY
(Hw) - See Columbia County
GREEN LAKE COUNTY
(Hw) - See Adams County
IOWA COUNTY
(Hw) - See Columbia County
IRON COUNTY
(D) - See Ashland County
(Hw) - See Ashland County
JACKSON COUNTY
(Hw) - See Columbia County
JEFFERSON COUNTY
(Hw) - See Columbia County
JUNEAU COUNTY
Decision #AP-56 (B)(H)(Hw)
37 FR 25654 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2016-1/19/73
Mod. #3-38 FR 5111-2/23/73
KENOSHA COUNTY
Decision #AP-57 (B)(H)(Hw)
37 FR 25658 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2016-1/19/73
KEWAUNEE COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
LA CROSSE COUNTY
Decision #AP-58 (B)(H)(Hw)
37 FR 25662 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2016-1/19/73
Mod. #3-38 FR 5112-2/23/73

WISCONSIN (cont'd)

LA CROSSE COUNTY (cont'd)
Decision #AP-66 (R)
37 FR 25609 - 12/1/72
Mod. #1 - 37 FR 28358 - 12/22/72
Mod. #2 - 38 FR 2018 - 1/19/73
Mod. #3 - 38 FR 5112 - 2/23/73
LAFAYETTE COUNTY
(Hw) - See Columbia County
LANGLADE COUNTY
(Hw) - See Adams County
LINCOLN COUNTY
(Hw) - See Ashland County
MANITOWOC COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
MARATHON COUNTY
Decision #AP-59 (B)(H)(Hw)
37 FR 25666 - 12/1/72
Mod. #1-38 FR 2017-1/19/73
Mod. #2-38 FR 5111-2/23/73
MARINETTE COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
MARQUETTE COUNTY
(Hw) - See Adams County
MENOMINEE COUNTY
(Hw) - See Adams County
MILWAUKEE COUNTY
Decision #AP-60 (B)(H)(Hw)
37 FR 25669 - 12/1/72
Mod. #1-37 FR 28357-12/22/72
Mod. #2-38 FR 2017-1/19/73
Mod. #3-38 FR 5111-2/23/73
(D) - See Ashland County
Decision #AP-67 (R)
37 FR 25612 - 12/1/72
Mod. #1 - 37 FR 28358 - 12/22/72
Mod. #2 - 38 FR 5112 - 2/23/73
MONROE COUNTY
(Hw) - See Columbia County
OCONTO COUNTY
(D) - See Ashland County
(Hw) - See Calumet County

WISCONSIN (cont'd)

ONEIDA COUNTY
(Hw) - See Ashland County
OUTAGAMIE COUNTY
(Hw) - See Calumet County
OZAUKEE COUNTY
(B)(H)(Hw) - See Milwaukee County
(D) - See Ashland County
(Hw) - See Fond du Lac County
(R) - See Milwaukee County
PEPIN COUNTY
(Hw) - See Barron County
PIERCE COUNTY
(Hw) - See Barron County
POLK COUNTY
Decision #AP-61 (B)(H)(Hw)
37 FR 25674 - 12/1/72
Mod. #1-38 FR 2017-1/19/73
PORTAGE COUNTY
(Hw) - See Adams County
PRICE COUNTY
(Hw) - See Ashland County
RACINE COUNTY
Decision AP-62 (B)(H)(Hw)
37 FR 25678 - 12/1/72
Mod. #1-37 FR 28357 - 12/22/72
Mod. #2-38 FR 2017-1/19/73
(D) - See Ashland County
RICHLAND COUNTY
(Hw) - See Columbia County
ROCK COUNTY
Decision #AP-63 (B)(H)(Hw)
37 FR 25682 - 12/1/72
Mod. #1-37 FR 28358-12/22/72
Mod. #2-38 FR 2018-1/19/73
Mod. #3-38 FR 5111-2/23/73
RUSK COUNTY
(Hw) - See Ashland County
SAINT CROIX COUNTY
(Hw) - See Barron County
SAUK COUNTY
(Hw) - See Columbia County
SAWYER COUNTY
(Hw) - See Ashland County

WISCONSIN (Cont'd)

SHAWANO COUNTY
(Hw) - See Adams County
SHEBOYGAN COUNTY
(D) - See Ashland County
(Hw) - See Fond du Lac County
TAYLOR COUNTY
(Hw) - See Ashland County
TREMPEALEAU COUNTY
(Hw) - See Barron County
VERNON COUNTY
(Hw) - See Columbia County
VILAS COUNTY
(Hw) - See Ashland County
WALWORTH COUNTY
(Hw) - See Fond du Lac County
WASHBURN COUNTY
(Hw) - See Ashland County
WASHINGTON COUNTY
(B)(H)(Hw) - See Milwaukee County
(Hw) - See Fond du Lac County
(R) - See Milwaukee County
WAUKESHA COUNTY
(B)(H)(Hw) - See Milwaukee County
(R) - See Milwaukee County
WAUPACA COUNTY
(Hw) - See Adams County
WAUSHARA COUNTY
(Hw) - See Adams County
WINNEBAGO COUNTY
Decision #AP-64 (B)(H)(Hw)
37 FR 25686 - 12/1/72
Mod. #1 - 37 FR 28358 - 12/22/72
Mod. #2 - 38 FR 2018 - 1/19/73
Mod. #3 - 38 FR 5112 - 2/23/73
WOOD COUNTY
(Hw) - See Adams County

WYOMING

STATEWIDE
Decision #AM-2,476 (Hw)
36 FR 17159 - 8/27/71
Mod. #1-37 FR 4470 - 3/3/72
Mod. #2-37 FR 28805-12/29/72
Mod. #3-38 FR 2020-1/19/73
ALBANY COUNTY
(Hw) - See Statewide

WYOMING (Cont'd)

BIG HORN COUNTY
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CARBON COUNTY
(Hw) - See Statewide
CONVERSE COUNTY
(Hw) - See Statewide
CROOK COUNTY
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GOSHEN COUNTY
(Hw) - See Statewide
HOT SPRINGS COUNTY
(Hw) - See Statewide
JOHNSON COUNTY
(Hw) - See Statewide
LARAMIE COUNTY
Decision #AP-250 (B,H,Hw)
37 FR 24011 - 11/10/72
Mod. #1 - 38 FR 940 - 1/5/73
Mod. #2 - 38 FR 2021 - 1/19/73
LINCOLN COUNTY
(Hw) - See Statewide
NATRONA COUNTY
(Hw) - See Statewide
NIOBRARA COUNTY
(Hw) - See Statewide
PARK COUNTY
(Hw) - See Statewide
PLATTE COUNTY
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SUBLETTE COUNTY
(Hw) - See Statewide
SWEETWATER COUNTY
(Hw) - See Statewide
TETON COUNTY
(Hw) - See Statewide
UINTA COUNTY
(Hw) - See Statewide
WASHAKIE COUNTY
(Hw) - See Statewide
WESTON COUNTY
(Hw) - See Statewide
YELLOWSTONE NATIONAL PARK COUNTY
(Hw) - See Statewide

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